

1-1 By: Davis, Lucio, Van de Putte S.B. No. 1107
1-2 (In the Senate - Filed March 3, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Higher Education;
1-4 April 26, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 1; April 26, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1107 By: Duncan

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the vaccination against bacterial meningitis of
1-11 entering students at public and private or independent institutions
1-12 of higher education.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subsections (b), (c), and (e), Section 51.9192,
1-15 Education Code, are amended to read as follows:

1-16 (b) This section applies only to an entering student at [a
1-17 first-time student of] an institution of higher education or
1-18 private or independent institution of higher education. This
1-19 section does not apply to a student of an institution who is
1-20 enrolled only in online or other distance education courses or who
1-21 is 30 years of age or older. For purposes of this subsection,
1-22 "entering student" includes:

1-23 (1) a new student, as defined by Section 51.9191; and

1-24 (2) a student who previously attended an institution
1-25 of higher education or private or independent institution of higher
1-26 education before January 1, 2012, and who is enrolling in the same
1-27 or another institution of higher education or private or
1-28 independent institution of higher education following a break in
1-29 enrollment of at least one fall or spring semester [, including a
1-30 transfer student, who resides in, or has applied for on-campus
1-31 housing and been approved to reside in, an on-campus dormitory or
1-32 other on-campus student housing facility at the institution].

1-33 (c) Except as provided by Subsection (d), a student to whom
1-34 this section applies or a parent or guardian of the student must
1-35 provide to the institution, at the time and in the manner prescribed
1-36 by rules adopted by the Texas Higher Education Coordinating Board,
1-37 a certificate signed by a health practitioner or an official
1-38 immunization record evidencing that the student has received a
1-39 [been vaccinated against] bacterial meningitis vaccination dose or
1-40 booster during the five-year period preceding the date established
1-41 by the coordinating board under Subsection (e).

1-42 (e) The Texas Higher Education Coordinating Board, in
1-43 consultation with institutions of higher education and private or
1-44 independent institutions of higher education, shall adopt rules for
1-45 the administration of this section, including rules establishing
1-46 the date by which a student who is required to comply with
1-47 Subsection (c) must have received the vaccination required by that
1-48 subsection, which may not be later than the 10th day before the
1-49 first day of the semester or other term in which the student
1-50 initially enrolls unless the student is granted an extension by the
1-51 institution as provided by the rules adopted under this subsection.
1-52 The rules must authorize an institution of higher education or
1-53 private or independent institution of higher education to extend
1-54 the compliance date for an individual student to a date that is not
1-55 later than the 10th day after the first day of the semester or other
1-56 term in which the student initially enrolls [date the student
1-57 initially moves into an on-campus dormitory or other on-campus
1-58 student housing facility at an institution].

1-59 SECTION 2. The changes in law made by this Act to Section
1-60 51.9192, Education Code, apply only to entering students enrolling
1-61 in public or private or independent institutions of higher
1-62 education in this state on or after January 1, 2012.

1-63 SECTION 3. This Act takes effect immediately if it receives

2-1 a vote of two-thirds of all the members elected to each house, as
2-2 provided by Section 39, Article III, Texas Constitution. If this
2-3 Act does not receive the vote necessary for immediate effect, this
2-4 Act takes effect September 1, 2011.

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