

23102704D

SENATE BILL NO. 991

Offered January 11, 2023

Prefiled January 6, 2023

A *BILL to amend and reenact § 23.1-800 of the Code of Virginia, relating to public institutions of higher education; immunization requirements.*

Patron—Peake

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:**1. That § 23.1-800 of the Code of Virginia is amended and reenacted as follows:****§ 23.1-800. Health histories and immunizations required; exemptions.**

A. No full-time student who enrolls for the first time in any baccalaureate public institution of higher education is eligible to register for his second semester or quarter unless ~~he~~ (i) *the student* has furnished, before the beginning of the second semester or quarter of enrollment, a health history consistent with guidelines adopted by each institution's board of visitors that includes documented evidence, provided by a licensed health professional or health facility, of the diseases for which the student has been immunized, the numbers of doses given, the date on which the immunization was administered, and any further immunizations indicated or (ii) *the student or, if the student is a minor, the student's parent or legal guardian* objects to such health history requirement on religious grounds, in which case ~~he~~ *the student* is exempt from such requirement.

B. Prior to enrollment for the first time in any baccalaureate public institution of higher education, each student shall be immunized by vaccine against diphtheria, tetanus, poliomyelitis, measles (rubeola), German measles (rubella), *meningococcal disease, hepatitis B*, and mumps according to the guidelines of the American College Health Association Board of Health.

C. Prior to enrollment for the first time in any baccalaureate public institution of higher education, each full-time student shall be vaccinated against meningococcal disease and hepatitis B unless the student ~~or, if the student is a minor, the student's parent or legal guardian signs a written waiver stating that he has received and reviewed detailed information on the risks associated with meningococcal disease and hepatitis B and the availability and effectiveness of any vaccine and has chosen not to be or not to have the student vaccinated.~~

~~D.~~ Any student is exempt from the immunization requirements set forth in ~~subsections~~ *subsection B* and ~~E~~ who (i) objects *or, if the student is a minor, whose parent or legal guardian objects* on the grounds that administration of immunizing agents conflicts with his religious tenets or practices, ~~unless the Board of Health has declared an emergency or epidemic of disease~~, or (ii) presents a statement from a licensed physician that states that his physical condition is such that administration of one or more of the required immunizing agents would be detrimental to his health.

~~E.~~ D. The Board and Commissioner of Health shall cooperate with any board of visitors seeking assistance in the implementation of this section.

~~F.~~ E. The Council shall, in cooperation with the Board and Commissioner of Health, encourage private institutions of higher education to develop a procedure for providing information about the risks associated with meningococcal disease and hepatitis B and the availability and effectiveness of any vaccine against meningococcal disease and hepatitis B.

F. *The General Assembly shall have the sole authority to impose immunization requirements on students enrolled in public institutions of higher education. No public institution of higher education shall revise its institutional policies relating to immunization requirements unless such revision is consistent with or necessary to effectuate the regulations developed by the Board of Health and the provisions of law enacted by the General Assembly. Any policy of a public institution of higher education relating to immunization requirements shall be void to the extent that it is inconsistent with the law of the Commonwealth.*

INTRODUCED

SB991