State of Wisconsin
2015 – 2016 LEGISLATURE

LRB–3169/1
TJD:emw

2015 ASSEMBLY BILL 924

February 18, 2016 – Introduced by Representatives HINTZ, BERCEAU, KAHL, POPE, SINICKI and SUBECK, cosponsored by Senator RISSER. Referred to Committee on Health.

AN ACT ***to amend*** 252.04 (3) of the statutes; **relating to:** eliminating personal conviction exemption from immunizations.

Analysis by the Legislative Reference Bureau

This bill eliminates the ability to waive the immunization requirement for schools, child care centers, and nursery schools for the reason of personal conviction. Under current law, a student admitted to elementary, middle, junior, or senior high school, a child care center, or a nursery school must, within 30 days of admission, present evidence of having completed the first immunization for each vaccine required for the student's grade and being on schedule for the remainder of the basic and booster immunization series for mumps, measles, rubella, diphtheria, whooping cough, poliomyelitis, tetanus, and any other diseases the Department of Health Services specifies by rule. This immunization requirement is waived, however, if the student or the student's parent, guardian, or legal custodian instead submits a written statement to the school, child care center, or nursery school objecting to the immunization for reasons of health, religion, or personal conviction. A school, child care center, or nursery school may exclude a student who does not meet the immunization requirement or does not present a waiver and is required to exclude a student who does not meet the immunization requirement or does not present a waiver if fewer than 99 percent of the students have complied with the immunization requirement or presented a waiver. A court may issue an order directing a student to comply with the immunization requirement or present a waiver by a certain date, and if the student is not in compliance, the court may require an adult student or the parent, guardian, or legal custodian of a minor student to pay a forfeiture. This bill

eliminates personal conviction as a reason for a waiver of the immunization requirement.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 252.04 (3) of the statutes is amended to read:

252.04 **(3)** The immunization requirement is waived if the student, if an adult, or the student's parent, guardian, or legal custodian submits a written statement to the school, child care center, or nursery school objecting to the immunization for reasons of health~~,~~ or religion~~, or personal conviction~~. At the time any school, child care center, or nursery school notifies a student, parent, guardian, or legal custodian of the immunization requirements, it shall inform the person in writing of the person's right to a waiver under this subsection.

(END)