**Public Health and Schools Amendments**

**General Description:**

 This bill amends vaccination exemption form requirements

**Highlighted Provisions:**

 This bill:

▸ clarifies vaccination exemption form requirements

▸ Imposes fines for failure to comply with exemption form requirements

**Utah Code Sections Affected:**

 Amends 53G-9-303

Section **53G-9-303** (Effective 07/01/18) is amended to read:

**53G-9-303. Grounds for exemption from required vaccines -- Renewal**.

A student is exempt from the requirement to receive a vaccine required under
     Section [53G-9-305](https://le.utah.gov/~2018/bills/static/SB0011.html#53g-9-305) if the student qualifies for a medical or personal exemption

     from the vaccination under Subsection (2) or (3) **or (4)**.

        (2) A student qualifies for a medical exemption from a vaccination required under

     Section [53G-9-305](https://le.utah.gov/~2018/bills/static/SB0011.html#53g-9-305) if the student's legally responsible individual provides to the

     student's school:
          (a) a completed vaccination exemption form; and
          (b) a written notice signed by a licensed health care provider stating that, due to the

     physical condition of the student, administration of the vaccine would endanger the student's

     life or health.

          (3) A student qualifies for a personal exemption from a vaccination required under

     Section [53G-9-305](https://le.utah.gov/~2018/bills/static/SB0011.html#53g-9-305) if the student's legally responsible individual provides to the

     student's school a completed vaccination exemption form, stating that the student is exempt

     from the vaccination because of a personal or religious belief.

 **(4) A student also qualifies for a personal exemption when a parent or legally responsible individual signs and provides the student’s school a statement notifying the school that the student is exempt from the vaccination because of a personal belief. Under this section a form is not required.**

         **~~(4)~~ (5)** (a) A vaccination exemption form submitted under this section is valid for as long

     as the student remains at the school to which the form first is presented.

          (b) If the student changes schools before the student is old enough to enroll in

     kindergarten, the vaccination exemption form accepted as valid at the student's previous school

    is valid until the earlier of the day on which:

          (i) the student enrolls in kindergarten; or

          (ii) the student turns six years old.

          (c) If the student changes schools after the student is old enough to enroll in

     kindergarten but before the student is eligible to enroll in grade 7, the vaccination exemption

     form accepted as valid at the student's previous school is valid until the earlier of the day on

     which:

          (i) the student enrolls in grade 7; or

          (ii) the student turns 12 years old.

          (d) If the student changes schools after the student is old enough to enroll in grade 7,

     the vaccination exemption form accepted as valid at the student's previous school is valid until

     the student completes grade 12.

          (e) Notwithstanding Subsections (4)(b) and (c), a vaccination exemption form obtained

     through completion of the online education module created in Section [26-7-9](http://le.utah.gov/UtahCode/SectionLookup.jsp?section=26-7-9&session=2018GS)**, or note provided in compliance with section 53G-9-303(4),** is valid for at least two years.

 **(f) any vaccination exemption form obtained through completion of the online education module created in Section** [**26-7-9**](http://le.utah.gov/UtahCode/SectionLookup.jsp?section=26-7-9&session=2018GS)**, or the form as defined in 53G-9-304, cannot contain incriminating language stating that parents admit guilt or negligence in any degree to a crime. This form cannot be used against a parent or responsible party in a court of law.**

 **(g) Failure of school employee to accept the note as described in Section 53G-9-303(4) will result in fines of $10,000 per violation of which the violator (the school or school district) is liable and for which the health department is liable, fines to be paid directly to the student’s legally responsible individual within ninety days of the first violation.**