

2  
5/10/12

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. Section 51.9192, Education Code, is amended by  
9 amending Subsections (b), (c), and (e) and adding Subsection (d-1)  
10 to read as follows:

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

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

19 (2) a student who previously attended an institution  
20 of higher education or private or independent institution of higher  
21 education before January 1, 2012, and who is enrolling in the same  
22 or another institution of higher education or private or  
23 independent institution of higher education following a break in  
24 enrollment of at least one fall or spring semester[, including a

1 ~~transfer student, who resides in, or has applied for on-campus~~  
2 ~~housing and been approved to reside in, an on-campus dormitory or~~  
3 ~~other on-campus student housing facility at the institution].~~

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

13 (d-1) An institution of higher education or private or  
14 independent institution of higher education shall provide, with the  
15 registration materials that the institution provides to a student  
16 to whom this section applies before the student's initial  
17 enrollment in the institution, written notice of the right of the  
18 student or of a parent or guardian of the student to claim an  
19 exemption from the vaccination requirement in the manner prescribed  
20 by Subsection (d) and of the importance of consulting a physician  
21 about the need for immunization to prevent the disease.

22 (e) The Texas Higher Education Coordinating Board, in  
23 consultation with institutions of higher education and private or  
24 independent institutions of higher education, shall adopt rules for  
25 the administration of this section, including rules establishing  
26 the date by which a student who is required to comply with  
27 Subsection (c) must have received the vaccination required by that

1 subsection, which may not be later than the 10th day before the  
2 first day of the semester or other term in which the student  
3 initially enrolls unless the student is granted an extension by the  
4 institution as provided by the rules adopted under this subsection.  
5 The rules must authorize an institution of higher education or  
6 private or independent institution of higher education to extend  
7 the compliance date for an individual student to a date that is not  
8 later than the 10th day after the first day of the semester or other  
9 term in which the student initially enrolls [~~date the student~~  
10 ~~initially moves into an on-campus dormitory or other on-campus~~  
11 ~~student housing facility at an institution~~].

12 SECTION 3. The changes in law made by this Act to Section  
13 51.9192, Education Code, apply only to entering students enrolling  
14 in public or private or independent institutions of higher  
15 education in this state on or after January 1, 2012.

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

6/20/11

S.B. No. 1107

David Dewhurst  
President of the Senate

Joe Straus  
Speaker of the House

I hereby certify that S.B. No. 1107 passed the Senate on April 29, 2011, by the following vote: Yeas 29, Nays 2; and that the Senate concurred in House amendment on May 11, 2011, by the following vote: Yeas 29, Nays 2.

Patsy Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 1107 passed the House, with amendment, on May 6, 2011, by the following vote: Yeas 122, Nays 14, two present not voting.

Robert Haney  
Chief Clerk of the House

Approved:

27 MAY '11  
Date

RICK PERRY  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
7:00 PM O'CLOCK

John H. ...  
MAY 27 2011  
Secretary of State