

Sixtieth  
Legislative Assembly  
of North Dakota

## REENGROSSED 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 age appropriate immunization against diphtheria, pertussis,  
12 tetanus, measles, rubella (German measles), mumps, hepatitis B, haemophilus  
13 influenza type b (Hib), varicella (chickenpox), meningococcal, and poliomyelitis. In  
14 the case of a child receiving home-based instruction, the child's parent or legal  
15 guardian shall file the certification with the public school district in which the child  
16 resides.

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

18 1. During the period beginning July 1, 2007, through December 31, 2007, the state  
19 department of health shall distribute vaccines purchased under section 3 of this  
20 Act to local public health units and other immunization providers for the purpose of  
21 continuing the immunization services previously funded through the immunization  
22 grant program authorized under section 317 of the federal Public Health Service  
23 Act, while transitioning to a provider choice immunization program.

1           2.    During the period beginning January 1, 2008, through June 30, 2009, the state  
2                    department of health may distribute vaccines purchased under section 3 of this Act  
3                    to local public health units and other immunization providers for the purpose of  
4                    continuing the transition to a provider choice immunization program.

5           **SECTION 3. APPROPRIATION - CONTINGENT APPROPRIATION - LEGISLATIVE**  
6 **COUNCIL REPORT.** There is appropriated out of any moneys in the general fund in the state  
7 treasury, not otherwise appropriated, the sum of \$2,500,000, or so much of the sum as may be  
8 necessary, to the state department of health for the purpose of providing vaccines to public  
9 health units and other immunization providers, for the biennium beginning July 1, 2007, and  
10 ending June 30, 2009. Of the total amount appropriated, \$1,000,000 is only available if the  
11 department of health determines that vaccines need to be purchased after December 31, 2007,  
12 pursuant to section 2 of this Act. The department shall report to the legislative council as  
13 requested, during the 2007-08 interim, on the status of the immunization program.