

State of Minnesota

H. F. No. 3276

1.1 A bill for an act

1.2 relating to health; modifying exemptions from immunization requirements for

1.3 children in child care facilities and students in schools and postsecondary

1.4 educational institutions; amending Minnesota Statutes 2020, sections 121A.15,

1.5 subdivision 3; 135A.14, subdivision 3.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2020, section 121A.15, subdivision 3, is amended to read:

1.8 Subd. 3. **Exemptions from immunizations.** (a) If a person is at least seven years old

1.9 and has not been immunized against pertussis, the person must not be required to be

1.10 immunized against pertussis.

1.11 (b) If a person is at least 18 years old and has not completed a series of immunizations

1.12 against poliomyelitis, the person must not be required to be immunized against poliomyelitis.

1.13 (c) If a statement, signed by a physician, is submitted to the administrator or other person

1.14 having general control and supervision of the school or child care facility stating that an

1.15 immunization required in this section or otherwise required for enrollment in the school or

1.16 child care facility is contraindicated for medical reasons or that laboratory confirmation of

1.17 the presence of adequate immunity exists, the immunization specified in the statement need

1.18 not be required.

1.19 (d) If a notarized statement signed by the minor child's parent or guardian or by the

1.20 emancipated person is submitted to the administrator or other person having general control

1.21 and supervision of the school or child care facility stating that the person has not been

1.22 immunized as prescribed in subdivision 1 or as otherwise required for enrollment in the

1.23 school or child care facility because of the conscientiously held beliefs of the parent or

guardian of the minor child or of the emancipated person, the immunizations specified in the statement shall not be required. This statement must also be forwarded to the commissioner of the Department of Health.

(e) If the person is under 15 months, the person is not required to be immunized against measles, rubella, or mumps.

(f) If a person is at least five years old and has not been immunized against haemophilus influenzae type b, the person is not required to be immunized against haemophilus influenzae type b.

(g) If a person who is not a Minnesota resident enrolls in a Minnesota school online learning course or program that delivers instruction to the person only by computer and does not provide any teacher or instructor contact time or require classroom attendance, the person is not subject to the immunization, statement, and other requirements of this section.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to immunization requirements in effect on or after that date.

Sec. 2. Minnesota Statutes 2020, section 135A.14, subdivision 3, is amended to read:

Subd. 3. **Exemptions from immunization.** (a) An immunization listed in subdivision 2 or otherwise required by a postsecondary educational institution for students is not required if the student submits to the administrator a statement signed by a physician that shows:

(1) that, for medical reasons, the student did not receive an immunization;

(2) that the student has experienced the natural disease against which the immunization protects; or

(3) that a laboratory has confirmed the presence of adequate immunity.

(b) If the student submits a notarized statement that the student has not been immunized as required in subdivision 2 or as otherwise required by the student's postsecondary educational institution because of the student's conscientiously held beliefs, the immunizations described in subdivision 2 or otherwise required by the institution are not required. The institution shall forward this statement to the commissioner of health.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to immunization requirements in effect on or after that date.