



HOUSE BILL No. 5291

February 3, 2000, Introduced by Reps. DeWeese, Law, Allen, Ehardt, Dennis, Schauer and Woodward and referred to the Committee on Health Policy.

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, MCL
5 380.1177, and section 9209 of the public health code, 1978 PA
6 368, 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 ENTERING GRADE
9 6 PUPILS 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 AND, BEGINNING IN
16 2005-2006, AT LEAST 90% OF THE DISTRICT'S OR INTERMEDIATE
17 DISTRICT'S ENTERING GRADE 6 PUPILS, as recorded in the November 1
18 reports required under this subsection, the district or interme-
19 diate district is subject to subsection (4) until the district or
20 intermediate district has such an immunization record for at
21 least 90% of its ENTERING pupils AND, BEGINNING IN 2005-2006, AT
22 LEAST 90% OF ITS ENTERING GRADE 6 PUPILS.

23 (3) Each district or intermediate district shall again
24 report to the local health department in which it is located by
25 February 1 of each fiscal year, in a manner prescribed by the
26 department of community health, the immunization status of each
27 pupil in grades K through 12 who enrolled in the district or

1 intermediate district for the first time OR, BEGINNING IN
2 2002-2003, WHO ENROLLED IN GRADE 6 IN THE DISTRICT OR INTERMEDI-
3 ATE DISTRICT FOR THE FIRST TIME, between January 1 of the immedi-
4 ately preceding fiscal year and December 31 of the current fiscal
5 year. Not later than March 31 of each fiscal year, the depart-
6 ment of community health shall notify the department by district
7 or intermediate district of the percentage of entering pupils
8 AND, BEGINNING IN 2002-2003, OF ENTERING GRADE 6 PUPILS who do
9 not have a completed, waived, or provisional immunization record
10 in accordance with section 1177 of the revised school code, MCL
11 380.1177. If a district or intermediate district does not have a
12 completed, waived, or provisional immunization record in accord-
13 ance with section 1177 of the revised school code, MCL 380.1177,
14 for at least 95% of the district's or intermediate district's
15 entering pupils AND, BEGINNING IN 2005-2006, AT LEAST 95% OF THE
16 DISTRICT'S OR INTERMEDIATE DISTRICT'S ENTERING GRADE 6 PUPILS, as
17 recorded in the February 1 reports required under this subsec-
18 tion, the district or intermediate district is subject to
19 subsection (4) until the district or intermediate district has
20 such an immunization record for at least 95% of its ENTERING
21 pupils AND, BEGINNING IN 2005-2006, AT LEAST 95% OF ITS ENTERING
22 GRADE 6 PUPILS. If the department of community health is not
23 able to report to the department by March 31 because a district
24 or intermediate district fails to submit a report as required in
25 this subsection, or submits an incomplete, inaccurate, or late
26 report, the district or intermediate district is subject to

1 subsection (4) until the report is submitted in a complete and
2 accurate form.

3 (4) ~~if~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, IF
4 a district or intermediate district does not comply with this
5 section, the department shall withhold 5% of the total funds due
6 to the district or intermediate district under this act after the
7 date the department of community health reports a district's or
8 intermediate district's noncompliance with this section to the
9 department until the district or intermediate district complies
10 with this section. If the district or intermediate district does
11 not comply with this section by the end of the fiscal year, the
12 district or intermediate district forfeits the total amount
13 withheld. HOWEVER, WITHHOLDING OR FORFEITURE OF FUNDS UNDER THIS
14 SUBSECTION BECAUSE OF NONCOMPLIANCE CONCERNING PUPILS ENTERING
15 GRADE 6 SHALL NOT BEGIN UNTIL THE 2005-2006 FISCAL YEAR.

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

19 (a) Senate Bill No. _____ or House Bill No. 5293 (request
20 no. 00341'99 *).

21 (b) Senate Bill No. _____ or House Bill No. 5292 (request
22 no. 02956'99 *).