

HOUSE BILL NO. HB0005

School immunizations-religious objection.

Sponsored by: Representative(s) Tipton and McMurtrey

A BILL

for

1 AN ACT relating to mandatory school immunizations;
2 repealing the religious objection to mandatory school
3 immunizations; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 21-4-309(a) and 35-1-201 are amended
8 to read:

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10 **21-4-309. Mandatory immunizations for children**
11 **attending schools; exception.**

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13 (a) Any person attending, full or part time, any
14 public or private school, kindergarten through twelfth
15 grade, shall within thirty (30) days after the date of
16 school entry, provide to the appropriate school official
17 written documentary proof of immunization. For purposes of

1 this section, documentary proof of immunization is written
2 certification by a private licensed physician or his
3 representative or by any public health authority, that the
4 person is fully immunized. Documentation shall include
5 month, day and year of each required immunization received
6 against vaccine preventable disease as designated by the
7 state health authority. No school administrator shall
8 permit a student to attend school for more than thirty (30)
9 calendar days without documentary proof of immunization.
10 If immunization requires a series of immunizations over a
11 period of more than thirty (30) calendar days, the child
12 shall be permitted to attend school while receiving
13 continuing immunization if the school administrator
14 receives written notification by a private licensed
15 physician or his representative or by a public health
16 official, specifying a written schedule for necessary
17 immunization completion within the medically accepted time
18 period. Waivers shall be authorized by the state or county
19 health officer upon submission of written evidence of
20 ~~religious objection or~~ medical contraindication to the
21 administration of any vaccine. In the presence of an
22 outbreak of vaccine preventable disease as determined by
23 the state or county health authority, school children for
24 whom a waiver has been issued and who are not immunized

1 against the occurring vaccine preventable disease shall be
2 excluded from school attendance for a period of time
3 determined by the state or county health authority, but not
4 suspended from school as provided in W.S. 21-4-305.
5 Children excluded from school attendance under this section
6 shall not be counted in the aggregate number of pupils
7 absent as defined in W.S. 21-13-101(a)(i).

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35-1-201. Exceptions with reference to religion.

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11 Except as provided in W.S. 21-4-309, with respect to all
12 persons who, either on behalf of themselves or their minor
13 children or wards, rely in good faith upon spiritual means
14 or prayer in the free exercise of religion to prevent or
15 cure disease, nothing in this act shall have the effect of
16 requiring or giving any health officer or other person the
17 right to compel any such person, minor child or ward, to go
18 or be confined in a hospital, or other medical institution
19 unless no other place for quarantine of such person, minor
20 child, or ward can be secured, nor to compel any such
21 person, child, or ward to submit to any medical treatment.

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1 **Section 2.** This act is effective July 1, 2002.

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(END)