

BILL ANALYSIS

Senate Research Center
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S.B. 329
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Department of State Health Services (DSHS) annually surveys independent school districts and accredited private schools across the state to collect the immunization status of certain school children, including the number of conscientious exemption affidavit forms that were filed. This information is collected at a high level, which can lead to a lack of clarity for parents wishing to review this data.

S.B. 329 provides for greater transparency regarding the number of immunization exemptions in order for parents to make a better-informed decision for their children and families.

As proposed, S.B. 329 amends current law relating to requirements for and the transparency of epidemiological reports and certain immunization exemption information and reports.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 81.047, Health and Safety Code, as follows:

Sec. 81.047. EPIDEMIOLOGICAL REPORTS. (a) Creates this subsection from existing text. Adds reports on vaccine preventable diseases to the list of reports required by the Department of State Health Services (DSHS), subject to the confidentiality requirements of this chapter (Communicable Diseases).

(b) Requires DSHS to prepare and submit to the legislature and the governor not later than December 1 of each even-numbered year a biennial report that contains:

(1) a report of outbreaks of vaccine preventable diseases in this state; and

(3) de-identified immunization exemption information, including the number of persons claiming an exemption from the immunization requirements of Section 161.004 (Statewide Immunization of Children), Health and Safety Code, Sections 38.001 (Immunization; Requirements; Exceptions), 51.9192 (Bacterial Meningitis Vaccination Required for Certain Students; Exceptions), and 51.933 (Immunization Requirements; Exception), Education Code, and Section 42.043 (Rules for Immunizations), Human Resources Code.

SECTION 2. Amends Section 38.002, Education Code, by amending Subsections (a) and (c) and by adding Subsections (d), (e), and (f), as follows:

(a) Redesignates the Texas Department of Health as DSHS.

(c) Redesignates the Texas Department of Health as DSHS and makes a conforming change.

(d) Requires each school district to provide to DSHS the information required by Subsection (c) for the district and for each school campus in the district.

(e) Requires DSHS to make available to the public in electronic form, on DSHS's Internet website, the required annual report submitted under Subsection (c) on the immunization status of students for each school district and each school campus.

(f) Requires a school district or school campus, on request of a student's parent or legal guardian, to provide to the parent or guardian a copy of certain information for the campus at which the student is enrolled.

SECTION 3. Requires the Texas Education Agency, as soon as practicable after the effective date of this Act, to update the form required by Section 38.002(c), Education Code, as amended by this Act, to comply with that subsection and Section 38.002(d), Education Code, as added by this Act.

SECTION 4. Provides that this Act applies beginning with the 2019–2020 school year.

SECTION 5. Effective date: upon passage or September 1, 2019.