

Act No. 121
Public Acts of 2013
Approved by the Governor
October 1, 2013
Filed with the Secretary of State
October 1, 2013
EFFECTIVE DATE: October 1, 2013

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2013**

Introduced by Senators Warren, Marleau, Jones, Emmons, Pappageorge, Bieda, Robertson and Kahn

ENROLLED SENATE BILL No. 238

AN ACT to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1177 (MCL 380.1177), as amended by 2000 PA 91.

The People of the State of Michigan enact:

Sec. 1177. (1) A child enrolling in a public or nonpublic school for the first time or, beginning in the 2014-2015 school year, enrolling in grade 7 for the first time shall submit 1 of the following:

(a) A statement signed by a physician that the child has been tested for and immunized or protected against diseases specified by the director of the department of community health.

(b) A statement signed by a parent or guardian to the effect that the child has not been immunized because of religious convictions or other objection to immunization.

(c) A statement signed by a physician that certifies that the child is in the process of complying with all immunization requirements.

(2) In addition, the parent or guardian of each child enrolling in kindergarten for the first time shall submit a statement signed by a district, county, or city health department director stating that the child has been administered the department of community health preschool vision screening test, or signed by a licensed medical or osteopathic physician or a licensed optometrist stating that the child's eyes have been examined during the preschool years after age 3 and before initial entrance. A vision test is not required if there is a statement signed by a parent or guardian to the effect that the child cannot be submitted to the test because of religious convictions.

(3) Not later than November 1 of each year, the administrator of each school shall provide the director of the department of community health with the immunization status of each pupil in grades K through 12 who enrolled in the school for the first time, or, beginning in the 2014-2015 school year, enrolled in grade 7 in the school for the first time, between the immediately preceding January 1 and the immediately preceding September 30, as well as a vision report of each child entering kindergarten during that time period. This information shall be transmitted through the approved local full-time health department, if available, and shall be on forms provided by the director of community health or

otherwise reported in a manner approved by the director of the department of community health. Not later than February 1 of each year, the administrator of each school shall provide an update to the report due the previous November 1 to show the immunization status of each pupil in grades K through 12 who enrolled in the school for the first time, or, beginning in the 2014-2015 school year, enrolled in grade 7 in the school for the first time, during the calendar year ending the immediately preceding December 31. This information shall be transmitted in the same manner as the report due the previous November 1.

(4) The department of community health shall promulgate rules, including rules identifying the diseases specified under subsection (1)(a), for the implementation of this section.

Enacting section 1. This amendatory act takes effect July 1, 2013.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 97th Legislature are enacted into law:

(a) Senate Bill No. 237.

(b) Senate Bill No. 239.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Sam E. Randall

Clerk of the House of Representatives

Approved

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Governor