

By: Hegar

S.B. No. 438

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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