

By: Hegar

S.B. No. 438

A BILL TO BE ENTITLED

1 AN ACT

2 relating to prohibiting immunization against human papilloma virus
3 as a condition for admission to public school.

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

5 SECTION 1. Section 38.001, Education Code, is amended by
6 amending Subsection (b) and adding Subsection (b-1) to read as
7 follows:

8 (b) Subject to Subsections (b-1) and [Subsection] (c), the
9 Texas Board of Health may modify or delete any of the immunizations
10 in Subsection (a) or may require immunizations against additional
11 diseases as a requirement for admission to any elementary or
12 secondary school.

13 (b-1) Immunization against the human papilloma virus may
14 not be required for a person's admission to any elementary or
15 secondary school. This subsection preempts all contrary executive
16 orders of the governor.

17 SECTION 2. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect on the 91st day after the last day of the
22 legislative session.