

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Geitner

1 Amend corrected printed bill, strike everything below the enacting clause
2 and substitute:

3 "SECTION 1. In Colorado Revised Statutes, 25-4-902, **amend**
4 (1), (2), (3), and (4); and **add** (6) as follows:

5 **25-4-902. Immunization prior to attending school -**
6 **standardized immunization information.** (1) (a) ~~Except as provided in~~
7 ~~section 25-4-903;~~ A student shall not attend any school in the state of
8 Colorado on or after the dates specified in section 25-4-906 (4) unless he
9 or she has presented ~~the following~~ to the appropriate school official:
10 OFFICIAL, A COMPLETED FORM THAT DETAILS THE STUDENT'S
11 IMMUNIZATION DATA.

12 ~~(a) An up-to-date certificate of immunization from a licensed~~
13 ~~physician, a licensed advanced practice nurse, or authorized~~
14 ~~representative of the department of public health and environment or~~
15 ~~county, district, or municipal public health agency stating that the student~~
16 ~~has received immunization against communicable diseases as specified~~
17 ~~by the state board of health, based on recommendations of the advisory~~
18 ~~committee on immunization practices of the United States department of~~
19 ~~health and human services or the American academy of pediatrics; or~~

20 ~~(b) A written authorization signed by one parent or guardian or an~~
21 ~~authorization signed by the emancipated student requesting that local~~
22 ~~health officials administer the immunizations.~~

23 (2) ~~If the student's certificate of immunization is not up-to-date~~
24 ~~according to the requirements of the state board of health, the parent or~~
25 ~~guardian or the emancipated student or the student eighteen years of age~~
26 ~~or older shall submit to the school, within fourteen days after receiving~~
27 ~~direct personal notification that the certificate is not up-to-date,~~
28 ~~documentation that the next required immunization has been given and~~
29 ~~a written plan for completion of all required immunizations. The~~
30 ~~scheduling of immunizations in the written plan shall follow medically~~
31 ~~recommended minimum intervals approved by the state board of health.~~
32 ~~If the student begins but does not continue or complete the written plan,~~
33 ~~he or she shall be suspended or expelled pursuant to this part 9.~~

34 (a) ON OR BEFORE JANUARY 1, 2020, THE DEPARTMENT OF PUBLIC
35 HEALTH AND ENVIRONMENT SHALL DEVELOP AND PROVIDE TO SCHOOLS
36 THE FORM DESCRIBED IN SUBSECTION (1) OF THIS SECTION.

37 (b) THE FORM MUST NOT REQUIRE A PARENT OR LEGAL GUARDIAN,
38 OR STUDENT WHO IS EMANCIPATED OR EIGHTEEN YEARS OF AGE OR OLDER,
39 TO PROVIDE ANY INFORMATION ON THE FORM THAT WOULD IDENTIFY THE
40 STUDENT TO WHOM THE IMMUNIZATION DATA IS ASSOCIATED.

1 (c) THE FORM MUST NOT REQUIRE MORE THAN THE FOLLOWING:

2 (I) WHETHER THE STUDENT IS IMMUNIZED, IN WHOLE OR IN PART,
3 AND, IF SO, WHICH IMMUNIZATIONS THE STUDENT HAS RECEIVED; AND

4 (II) WHETHER THE STUDENT IS CLAIMING A RELIGIOUS OR
5 PERSONAL BELIEF EXEMPTION.

6 (3) Notwithstanding the provisions of subsection (1) of this
7 section, a school shall enroll a student who is in out-of-home placement
8 within five school days after receiving the student's education information
9 and records as required in section 22-32-138, C.R.S., regardless of
10 whether the school has received the items specified in subsection (1) of
11 this section. ~~Upon enrolling the student, the school shall notify the~~
12 ~~student's legal guardian that, unless the school receives the student's~~
13 ~~certificate of immunization or a written authorization for administration~~
14 ~~of immunizations within fourteen days after the student enrolls, the~~
15 ~~school shall suspend the student until such time as the school receives the~~
16 ~~certificate of immunization or the authorization.~~

17 (4) ~~On or before March 1, 2011, the department of public health~~
18 ~~and environment shall develop and provide to the department of~~
19 ~~education a standardized document regarding childhood immunizations.~~
20 ~~The department of education shall post the standardized immunization~~
21 ~~document on its website on or before January 15, 2011, and each year~~
22 ~~thereafter. The standardized document shall be updated annually and shall~~
23 ~~include, but need not be limited to: THE SCHOOL MUST CONFIRM THAT IT~~
24 ~~HAS RECEIVED A COMPLETED FORM FOR EACH STUDENT PRIOR TO THE~~
25 ~~STUDENT ATTENDING THE SCHOOL, WHILE ENSURING THAT THERE IS NO~~
26 ~~MANNER TO IDENTIFY WHICH FORM OR IMMUNIZATION DATA FROM THE~~
27 ~~FORM IS ASSOCIATED WITH A SPECIFIC STUDENT.~~

28 (a) ~~A list of the immunizations required for enrollment in a school~~
29 ~~and the age at which the immunization is required; and~~

30 (b) ~~A list of immunizations currently recommended for children~~
31 ~~by the center for disease control advisory committee on immunization~~
32 ~~practices and the recommended age at which each immunization should~~
33 ~~be given.~~

34 (6) ON OR BEFORE JANUARY 1, 2020, THE DEPARTMENT OF PUBLIC
35 HEALTH AND ENVIRONMENT SHALL DEVELOP AND MAKE AVAILABLE TO
36 HEALTH CARE PROVIDERS AND FACILITIES EDUCATIONAL MATERIALS
37 REGARDING THE BENEFITS AND RISKS OF IMMUNIZATIONS. THE
38 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL UPDATE THE
39 EDUCATIONAL MATERIALS ANNUALLY.

40 **SECTION 2.** In Colorado Revised Statutes, 25-4-903, **amend** (2)
41 as follows:

42 **25-4-903. Exemptions from immunization - rules.** (2) It is the
43 responsibility of the parent or legal guardian to have his or her child

1 immunized unless the child is exempted pursuant to this section. A
2 student ~~shall be~~ IS exempted from receiving the required immunizations
3 in the following manner:

4 (a) By ~~COMPLETING AND~~ submitting to the student's school
5 ~~certification from~~ A FORM PURSUANT TO SECTION 25-4-902 THAT a
6 licensed physician, physician assistant authorized ~~under~~ PURSUANT TO
7 section 12-36-106 (5), ~~C.R.S.~~, or advanced practice nurse HAS ADVISED
8 that the physical condition of the student is such that one or more
9 specified immunizations would endanger his or her life or health or is
10 medically contraindicated due to other medical conditions; or

11 (b) By ~~COMPLETING AND~~ submitting to the student's school a
12 ~~statement of exemption signed by one parent or guardian or the~~
13 ~~emancipated student or student eighteen years of age or older~~ FORM
14 PURSUANT TO SECTION 25-4-902 that the parent, guardian, or student is an
15 adherent to a religious belief whose teachings are opposed to
16 immunizations or that the parent or guardian or the emancipated student
17 or student eighteen years of age or older has a personal belief that is
18 opposed to immunizations.

19 **SECTION 3.** In Colorado Revised Statutes, **repeal** 25-4-907 as
20 follows:

21 **25-4-907. Noncompliance.** ~~(1) A school official of each school~~
22 ~~shall suspend or expel from school, pursuant to the provisions of section~~
23 ~~22-33-105, C.R.S., or the provisions established by the school official of~~
24 ~~a college or university or private school, any student not otherwise~~
25 ~~exempted under this part 9 who fails to comply with the provisions of this~~
26 ~~part 9. No student shall be suspended or expelled for failure to comply~~
27 ~~with the provisions of this part 9 unless there has been a direct personal~~
28 ~~notification by the appropriate school authority to the student's parent or~~
29 ~~guardian or to the emancipated student or the student eighteen years of~~
30 ~~age or older of the noncompliance with this part 9 and of such person's~~
31 ~~rights under sections 25-4-902, 25-4-902.5, and 25-4-903.~~

32 ~~(2) In the event of suspension or expulsion of a student, school~~
33 ~~officials shall notify the state department of public health and~~
34 ~~environment or the county, district, and municipal public health agency.~~
35 ~~An agent of said department shall then contact the parent or guardian or~~
36 ~~the emancipated student or student eighteen years of age or older in an~~
37 ~~effort to secure compliance with this part 9 in order that the student may~~
38 ~~be reenrolled in school.~~

39 ~~(3) Any student expelled for failure to comply with the provisions~~
40 ~~of this part 9 shall not be included in calculating the dropout rate for the~~
41 ~~school from which such student was expelled or the school district in~~
42 ~~which such student was enrolled prior to being expelled. Such student~~
43 ~~shall be included in the annual report of the number of expelled students~~

1 prepared pursuant to ~~section 22-33-105, C.R.S.~~
2 **SECTION 4. Act subject to petition - effective date.** This act
3 takes effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly (August
5 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
6 referendum petition is filed pursuant to section 1 (3) of article V of the
7 state constitution against this act or an item, section, or part of this act
8 within such period, then the act, item, section, or part will not take effect
9 unless approved by the people at the general election to be held in
10 November 2020 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor."

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