

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

SENATE BILL 434

5 By: Senator Critcher
6 By: Representative R. Smith
7

For An Act To Be Entitled

10 AN ACT TO REVISE THE RELIGIOUS EXEMPTION TO THE
11 SCHOOL IMMUNIZATION REQUIREMENTS; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14 AN ACT TO REVISE THE RELIGIOUS EXEMPTION
15 TO THE SCHOOL IMMUNIZATION REQUIREMENTS.
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 6-18-702(d), requiring immunization of
22 children, is amended to read as follows:

23 (d)(1)(A) The State Board of Health may promulgate rules and
24 regulations to ensure that all exemptions provided by this section shall have
25 a minimal effect on the health and safety of all children attending daycare
26 or kindergarten through grade twelve (K-12).

27 (B) The rules shall provide for, but are not limited to,
28 the tracking of those children with exemptions so that appropriate steps may
29 be taken in the event of an outbreak or epidemic.

30 (2) The Department of Health may grant exemptions provided for
31 by this section.

32 (3) If, in the discretion of the health authority having
33 jurisdiction or of any physician licensed to practice by the Arkansas State
34 Medical Board, any person to whom this section applies shall be deemed to
35 have a physical disability which may contraindicate vaccination, a
36 certificate to that effect issued by the health officer may be accepted in



1 lieu of a certificate of vaccination, provided that the exemption shall not
2 apply when the disability shall have been removed.

3 ~~(2)(4)(A)~~ The provisions of this section shall not apply if the
4 parents or legal guardian of that child object thereto on the grounds that
5 immunization conflicts with the religious ~~tenets and practices of a~~
6 ~~recognized church or religious denomination of which~~ or philosophical beliefs
7 of the parent or guardian is an adherent or member.

8 (B) The parents or legal guardian of the child shall
9 submit annually to the Department of Health a signed, notarized statement
10 regarding the objection.

11 ~~(3)(5)~~ Furthermore, the provisions of this section requiring
12 pertussis vaccination shall not apply to any child with a sibling, either
13 whole blood or half blood, who has had a serious adverse reaction to the
14 pertussis antigen, which reaction resulted in a total permanent disability.

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16 SECTION 2. Arkansas Code § 6-60-504(b), concerning religious
17 objections to immunization of college and university students, is amended to
18 read as follows:

19 (b) The provisions of this subchapter shall not apply if the
20 individual furnishes to the college or university ~~written proof from a church~~
21 ~~or denomination official that the immunization conflicts with the religious~~
22 ~~tenets and practices of the recognized church or religious denomination of~~
23 ~~which the individual is an adherent or member~~ a signed, notarized statement
24 that the immunization conflicts with the religious or philosophical beliefs
25 of the individual.

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27 SECTION 3. Arkansas Code § 20-78-206(a)(2)(B), concerning exemptions
28 from immunization in child care facilities, is amended to read as follows:

29 (B)(i) The provisions of subdivision (a)(2)(A) of this
30 section pertaining to immunizations shall not apply if the parents or legal
31 guardian of that child object thereto on the grounds that such immunization
32 conflicts with the religious ~~tenets and practices of a recognized church or~~
33 ~~religious denomination of which~~ or philosophical beliefs of the parent or
34 guardian is an adherent or member.

35 (ii) The parents or legal guardian of the child
36 shall submit annually to the Department of Health a signed, notarized

1 statement regarding the objection.

2 ~~(ii)~~(iii) Furthermore, the provisions of subdivision
3 (a)(2)(A) of this section requiring pertussis vaccination shall not apply to
4 any child with a sibling, either whole blood or half blood, who has had a
5 serious adverse reaction to the pertussis antigen, which reaction resulted in
6 a total permanent disability.

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