



AN ACT GENERALLY REVISING SCHOOL IMMUNIZATION LAWS; ADDING VARICELLA TO THE LIST OF REQUIRED IMMUNIZATIONS; REVISING REQUIREMENTS RELATED TO THE PERTUSSIS VACCINATION; AND AMENDING SECTIONS 20-5-403 AND 20-5-404, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 20-5-403, MCA, is amended to read:

**"20-5-403. Immunization required -- release and acceptance of immunization records.** (1) The governing authority of any school other than a postsecondary school may not allow a person to attend as a pupil unless the person:

(a) has been immunized against varicella, diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and measles (rubeola) in the manner and with immunizing agents approved by the department; ~~except that pertussis vaccination is not required for a person 7 years of age or older;~~

(b) has been immunized against Haemophilus influenza type "b" before enrolling in a preschool if under 5 years of age;

(c) qualifies for conditional attendance; or

(d) files for an exemption.

(2) (a) The governing authority of a postsecondary school may not allow a person to attend as a pupil unless the person:

(i) has been immunized against rubella and measles (rubeola) in the manner and with immunizing agents approved by the department; or

(ii) files for an exemption.

(b) The governing authority of a postsecondary school may impose immunization requirements as a condition of attendance that are more stringent than those required by this part.

(3) A pupil who transfers from one school district to another may photocopy immunization records in the possession of the school of origin. The school district to which a pupil transfers shall accept the photocopy as

evidence of immunization. Within 30 days after a transferring pupil ceases attendance at the school of origin, the school shall retain a certified copy for the permanent record and send the original immunization records for the pupil to the school district to which the pupil transfers."

**Section 2.** Section 20-5-404, MCA, is amended to read:

**"20-5-404. Conditional attendance.** The governing authority of a school other than a postsecondary school may allow the commencement of attendance in school by a person who has not been immunized against each disease listed in 20-5-403 if that person has received one or more doses of ~~polio, measles (rubeola), mumps, rubella, diphtheria, pertussis, Haemophilus influenza type "b", and tetanus vaccine~~ the vaccine for each disease listed in 20-5-403, except that ~~pertussis vaccine is not required for a person 7 years of age or older and~~ Haemophilus influenza type "b" vaccine is required only for children under 5 years of age."

- END -

I hereby certify that the within bill,  
HB 0158, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2015.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2015.

HOUSE BILL NO. 158

INTRODUCED BY M. MACDONALD

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