

**Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine**

SENATE BILL NO. 2126  
(Senators Thane, DeMers, Kilzer)  
(Representatives Price, Rose)  
(At the request of the State Department of Health)

AN ACT to amend and reenact subsections 1 and 3 of section 23-07-17.1 of the North Dakota Century Code, relating to diseases for which inoculations are required before a child's admission to school.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Subsections 1 and 3 of section 23-07-17.1 of the 1997 Supplement to the North Dakota Century Code are amended and reenacted as follows:

1. ~~No~~ A child may not be admitted to any public, private, or parochial school, or day care center, child care facility, headstart program, or nursery school operating in ~~North Dakota~~ this state or be supervised through home-based instruction unless ~~such~~ the child's parent or guardian presents to the institution authorities a certification from a licensed physician or authorized representative of the state department of health that ~~such~~ the child has received immunization against diphtheria, pertussis, tetanus, measles, rubella (German measles), mumps, ~~and~~ hepatitis B, haemophilus influenza type b (Hib), and poliomyelitis. In the case of a child receiving home-based instruction, the child's parent or legal guardian shall file the certification with the ~~superintendent of public instruction~~ public school district in which the child resides.
3. Any minor child, through the child's parent or guardian, may submit to the institution authorities either a certificate from a licensed physician stating that the physical condition of the child is such that immunization would endanger the life or health of the child or a certificate signed by the child's parent or guardian whose religious, philosophical, or moral beliefs are opposed to such immunization. The minor child is then exempt from the provisions of this section.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2126.

Senate Vote:    Yeas    38        Nays    9        Absent    2

House Vote:    Yeas    68        Nays    28       Absent    2

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 1999.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 1999.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 1999,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State