

By: Senator(s) Hill

To: Public Health and  
Welfare; Judiciary, Division  
A

SENATE BILL NO. 2074

1 AN ACT TO AMEND SECTION 41-23-37, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE AND DIRECT THE STATE HEALTH OFFICER TO REQUIRE  
3 ENTITIES PROVIDING VACCINES TO INCLUDE PATIENT VACCINE INFORMATION  
4 STATEMENTS APPROVED BY FEDERAL CENTERS FOR DISEASE CONTROL AND  
5 PREVENTION TO BE SUPPLIED TO THE INDIVIDUAL RECEIVING THE  
6 VACCINATION; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 41-23-37, Mississippi Code of 1972, is  
9 amended as follows:

10 41-23-37. Whenever indicated, the State Health Officer shall  
11 specify such immunization practices as may be considered best for  
12 the control of vaccine preventable diseases. A listing shall be  
13 promulgated annually or more often, if necessary.

14 Effective July 1, 2019, the State Health Officer shall  
15 require entities providing vaccines to include patient vaccine  
16 information statements as approved by the federal Centers for  
17 Disease Control and Prevention to be supplied to the individual  
18 receiving the vaccination.

19 Except as provided hereinafter, it shall be unlawful for any  
20 child to attend any school, kindergarten or similar type facility



21 intended for the instruction of children (hereinafter called  
22 "schools"), either public or private, with the exception of any  
23 legitimate home instruction program as defined in Section  
24 37-13-91, Mississippi Code of 1972, for ten (10) or less children  
25 who are related within the third degree computed according to the  
26 civil law to the operator, unless they shall first have been  
27 vaccinated against those diseases specified by the State Health  
28 Officer.

29         A certificate of exemption from vaccination for medical  
30 reasons may be offered on behalf of a child by a duly licensed  
31 physician and may be accepted by the local health officer when, in  
32 his opinion, such exemption will not cause undue risk to the  
33 community.

34         Certificates of vaccination shall be issued by local health  
35 officers or physicians on forms specified by the Mississippi State  
36 Board of Health. These forms shall be the only acceptable means  
37 for showing compliance with these immunization requirements, and  
38 the responsible school officials shall file the form with the  
39 child's record.

40         If a child shall offer to enroll at a school without having  
41 completed the required vaccinations, the local health officer may  
42 grant a period of time up to ninety (90) days for such completion  
43 when, in the opinion of the health officer, such delay will not  
44 cause undue risk to the child, the school or the community. No



45 child shall be enrolled without having had at least one (1) dose  
46 of each specified vaccine.

47         Within thirty (30) days after the opening of the fall term of  
48 school (on or before October 1 of each year) the person in charge  
49 of each school shall report to the county or local health officer,  
50 on forms provided by the Mississippi State Board of Health, the  
51 number of children enrolled by age or grade or both, the number  
52 fully vaccinated, the number in process of completing vaccination  
53 requirements, and the number exempt from vaccination by reason for  
54 such exemption.

55         Within one hundred twenty (120) days after the opening of the  
56 fall term (on or before December 31), the person in charge of each  
57 school shall certify to the local or county health officer that  
58 all children enrolled are in compliance with immunization  
59 requirements.

60         For the purpose of assisting in supervising the immunization  
61 status of the children the local health officer, or his designee,  
62 may inspect the children's records or be furnished certificates of  
63 immunization compliance by the school.

64         It shall be the responsibility of the person in charge of  
65 each school to enforce the requirements for immunization. Any  
66 child not in compliance at the end of ninety (90) days from the  
67 opening of the fall term must be suspended until in compliance,  
68 unless the health officer shall attribute the delay to lack of



69 supply of vaccine or some other such factor clearly making  
70 compliance impossible.

71 Failure to enforce provisions of this section shall  
72 constitute a misdemeanor and upon conviction be punishable by fine  
73 or imprisonment or both.

74 **SECTION 2.** This act shall take effect and be in force from  
75 and after July 1, 2019.

