

SENATE BILL No. 239

February 28, 2013, Introduced by Senators EMMONS, MARLEAU, WARREN, PAPPAGEORGE, KAHN, JONES, BIEDA and ROBERTSON 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 2006 PA 342.

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
3 districts and intermediate districts and local county health
4 departments to comply with section 1177 of the revised school code,
5 MCL 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 the
8 local health department in which it is located by November 1 of
9 each fiscal year, in a manner prescribed by the department of

1 community health, the immunization status of each pupil in grades K
2 through 12 who enrolled in the district or intermediate district
3 for the first time or, beginning in ~~2002-2003, 2014-2015~~, who
4 enrolled in grade ~~6-7~~ in the district or intermediate district for
5 the first time, between January 1 and September 30 of the
6 immediately preceding fiscal year. Not later than December 31 of
7 each fiscal year, the department of community health shall notify
8 the department by district or intermediate district of the
9 percentage of entering pupils and, beginning in ~~2002-2003, 2014-~~
10 ~~2015~~, of pupils who enrolled in grade ~~6-7~~ for the first time who do
11 not have a completed, waived, or provisional immunization record in
12 accordance with section 1177 of the revised school code, MCL
13 380.1177. If a district or intermediate district does not have a
14 completed, waived, or provisional immunization record in accordance
15 with section 1177 of the revised school code, MCL 380.1177, for at
16 least 90% of the district's or intermediate district's entering
17 pupils, as recorded in the November 1 reports required under this
18 subsection, the district or intermediate district is subject to
19 subsection (4) until the district or intermediate district has such
20 an immunization record for at least 90% of its pupils who enrolled
21 in the district or intermediate district for the first time.

22 (3) Each district or intermediate district shall again report
23 to the local health department in which it is located by February 1
24 of each fiscal year, in a manner prescribed by the department of
25 community health, the immunization status of each pupil in grades K
26 through 12 who enrolled in the district or intermediate district
27 for the first time or, beginning in ~~2002-2003, 2014-2015~~, who

1 enrolled in grade ~~6-7~~ in the district or intermediate district for
2 the first time, between January 1 of the immediately preceding
3 fiscal year and December 31 of the current fiscal year. Not later
4 than March 31 of each fiscal year, the department of community
5 health shall notify the department by district or intermediate
6 district of the percentage of entering pupils and, beginning in
7 ~~2002-2003,~~ **2014-2015**, of pupils who enrolled in grade ~~6-7~~ for the
8 first time who do not have a completed, waived, or provisional
9 immunization record in accordance with section 1177 of the revised
10 school code, MCL 380.1177. If a district or intermediate district
11 does not have a completed, waived, or provisional immunization
12 record in accordance with section 1177 of the revised school code,
13 MCL 380.1177, for at least 95% of the district's or intermediate
14 district's entering pupils, as recorded in the February 1 reports
15 required under this subsection, the district or intermediate
16 district is subject to subsection (4) until the district or
17 intermediate district has such an immunization record for at least
18 95% of its pupils who enrolled in the district or intermediate
19 district for the first time. If the department of community health
20 is not able to report to the department by March 31 because a
21 district or intermediate district fails to submit a report as
22 required in this subsection, or submits an incomplete, inaccurate,
23 or late report, the district or intermediate district is subject to
24 subsection (4) until the report is submitted in a complete and
25 accurate form.

26 (4) If a district or intermediate district does not comply
27 with this section, the department shall withhold 5% of the total

1 funds due to the district or intermediate district under this act
2 after the date the department of community health reports a
3 district's or intermediate district's noncompliance with this
4 section to the department until the district or intermediate
5 district complies with this section. If the district or
6 intermediate district does not comply with this section by the end
7 of the fiscal year, the district or intermediate district forfeits
8 the total amount withheld.

9 Enacting section 1. This amendatory act takes effect July 1,
10 2013.

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

14 (a) Senate Bill No. 237.

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16 (b) Senate Bill No. 238.

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