

AN ACT

relating to the requirement that certain schoolchildren be screened for abnormal spinal curvature.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsections (b) and (c), Section 37.001, Health and Safety Code, are amended to read as follows:

(b) The board, in cooperation with the Texas Education Agency, shall adopt rules requiring each public school to choose either to participate in the [for the mandatory] spinal screening program for [of] children in grades 6 and 9 attending the public [or private] school or to provide information developed by the department on abnormal spinal curvature to the parents, managing conservators, or guardians of children in grades 6 through 9 attending the public school [schools]. The department shall coordinate the spinal screening program with any other screening program conducted by the department on those children.

(c) The board shall adopt substantive and procedural rules necessary to administer screening activities and for the development and provision of information on abnormal spinal curvature.

SECTION 2. Section 37.002, Health and Safety Code, is amended to read as follows:

Sec. 37.002. [~~COMPLIANCE WITH~~] SCREENING REQUIREMENTS.

(a) If a public school requires an [Each] individual [required by

1 ~~board rule]~~ to be screened, the individual shall undergo approved
2 screening for abnormal spinal curvature. The individual's parent,
3 managing conservator, or guardian may substitute professional
4 examinations for the screening.

5 (b) An individual is exempt from screening if screening
6 conflicts with the tenets and practices of a recognized church or
7 religious denomination of which the individual is an adherent or a
8 member. To qualify for the exemption, the individual's parent,
9 managing conservator, or guardian must submit to the chief
10 administrator on or before the day of the screening procedure an
11 affidavit stating the objections to screening. The chief
12 administrator must make the information on abnormal spinal
13 curvature developed under Section 37.001 available to the exempted
14 individual's parent, managing conservator, or guardian.

15 (c) If screening is required, the ~~[The]~~ chief administrator
16 of each school shall ensure that each individual admitted to the
17 school complies with the screening requirements set by the board or
18 submits an affidavit of exemption.

19 SECTION 3. Not later than March 1, 2014, the Department of
20 State Health Services shall develop the information required by
21 Subsection (b), Section 37.001, Health and Safety Code, as amended
22 by this Act.

23 SECTION 4. This Act applies beginning with the 2014-2015
24 school year.

25 SECTION 5. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

S.B. No. 504

1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 504 passed the Senate on April 2, 2013, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 504 passed the House on May 21, 2013, by the following vote: Yeas 145, Nays 1, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor