

# SENATE BILL No. 1087

April 24, 2012, Introduced by Senators EMMONS, MARLEAU, JANSEN, JONES, WARREN, PAVLOV and GLEASON 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

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1 each fiscal year, in a manner prescribed by the department of  
2 community health, the immunization status of each pupil in grades K  
3 through 12 who enrolled in the district or intermediate district  
4 for the first time or, beginning in ~~2002-2003~~, ~~<<2013-2014>>~~, who  
5 enrolled in grade ~~6-7~~ in the district or intermediate district for  
6 the first time, between January 1 and September 30 of the  
7 immediately preceding fiscal year. Not later than December 31 of  
8 each fiscal year, the department of community health shall notify  
9 the department by district or intermediate district of the  
10 percentage of entering pupils and, beginning in ~~2002-2003~~, ~~<<2013-~~  
11 ~~2014>>~~, of pupils who enrolled in grade ~~6-7~~ for the first time who do  
12 not have a completed, waived, or provisional immunization record in  
13 accordance with section 1177 of the revised school code, MCL  
14 380.1177. If a district or intermediate district does not have a  
15 completed, waived, or provisional immunization record in accordance  
16 with section 1177 of the revised school code, MCL 380.1177, for at  
17 least 90% of the district's or intermediate district's entering  
18 pupils, as recorded in the November 1 reports required under this  
19 subsection, the district or intermediate district is subject to  
20 subsection (4) until the district or intermediate district has such  
21 an immunization record for at least 90% of its pupils who enrolled  
22 in the district or intermediate district for the first time.

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

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1 for the first time or, beginning in ~~2002-2003~~, ~~<<2013-2014>>~~, who  
2 enrolled in grade ~~6-7~~ in the district or intermediate district for  
3 the first time, between January 1 of the immediately preceding  
4 fiscal year and December 31 of the current fiscal year. Not later  
5 than March 31 of each fiscal year, the department of community  
6 health shall notify the department by district or intermediate  
7 district of the percentage of entering pupils and, beginning in  
8 ~~2002-2003~~, ~~<<2013-2014>>~~, of pupils who enrolled in grade ~~6-7~~ for the  
9 first time who do not have a completed, waived, or provisional  
10 immunization record in accordance with section 1177 of the revised  
11 school code, MCL 380.1177. If a district or intermediate district  
12 does not have a completed, waived, or provisional immunization  
13 record in accordance with section 1177 of the revised school code,  
14 MCL 380.1177, for at least 95% of the district's or intermediate  
15 district's entering pupils, as recorded in the February 1 reports  
16 required under this subsection, the district or intermediate  
17 district is subject to subsection (4) until the district or  
18 intermediate district has such an immunization record for at least  
19 95% of its pupils who enrolled in the district or intermediate  
20 district for the first time. If the department of community health  
21 is not able to report to the department by March 31 because a  
22 district or intermediate district fails to submit a report as  
23 required in this subsection, or submits an incomplete, inaccurate,  
24 or late report, the district or intermediate district is subject to  
25 subsection (4) until the report is submitted in a complete and  
26 accurate form.

27 (4) If a district or intermediate district does not comply

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

10 Enacting section 1. This amendatory act takes effect July 1,  
11 2012.

12 Enacting section 2. This amendatory act does not take effect  
13 unless all of the following bills of the 96th Legislature are  
14 enacted into law:

15 (a) Senate Bill No. 1086.

16  
17 (b) Senate Bill No. 1088.