

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 341 Session of 2019

INTRODUCED BY CRUZ, YOUNGBLOOD, KINSEY, MURT, ISAACSON AND HILL-
EVANS, FEBRUARY 1, 2019

REFERRED TO COMMITTEE ON HEALTH, FEBRUARY 1, 2019

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," in pupils and attendance, further
6 providing for immunization required and penalty.

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, is
11 amended to read:

12 Section 1303. Immunization and Testing Required; Penalty.--

13 (a) It shall be the duty of all school directors,
14 superintendents, principals, or other persons in charge of any
15 public, private, parochial, or other school including
16 kindergarten, to ascertain that every child, prior to admission
17 to school for the first time has been:

18 (1) immunized, as the Secretary of Health may direct,
19 against such diseases as shall appear on a list to be made and
20 from time to time reviewed by the Advisory Health Board[.]; and

1 (2) tested, as the Secretary of Health may direct, for
2 diabetes.

3 All certificates of immunization and testing shall be issued
4 in accordance with the rules and regulations promulgated by the
5 Secretary of Health with the sanction and advice of the Advisory
6 Health Board.

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

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

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

24 Section 2. This act shall take effect in 60 days.