



General Assembly

**Amendment**

January Session, 2021

LCO No. 7365



Offered by:  
SEN. SOMERS, 18<sup>th</sup> Dist.

To: Subst. House Bill No. 6423

File No. 431

Cal. No. 320

(As Amended)

**"AN ACT CONCERNING IMMUNIZATIONS."**

1 Strike section 1 in its entirety and insert the following in lieu thereof:

2 "Section 1. Section 10-204a of the general statutes are repealed and the  
3 following is substituted in lieu thereof (*Effective from passage*):

4 (a) Each local or regional board of education, or similar body  
5 governing a nonpublic school or schools, shall require each child to be  
6 protected by adequate immunization against diphtheria, pertussis,  
7 tetanus, poliomyelitis, measles, mumps, rubella, [hemophilus]  
8 haemophilus influenzae type B and any other vaccine required by the  
9 schedule for active immunization adopted pursuant to section 19a-7f  
10 before being permitted to enroll in any program operated by a public or  
11 nonpublic school under its jurisdiction. Before being permitted to enter  
12 seventh grade, a child shall receive a second immunization against  
13 measles. Any such child who (1) presents a certificate from a physician,  
14 physician assistant, advanced practice registered nurse or local health

15 agency stating that initial immunizations have been given to such child  
16 and additional immunizations are in process (A) under guidelines and  
17 schedules specified by the Commissioner of Public Health, or (B) in the  
18 case of a child enrolled in a preschool program or other prekindergarten  
19 program who, prior to the effective date of this section, was exempt  
20 from the appropriate provisions of this section upon presentation of a  
21 statement that such immunizations would be contrary to the religious  
22 beliefs of such child or the parents or guardian of such child, as such  
23 additional immunizations are recommended, in a written declaration,  
24 in a form prescribed by the Commissioner of Public Health, for such  
25 child by a physician, a physician assistant or an advanced practice  
26 registered nurse; or (2) presents a certificate, in a form prescribed by the  
27 commissioner pursuant to section 7 of this act, from a physician,  
28 physician assistant or advanced practice registered nurse stating that in  
29 the opinion of such physician, physician assistant or advanced practice  
30 registered nurse such immunization is medically contraindicated  
31 because of the physical condition of such child; [or (3) presents a  
32 statement from the parents or guardian of such child that such  
33 immunization would be contrary to the religious beliefs of such child or  
34 the parents or guardian of such child, which statement shall be  
35 acknowledged, in accordance with the provisions of sections 1-32, 1-34  
36 and 1-35, by (A) a judge of a court of record or a family support  
37 magistrate, (B) a clerk or deputy clerk of a court having a seal, (C) a town  
38 clerk, (D) a notary public, (E) a justice of the peace, (F) an attorney  
39 admitted to the bar of this state, or (G) notwithstanding any provision  
40 of chapter 6, a school nurse;] or [(4)] (3) in the case of measles, mumps  
41 or rubella, presents a certificate from a physician, physician assistant or  
42 advanced practice registered nurse or from the director of health in such  
43 child's present or previous town of residence, stating that the child has  
44 had a confirmed case of such disease; or [(5)] (4) in the case of  
45 [hemophilus] haemophilus influenzae type B has passed [his] such  
46 child's fifth birthday; or [(6)] (5) in the case of pertussis, has passed [his]  
47 such child's sixth birthday, shall be exempt from the appropriate  
48 provisions of this section. [If the parents or guardians of any child are  
49 unable to pay for such immunizations, the expense of such

50 immunizations shall, on the recommendations of such board of  
51 education, be paid by the town. Before being permitted to enter seventh  
52 grade, the parents or guardian of any child who is exempt on religious  
53 grounds from the immunization requirements of this section, pursuant  
54 to subdivision (3) of this subsection, shall present to such school a  
55 statement that such immunization requirements are contrary to the  
56 religious beliefs of such child or the parents or guardian of such child,  
57 which statement shall be acknowledged, in accordance with the  
58 provisions of sections 1-32, 1-34 and 1-35, by (A) a judge of a court of  
59 record or a family support magistrate, (B) a clerk or deputy clerk of a  
60 court having a seal, (C) a town clerk, (D) a notary public, (E) a justice of  
61 the peace, (F) an attorney admitted to the bar of this state, or (G)  
62 notwithstanding any provision of chapter 6, a school nurse.] The  
63 statement described in subparagraph (B) of subdivision (1) of this  
64 subsection shall be acknowledged, in accordance with the provisions of  
65 sections 1-32, 1-34 and 1-35, by a judge of a court of record or a family  
66 support magistrate, a clerk or deputy clerk of a court having a seal, a  
67 town clerk, a notary public, a justice of the peace, an attorney admitted  
68 to the bar of this state, or notwithstanding any provision of chapter 6, a  
69 school nurse.

70 (b) The immunization requirements provided for in subsection (a) of  
71 this section shall not apply to any child who is enrolled in kindergarten  
72 through twelfth grade on or before the effective date of this section if  
73 such child presented a statement, prior to the effective date of this  
74 section, from the parents or guardian of such child that such  
75 immunization is contrary to the religious beliefs of such child or the  
76 parents or guardian of such child, and such statement was  
77 acknowledged, in accordance with the provisions of sections 1-32, 1-34  
78 and 1-35, by (1) a judge of a court of record or a family support  
79 magistrate, (2) a clerk or deputy clerk of a court having a seal, (3) a town  
80 clerk, (4) a notary public, (5) a justice of the peace, (6) an attorney  
81 admitted to the bar of this state, or (7) notwithstanding any provision of  
82 chapter 6, a school nurse.

83 (c) Any child who is enrolled in a preschool program or other

84 prekindergarten program prior to the effective date of this section who  
85 presented a statement, prior to the effective date of this section, from the  
86 parents or guardian of such child that the immunization is contrary to  
87 the religious beliefs of such child or the parents or guardian of such  
88 child, which statement was acknowledged, in accordance with the  
89 provisions of sections 1-32, 1-34 and 1-35, by (1) a judge of a court of  
90 record or a family support magistrate, (2) a clerk or deputy clerk of a  
91 court having a seal, (3) a town clerk, (4) a notary public, (5) a justice of  
92 the peace, (6) an attorney admitted to the bar of this state, or (7)  
93 notwithstanding any provision of chapter 6, a school nurse, but did not  
94 present a written declaration from a physician, a physician assistant or  
95 an advanced practice registered nurse stating that additional  
96 immunizations are in process as recommended by such physician,  
97 physician assistant or advanced practice registered nurse, rather than as  
98 recommended under guidelines and schedules specified by the  
99 Commissioner of Public Health, shall comply with the immunization  
100 requirements provided for in subparagraph (A) of subdivision (1) of  
101 subsection (a) of this section on or before September 1, 2022, or not later  
102 than fourteen days after transferring to a program operated by a public  
103 or nonpublic school under the jurisdiction of a local or regional board of  
104 education or similar body governing a nonpublic school or schools,  
105 whichever is later.

106 (d) If the parents or guardian of any child are unable to pay for any  
107 immunization required by subsection (a) of this section, the expense of  
108 such immunization shall, on the recommendation of such child's local  
109 or regional board of education, or similar body governing a nonpublic  
110 school or schools, be paid by the town.

111 [(b)] (e) The definitions of adequate immunization shall reflect the  
112 schedule for active immunization adopted pursuant to section 19a-7f  
113 and be established by regulation adopted in accordance with the  
114 provisions of chapter 54 by the Commissioner of Public Health, who  
115 shall also be responsible for providing uniform procedures under which  
116 [said] such boards and [said] such similar governing bodies shall collect  
117 and report immunization data on each child in a consistent and uniform

118 manner to the Department of Public Health for (1) compilation and  
 119 analysis by [said] the department, and (2) release by the department of  
 120 annual immunization rates for each public and nonpublic school in the  
 121 state, provided such immunization data may not contain information  
 122 that identifies a specific individual. On or before January 1, 2022, the  
 123 commissioner shall develop an electronic form to be used by such  
 124 boards and similar governing bodies to report such immunization data  
 125 to the department. Such electronic form shall include a section in which  
 126 said boards and similar governing bodies shall report all students who  
 127 are noncompliant with the immunization requirements set forth in  
 128 subsection (a) of this section, and whether such students are in the  
 129 process of receiving immunizations that will render them compliant  
 130 with such immunization requirements.

131 [(c)] (f) The Commissioner of Public Health may issue a temporary  
 132 waiver to the schedule for active immunization for any vaccine if the  
 133 National Centers for Disease Control and Prevention recognizes a  
 134 nation-wide shortage of supply for such vaccine.

135 (g) The parents or guardian of any child who is exempt from the  
 136 immunization requirements set forth in this section on religious  
 137 grounds shall provide, on or before September 1, 2022, a record of all  
 138 immunizations such child has received to the relevant local or regional  
 139 board of education or similar body governing a nonpublic school or  
 140 schools and update such record not later than seven days after receiving  
 141 any additional immunizations."

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| This act shall take effect as follows and shall amend the following sections: |                     |         |
| Section 1   | <i>from passage</i> | 10-204a |