

State of South Dakota

EIGHTY-SEVENTH SESSION LEGISLATIVE ASSEMBLY, 2012

709T0548

HOUSE BILL NO. 1175

Introduced by: Representatives Venner, Greenfield, Haggar, Hansen (Jon), Hubbel, Jensen, Schaefer, Sly, and Tulson and Senator Maher

1 FOR AN ACT ENTITLED, An Act to provide for certain further exemptions from certain
2 childhood immunizations.

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

4 Section 1. That § 13-28-7.1 be amended to read as follows:

5 13-28-7.1. Any pupil entering school or an early childhood program in this state, shall, prior
6 to admission, be required to present to the appropriate school authorities certification from a
7 licensed physician that the child has received or is in the process of receiving adequate
8 immunization against poliomyelitis, diphtheria, pertussis, rubeola, rubella, mumps, tetanus, and
9 varicella, according to recommendations provided by the Department of Health. The
10 Department of Health may modify or delete any of the required immunizations. As an
11 alternative to the requirement for a physician's certification, the pupil may present:

12 (1) Certification from a licensed physician stating the physical condition of the child
13 would be such that immunization would endanger the child's life or health; or

14 (2) A written statement signed by one parent or guardian that the child is an adherent to
15 a religious doctrine whose teachings are opposed to such immunization; or



1 (3) A written statement signed by one parent or guardian that the child, under the
2 supervision of a parent or guardian, prefers to practice holistic health care as opposed
3 to such immunization; or

4 (4) A written statement signed by one parent or guardian that the signing parent or
5 guardian refuses to abrogate his or her autonomous parental rights over any health
6 care decisions affecting the child; or

7 (5) A written statement signed by one parent or guardian requesting that the local health
8 department give the immunization because the parents or guardians lack the means
9 to pay for such immunization.

10 The Department of Health may promulgate reasonable rules, in accordance with chapter 1-
11 26, to require compliance and documentation of adequate immunization or refusal of
12 immunization, to define appropriate certification, and to specify standard procedure.