

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

*As Engrossed: S3/4/03*  
**A Bill**

SENATE BILL 434

5 By: Senators Critcher, *Altes, Baker, Holt, Horn, Steele, Womack*  
6 By: Representatives R. Smith, *Creekmore, Elliott, Goss, Hutchinson, Jackson, Lamoureux, Mack,*  
7 *Oglesby, Parks, Pritchard, Stovall, J. Taylor, Harris, Matayo, Rosenbaum*  
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10 **For An Act To Be Entitled**

11 AN ACT TO REVISE THE RELIGIOUS EXEMPTION TO THE  
12 SCHOOL IMMUNIZATION REQUIREMENTS; AND FOR OTHER  
13 PURPOSES.  
14

15 **Subtitle**

16 AN ACT TO REVISE THE RELIGIOUS EXEMPTION  
17 TO THE SCHOOL IMMUNIZATION REQUIREMENTS.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 6-18-702(d), requiring immunization of  
23 children, is amended to read as follows:

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

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

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

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



1 certificate to that effect issued by the health officer may be accepted in  
2 lieu of a certificate of vaccination, provided that the exemption shall not  
3 apply when the disability shall have been removed.

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

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

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

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

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

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

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

36 (ii) The parents or legal guardian of the child

1 shall submit annually to the Department of Health a signed, notarized  
2 statement regarding the objection.

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

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9 */s/ Critcher*

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