

**SUBSTITUTE FOR  
HOUSE BILL NO. 5291**

A bill to amend 1979 PA 94, entitled  
"The state school aid act of 1979,"  
by amending section 167 (MCL 388.1767), as amended by 1997  
PA 93.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 167. (1) The department in cooperation with the  
2 department of community health shall develop plans to assist dis-  
3 tricts and intermediate districts and local county health depart-  
4 ments to comply with section 1177 of the revised school code,  
5 MCL 380.1177, and section 9209 of the public health code, 1978  
6 PA 368, MCL 333.9209, for each school year.

7       (2) Each district or intermediate district shall report to  
8 the local health department in which it is located by November 1  
9 — of each fiscal year, in a manner prescribed by the department  
10 of community health, the immunization status of each pupil in

1 grades K through 12 who enrolled in the district or intermediate  
2 district for the first time OR, BEGINNING IN 2002-2003, WHO  
3 ENROLLED IN GRADE 6 IN THE DISTRICT OR INTERMEDIATE DISTRICT FOR  
4 THE FIRST TIME, between January 1 and September 30 of the immedi-  
5 ately preceding fiscal year. Not later than December 31 of each  
6 fiscal year, the department of community health shall notify the  
7 department by district or intermediate district of the percentage  
8 of entering pupils AND, BEGINNING IN 2002-2003, OF [PUPILS WHO  
9 ENROLLED IN GRADE 6 FOR THE FIRST TIME] who do not have a completed,  
waived, or provisional  
10 immunization record in accordance with section 1177 of the  
11 revised school code, MCL 380.1177. If a district or intermediate  
12 district does not have a completed, waived, or provisional immu-  
13 nization record in accordance with section 1177 of the revised  
14 school code, MCL 380.1177, for at least 90% of the district's or  
15 intermediate district's entering pupils, as recorded in the  
16 November 1 reports required under this subsection, the district  
17 or intermediate district is subject to subsection (4) until the  
18 district or intermediate district has such an immunization record  
19 for at least 90% of its [ ] pupils [WHO ENROLLED IN THE  
DISTRICT OR INTERMEDIATE DISTRICT FOR THE FIRST TIME].

20 (3) Each district or intermediate district shall again  
21 report to the local health department in which it is located by  
22 February 1 of each fiscal year, in a manner prescribed by the  
23 department of community health, the immunization status of each  
24 pupil in grades K through 12 who enrolled in the district or  
25 intermediate district for the first time OR, BEGINNING IN  
26 2002-2003, WHO ENROLLED IN GRADE 6 IN THE DISTRICT OR  
27 INTERMEDIATE DISTRICT FOR THE FIRST TIME, between January 1 of

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1 the immediately preceding fiscal year and December 31 of the  
2 current fiscal year. Not later than March 31 of each fiscal  
3 year, the department of community health shall notify the depart-  
4 ment by district or intermediate district of the percentage of  
5 entering pupils AND, BEGINNING IN 2002-2003, OF [PUPILS WHO ENROLLED  
6 IN GRADE 6 FOR THE FIRST TIME] who do not have a completed, waived,  
or provisional immu-  
7 nization record in accordance with section 1177 of the revised  
8 school code, MCL 380.1177. If a district or intermediate dis-  
9 trict does not have a completed, waived, or provisional immuniza-  
10 tion record in accordance with section 1177 of the revised school  
11 code, MCL 380.1177, for at least 95% of the district's or inter-  
12 mediate district's entering pupils, as recorded in the February 1  
13 reports required under this subsection, the district or interme-  
14 diate district is subject to subsection (4) until the district or  
15 intermediate district has such an immunization record for at  
16 least 95% of its [ ] pupils [WHO ENROLLED IN THE DISTRICT OR  
INTERMEDIATE DISTRICT FOR THE FIRST TIME]. If the department of  
community  
17 health is not able to report to the department by March 31  
18 because a district or intermediate district fails to submit a  
19 report as required in this subsection, or submits an incomplete,  
20 inaccurate, or late report, the district or intermediate district  
21 is subject to subsection (4) until the report is submitted in a  
22 complete and accurate form.  
23 (4) If a district or intermediate district does not comply  
24 with this section, the department shall withhold 5% of the total  
25 funds due to the district or intermediate district under this act  
26 after the date the department of community health reports a  
27 district's or intermediate district's noncompliance with this

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1 section to the department until the district or intermediate  
2 district complies with this section. If the district or interme-  
3 diate district does not comply with this section by the end of  
4 the fiscal year, the district or intermediate district forfeits  
5 the total amount withheld.

6 Enacting section 1. This amendatory act does not take  
7 effect unless all of the following bills of the 90th Legislature  
8 are enacted into law:

9 (a) House Bill No. 5292.

10 (b) House Bill No. 5293.