

SENATE BILL NO. 876

May 22, 2024, Introduced by Senators WOJNO and HERTEL and referred to the Committee on Health Policy.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending section 167 (MCL 388.1767), as amended by 2021 PA 3.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 167. (1) The department in cooperation with the
2 department of health and human services shall develop plans to
3 assist districts, intermediate districts, and local county health
4 departments to comply with section 1177 of the revised school code,
5 MCL 380.1177, and section 9209 of the public health code, 1978 PA
6 368, MCL 333.9209, for each school year.

1 (2) Each district or intermediate district shall report to the
2 local health department in which it is located by November 1 of
3 each fiscal year, in a manner prescribed by the department of
4 health and human services, the immunization status of each pupil in
5 grades K ~~through~~ **to** 12 who enrolled in the district or intermediate
6 district for the first time, ~~or who~~ enrolled in grade 7 **in the**
7 **district or intermediate district for the first time, or, beginning**
8 **in the 2025-2026 school year, enrolled in grade 12** in the district
9 or intermediate district for the first time, between January 1 and
10 September 30 of the immediately preceding fiscal year. Not later
11 than December 31 of each fiscal year, the department of health and
12 human services shall notify the department by district or
13 intermediate district of the percentage of entering pupils and of
14 pupils who enrolled in grade 7 **for the first time or, beginning in**
15 **the 2025-2026 school year, enrolled in grade 12** for the first time
16 who do not have a completed, waived, or provisional immunization
17 record in accordance with section 1177 of the revised school code,
18 MCL 380.1177. If a district or intermediate district does not have
19 a completed, waived, or provisional immunization record in
20 accordance with section 1177 of the revised school code, MCL
21 380.1177, for at least 90% of the district's or intermediate
22 district's entering pupils, as recorded in the November 1 reports
23 required under this subsection, the district or intermediate
24 district is subject to subsection (4) until the district or
25 intermediate district has such an immunization record for at least
26 90% of its pupils who enrolled in the district or intermediate
27 district for the first time.

28 (3) Each district or intermediate district shall again report
29 to the local health department in which it is located by February 1

1 of each fiscal year, in a manner prescribed by the department of
2 health and human services, the immunization status of each pupil in
3 grades K ~~through~~ to 12 who enrolled in the district or intermediate
4 district for the first time, ~~or who~~ enrolled in grade 7 **in the**
5 **district or intermediate district for the first time, or, beginning**
6 **in the 2025-2026 school year, enrolled in grade 12** in the district
7 or intermediate district for the first time, between January 1 of
8 the immediately preceding fiscal year and December 31 of the
9 current fiscal year. Not later than March 31 of each fiscal year,
10 the department of health and human services shall notify the
11 department by district or intermediate district of the percentage
12 of entering pupils and of pupils who enrolled in grade 7 **for the**
13 **first time or, beginning in the 2025-2026 school year, enrolled in**
14 **grade 12** for the first time who do not have a completed, waived, or
15 provisional immunization record in accordance with section 1177 of
16 the revised school code, MCL 380.1177. If a district or
17 intermediate district does not have a completed, waived, or
18 provisional immunization record in accordance with section 1177 of
19 the revised school code, MCL 380.1177, for at least 95% of the
20 district's or intermediate district's entering pupils, as recorded
21 in the February 1 reports required under this subsection, the
22 district or intermediate district is subject to subsection (4)
23 until the district or intermediate district has such an
24 immunization record for at least 95% of its pupils who enrolled in
25 the district or intermediate district for the first time. If the
26 department of health and human services is not able to report to
27 the department by March 31 because a district or intermediate
28 district fails to submit a report as required in this subsection,
29 or submits an incomplete, inaccurate, or late report, the district

1 or intermediate district is subject to subsection (4) until the
2 report is submitted in a complete and accurate form.

3 (4) Except as otherwise provided in this subsection, if a
4 district or intermediate district does not comply with this
5 section, the department shall withhold 5% of the total funds due to
6 the district or intermediate district under this act after the date
7 the department of health and human services reports a district's or
8 intermediate district's noncompliance with this section to the
9 department until the district or intermediate district complies
10 with this section. Except as otherwise provided in this subsection,
11 if the district or intermediate district does not comply with this
12 section by the end of the fiscal year, the district or intermediate
13 district forfeits the total amount withheld. For the 2020-2021
14 fiscal year only, this subsection does not apply.

15 Enacting section 1. This amendatory act does not take effect
16 unless Senate Bill No. 877 of the 102nd Legislature is enacted into
17 law.