

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1430 Session of
1991

INTRODUCED BY BLAUM, HAGARTY, CALTAGIRONE, NAHILL, KOSINSKI,
DALEY, ANGSTADT, KRUSZEWSKI, J. TAYLOR, WOGAN, LaGROTTA,
SEMMEL, HERMAN, ITKIN, BARLEY, FLEAGLE, DeLUCA, LUCYK,
PHILLIPS, BATTISTO, GERLACH, PETRONE, WAMBACH, BELARDI,
CORNELL, E. Z. TAYLOR, MELIO, HARPER, MICHLOVIC, MICOZZIE,
FARMER, STABACK, GODSHALL, GIGLIOTTI, STEELMAN, D. W. SNYDER,
PISTELLA, GRUPPO, SERAFINI, BUNT, CIVERA, SURRA, KING,
BUTKOVITZ, STURLA, RITTER, TELEK AND HECKLER, MAY 29, 1991

REFERRED TO COMMITTEE ON EDUCATION, MAY 29, 1991

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," deleting the exemption based on
6 religious grounds from school immunizations.

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,

1 against such diseases as shall appear on a list to be made and
2 from time to time reviewed by the Advisory Health Board. All
3 certificates of immunization shall be issued in accordance with
4 the rules and regulations promulgated by the Secretary of Health
5 with the sanction and advice of the Advisory Health Board.

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

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

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

23 Section 2. This act shall take effect immediately.