

## **BILL ANALYSIS**

Senate Research Center  
83R1687 KSD-D

S.B. 62  
By: Nelson  
Higher Education  
3/21/2013  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 62 is intended to ensure that college students are protected from bacterial meningitis while allowing local and state immunization resources to be focused on the most vulnerable individuals. Currently, all Texas college students age 29 and younger must show proof of vaccination against bacterial meningitis in the past five years. This bill aligns meningitis vaccine requirements for college students with Centers for Disease Control recommendations and national best practices by only requiring that students ages 21 and younger show proof of vaccination against this disease. It also requires that students seeking a conscientious exemption utilize the established Department of State Health Services process.

As proposed, S.B. 62 amends current law relating to the vaccination against bacterial meningitis of entering students at public and private or independent institutions of higher education.

[**Note:** While the statutory reference in this bill is to the Texas Department of Health (TDH), the following amendments affect the Department of State Health Services, as the successor agency to TDH.]

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 51.9192, Education Code, by amending Subsection (b) and adding Subsection (d-2), as follows:

(b) Provides that this section does not apply to a student of an institution who is enrolled only in online or other distance education courses or who is 22 years of age or older, rather than 30 years of age or older.

(d-2) Requires that an affidavit submitted under this subsection be on a form described by Section 161.0041 (Immunization Exemption Affidavit Form), Health and Safety Code, and submitted to the appropriate admitting official not later than the 90th day after the date the affidavit is notarized.

SECTION 2. Amends Section 161.0041(a), Health and Safety Code, to add Section 51.9192 to the sections under which a person claiming an exemption from a required immunization based on reasons of conscience, including a religious belief, is required to complete an affidavit on a form provided by the Texas Department of Health stating the reason for the exemption.

SECTION 3. Provides that the changes in law made by this Act apply beginning with entering students enrolling in public or private or independent institutions of higher education in this state on or after January 1, 2014.

SECTION 4. Effective date: October 1, 2013.