

**HOUSE BILL NO. 1435**

Introduced by

Representative Price

Senator J. Lee

1 A BILL for an Act to amend and reenact subsection 1 of section 23-07-17.1 of the North Dakota  
2 Century Code, relating to child immunizations; and to provide an appropriation.

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

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 23-07-17.1 of the North Dakota  
5 Century Code is amended and reenacted as follows:

6 1. A child may not be admitted to any public, private, or parochial school, or day care  
7 center, child care facility, head start program, or nursery school operating in this  
8 state or be supervised through home-based instruction unless the child's parent or  
9 guardian presents to the institution authorities a certification from a licensed  
10 physician or authorized representative of the state department of health that the  
11 child has received immunization against diphtheria, pertussis, tetanus, measles,  
12 rubella (German measles), mumps, hepatitis B, haemophilus influenza type b  
13 (Hib), varicella 1 and 2 (chickenpox), meningococcal conjugate vaccine (MCV4) for  
14 meningitis, and poliomyelitis. In the case of a child receiving home-based  
15 instruction, the child's parent or legal guardian shall file the certification with the  
16 public school district in which the child resides.

17 **SECTION 2. STATE DEPARTMENT OF HEALTH IMMUNIZATION PROGRAM.**

18 During the period beginning October 1, 2007, through September 30, 2008, the state  
19 department of health shall distribute funds to local public health units for the purpose of  
20 continuing the immunization services previously funded through the immunization grant  
21 program authorized under section 317 of the federal Public Health Service Act, while  
22 transitioning to a provider choice immunization program.

23 **SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the  
24 general fund in the state treasury, not otherwise appropriated, the sum of \$3,495,634, or so

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- 1 much of the sum as may be necessary, to the state department of health for the purpose of
- 2 providing immunization program grants to public health units, for the biennium beginning July 1,
- 3 2007, and ending June 30, 2009. Of the amount appropriated, \$983,273 is for MCV4 and
- 4 \$812,361 is for varicella 2 catchup vaccinations.