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(Howard of Fort Bend)

S.B. No. 1107

A BILL TO BE ENTITLED

# 1 AN ACT

2 relating to the vaccination against bacterial meningitis of  
3 entering students at public and private or independent institutions  
4 of higher education.

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

6 SECTION 1. This Act shall be known as the Jamie Schanbaum  
7 and Nicolis Williams Act.

8 SECTION 2. Subsections (b), (c), and (e), Section 51.9192,  
9 Education Code, are amended to read as follows:

10 (b) This section applies only to an entering student at [a  
11 ~~first-time student of~~] an institution of higher education or  
12 private or independent institution of higher education. This  
13 section does not apply to a student of an institution who is  
14 enrolled only in online or other distance education courses or who  
15 is 30 years of age or older. For purposes of this subsection,  
16 "entering student" includes:

1 ~~housing and been approved to reside in, an on-campus dormitory or~~  
2 ~~other on-campus student housing facility at the institution].~~

3 (c) Except as provided by Subsection (d), a student to whom  
4 this section applies or a parent or guardian of the student must  
5 provide to the institution, at the time and in the manner prescribed  
6 by rules adopted by the Texas Higher Education Coordinating Board,  
7 a certificate signed by a health practitioner or an official  
8 immunization record evidencing that the student has received a  
9 ~~[been vaccinated against]~~ bacterial meningitis vaccination dose or  
10 booster during the five-year period preceding the date established  
11 by the coordinating board under Subsection (e).

12 (e) The Texas Higher Education Coordinating Board, in  
13 consultation with institutions of higher education and private or  
14 independent institutions of higher education, shall adopt rules for  
15 the administration of this section, including rules establishing  
16 the date by which a student who is required to comply with  
17 Subsection (c) must have received the vaccination required by that  
18 subsection, which may not be later than the 10th day before the  
19 first day of the semester or other term in which the student  
20 initially enrolls unless the student is granted an extension by the  
21 institution as provided by the rules adopted under this subsection.  
22 The rules must authorize an institution of higher education or  
23 private or independent institution of higher education to extend  
24 the compliance date for an individual student to a date that is not  
25 later than the 10th day after the first day of the semester or other  
26 term in which the student initially enrolls [date the student  
27 ~~initially moves into an on-campus dormitory or other on-campus~~

1 ~~student housing facility at an institution~~].

2 SECTION 3. The changes in law made by this Act to Section  
3 51.9192, Education Code, apply only to entering students enrolling  
4 in public or private or independent institutions of higher  
5 education in this state on or after January 1, 2012.

6 SECTION 4. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2011.