

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2558 Session of  
1992

INTRODUCED BY MICOZZIE, CIVERA, ADOLPH, McNALLY, RAYMOND,  
McHALE, WILSON, JAROLIN, KRUSZEWSKI, KENNEY, CAWLEY,  
DONATUCCI, O'BRIEN, McHUGH, KOSINSKI AND BISHOP,  
MARCH 25, 1992

REFERRED TO COMMITTEE ON EDUCATION, MARCH 25, 1992

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," further providing for required  
6 immunization of children.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 1303 of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949, added  
11 April 11, 1974 (P.L.258, No.67), is amended to read:

12 Section 1303. Immunization Required; Penalty.--(a) It shall  
13 be the duty of all school directors, superintendents,  
14 principals, or other persons in charge of any public, private,  
15 parochial, or other school including kindergarten, to ascertain  
16 that every child, prior to admission to school for the first  
17 time has been immunized, as the Secretary of Health may direct,  
18 against such diseases as shall appear on a list to be made and  
19 from time to time reviewed by the Advisory Health Board. All

1 certificates of immunization shall be issued in accordance with  
2 the rules and regulations promulgated by the Secretary of Health  
3 with the sanction and advice of the Advisory Health Board.

4 (b) Any person who shall fail, neglect, or refuse to comply  
5 with, or who shall violate, any of the provisions or  
6 requirements of this section, except as [hereinafter] provided  
7 in subsection (c), shall, for every such offense, upon summary  
8 conviction thereof, be sentenced to pay a fine of not less than  
9 five dollars (\$5) nor more than one hundred dollars (\$100), and  
10 in default thereof, to undergo an imprisonment in the jail of  
11 the proper county for a period not exceeding sixty (60) days.  
12 All such fines shall be paid into the treasury of the school  
13 district.

14 (c) The provisions of this section shall not apply in the  
15 case of any child deemed to have a medical contraindication  
16 which may contraindicate immunization and so certified by a  
17 physician. Such certificates may be accepted in lieu of a  
18 certificate of immunization.

19 [(d) The provisions of this section shall not apply in the  
20 case of any child whose parent or guardian objects in writing to  
21 such immunization on religious grounds.]

22 Section 2. This act shall take effect immediately.