

SENATE BILL 699

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9lr1757

By: **Senator Klausmeier**

Introduced and read first time: February 6, 2009

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Immunizations – Children Entering Seventh Grade or Higher**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene's
4 regulations regarding immunizations to include the requirement that the
5 parent or legal guardian of a child born on or after a certain date entering a
6 certain grade level in this State on or after a certain date to have certain
7 immunizations administered to the child; requiring the Department to require
8 the parent or legal guardian of a child born on or after a certain date
9 transferring into a school in this State on or after a certain date to have certain
10 immunizations administered to the child; making a technical change; and
11 generally relating to immunizations for school children.

12 BY repealing and reenacting, without amendments,

13 Article – Education

14 Section 7-403(a)(2)

15 Annotated Code of Maryland

16 (2008 Replacement Volume)

17 BY repealing and reenacting, with amendments,

18 Article – Education

19 Section 7-403(a)(3)

20 Annotated Code of Maryland

21 (2008 Replacement Volume)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article – Education**

25 7-403.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



5 (3) These [rules and] regulations shall:

6 (i) Be adopted in compliance with the Administrative
7 Procedure Act;

8 (ii) Provide that any child may have the immunization
9 administered by his personal physician; and

25 (IV) 1. REQUIRE THE PARENT OR LEGAL GUARDIAN OF A
26 CHILD IN THIS STATE BORN ON OR AFTER JANUARY 1, 1990, ENTERING
27 SEVENTH GRADE OR A COMPARABLE AGE LEVEL SPECIAL EDUCATION PROGRAM
28 WITH AN UNASSIGNED GRADE ON OR AFTER SEPTEMBER 1, 2009, TO HAVE
29 ADMINISTERED TO THE CHILD A BOOSTER IMMUNIZATION CONTAINING
30 DIPHTHERIA AND TETANUS TOXOIDS AND AN ACELLULAR PERTUSSIS VACCINE.

37 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 July 1, 2009.