

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

400N0236

SENATE HEALTH AND HUMAN SERVICES COMMITTEE ENGROSSED NO. **SB 15** - 01/24/2007

Introduced by: The Committee on Health and Human Services at the request of the
Department of Health

1 FOR AN ACT ENTITLED, An Act to require certain immunizations for students attending
2 postsecondary educational institutions.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. Terms in this Act mean:

5 (1) "Public or private postsecondary educational institution" or "institution," any entity
6 permitted to offer postsecondary education credits or degrees in South Dakota under
7 § 13-49-27.1 and having an enrollment of more than one hundred persons during any
8 quarter, term, or semester during the preceding year;

9 (2) "Student," any person born after 1956 who is registering for more than one class
10 during an academic term, such as a quarter or a semester. The term includes any
11 person who meets face-to-face at least once per week to receive instruction. The term
12 does not include any person who receives non-credit-bearing or on-the-job training
13 services.

14 Section 2. Any student entering a public or private postsecondary education institution in
15 this state for the first time after July 1, 2008, shall, within forty-five days after the start of



1 classes, present to the appropriate institution certification from a licensed physician that the
2 student has received or is in the process of receiving the required two doses of immunization
3 against measles, rubella, and mumps. As an alternative to the requirement for a physicians's
4 certification, the student may present:

- 5 (1) Certification from a licensed physician stating the physical condition of the student
6 would be such that immunization would endanger the student's life or health;
- 7 (2) Certification from a licensed physician stating the student has experienced the natural
8 disease against which the immunization protects;
- 9 (3) Confirmation from a laboratory of the presence of adequate immunity; or
- 10 (4) A written statement signed by the student that the student is an adherent to a religious
11 doctrine whose teachings are opposed to such immunizations. If the student is under
12 the age of eighteen, the written statement shall be signed by one parent or guardian.

13 Section 3. The institution shall require that the documentation from the student, provided
14 for by section 2 of this Act, be submitted within forty-five days after the start of classes.