

OKLAHOMA STATE SENATE  
CONFERENCE  
COMMITTEE REPORT

May 20, 2021

Mr. President:

Mr. Speaker:

The Conference Committee, to which was rereferred

SB658

By: Standridge et al of the Senate and West (Kevin) of the House

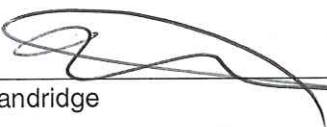
Title: Schools; requiring provision of certain information to parents; prohibiting certain entities from implementing specified requirements; establishing criteria for implementation of mask mandate. Effective date. Emergency

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the House recede from all Amendments.
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

SENATE CONFEREES:

  
\_\_\_\_\_  
Standridge

\_\_\_\_\_  
Dossett (J.A.)

\_\_\_\_\_  
Hicks

  
\_\_\_\_\_  
Pugh

  
\_\_\_\_\_  
Quinn

  
\_\_\_\_\_  
Taylor

HOUSE CONFEREES:

Conference Committee on Public Health

SB658 CCR2 (A)  
**HOUSE CONFEREES**

Brewer, Denise

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Hasenbeck, Toni

McEntire, Marcus

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Pittman, Ajay

Stark, Marilyn



Conley, Sherrie

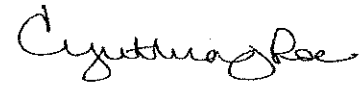


Kerbs, Dell



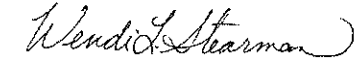
Newton, Carl

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Roe, Cynthia

Stearman, Wendi



1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 CONFERENCE COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED

5 SENATE BILL NO. 658

6 By: Standridge, Bullard,  
7 Hamilton, Quinn, Bergstrom,  
8 Rogers, Burns, Murdock,  
9 Jett, Newhouse, Merrick and  
10 Pederson of the Senate

11 and

12 West (Kevin), Stearman,  
13 Humphrey and McDugle of the  
14 House

15 CONFERENCE COMMITTEE SUBSTITUTE

16 An Act relating to schools; amending 70 O.S. 2011,  
17 Section 1210.191, which relates to required  
18 immunizations; requiring the State Department of  
19 Education and school districts to provide certain  
20 information to parents; updating statutory term;  
21 prohibiting certain entities from implementing  
22 specified requirements; establishing criteria for  
23 certain entities to implement a mask mandate;  
24 specifying requirements for mandate; providing for  
codification; providing an effective date; and  
declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.191, is  
amended to read as follows:

1 Section 1210.191. A. No minor child shall be admitted to any  
2 public, private, or parochial school operating in this state unless  
3 and until certification is presented to the appropriate school  
4 authorities from a licensed physician, or authorized representative  
5 of the State Department of Health, that such child has received or  
6 is in the process of receiving, immunizations against diphtheria,  
7 pertussis, tetanus, haemophilus influenzae type B (HIB), measles  
8 (rubeola), rubella, poliomyelitis, varicella, and hepatitis A or is  
9 likely to be immune as a result of the disease.

10 B. Immunizations required, and the manner and frequency of  
11 their administration, as prescribed by the State ~~Board~~ Commissioner  
12 of Health, shall conform to recognized standard medical practices in  
13 the state. The State Department of Health shall supervise and  
14 secure the enforcement of the required immunization program. The  
15 State Department of Education and the governing boards of the school  
16 districts of this state shall render reasonable assistance to the  
17 State Department of Health in the enforcement of the provisions  
18 hereof.

19 C. The ~~State Board of Health~~ Commissioner, by rule, may alter  
20 the list of immunizations required after notice and hearing. Any  
21 change in the list of immunizations required shall be submitted to  
22 the next regular session of the Legislature and such change shall  
23 remain in force and effect unless and until a concurrent resolution  
24 of disapproval is passed. Hearings shall be conducted by the State

1 ~~Board of Health Commissioner~~, or such officer, agents or employees  
2 as the ~~Board of Health Commissioner~~ may designate for that purpose.  
3 The ~~State Board of Health Commissioner~~ shall give appropriate notice  
4 of the proposed change in the list of immunizations required and of  
5 the time and place for hearing. The change shall become effective  
6 on a date fixed by the ~~State Board of Health Commissioner~~. Any  
7 change in the list of immunizations required may be amended or  
8 repealed in the same manner as provided for its adoption.  
9 Proceedings pursuant to this subsection shall be governed by the  
10 Administrative Procedures Act.

11 D. The State Department of Education and the governing boards  
12 of the school districts of this state shall provide for release to  
13 the Oklahoma Health Care Authority of the immunization records of  
14 school children covered under Title XIX or Title XXI of the federal  
15 Social Security Act who have not received the required immunizations  
16 at the appropriate time. The information received pursuant to such  
17 release shall be transmitted by the Oklahoma Health Care Authority  
18 to medical providers who provide services to such children pursuant  
19 to Title XIX or Title XXI to assist in their efforts to increase the  
20 rate of childhood immunizations pursuant to the requirements of the  
21 Early and Periodic Screening, Diagnosis and Treatment (EPSDT)  
22 services provisions. The provisions of this subsection shall not be  
23 construed to prohibit or affect the eligibility of any child to  
24 receive benefits pursuant to Title XIX or Title XXI of the Social

1 Security Act or to require the immunization of any child if such  
2 child is exempt from the immunization requirements pursuant to law.  
3 The name of any child exempt from immunization pursuant to Section  
4 1210.192 of this title shall not be included in the information  
5 transmitted pursuant to this subsection.

6 E. The State Department of Education shall provide and ensure  
7 that each school district in this state provides, on the school  
8 district website and in any notice or publication provided to  
9 parents regarding immunization requests, the following information  
10 regarding immunization requirements for school attendance: "For  
11 school enrollment, a parent or guardian shall provide one of the  
12 following:

- 13 1. Current, up-to-date immunization records; or
- 14 2. A completed and signed exemption form."

15 SECTION 2. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 1210.189 of Title 70, unless  
17 there is created a duplication in numbering, reads as follows:

18 A. A board of education of a public school district or a  
19 technology center school district, the board of regents of an  
20 institution within The Oklahoma State System of Higher Education,  
21 the governing board of a private postsecondary educational  
22 institution, the Oklahoma State Regents for Higher Education, the  
23 State Board of Education or the State Board of Career and Technology  
24 Education shall not:

1       1. Require a vaccination against Coronavirus disease 2019  
2 (COVID-19) as a condition of admittance to or attendance of the  
3 school or institution;

4       2. Require a vaccine passport as a condition of admittance to  
5 or attendance of the school or institution; or

6       3. Implement a mask mandate for students who have not been  
7 vaccinated against COVID-19.

8       B. As used in this section, "vaccine passport" means  
9 documentation that an individual has been vaccinated against COVID-  
10 19.

11       C. Nothing in this section shall be construed to apply to any  
12 public or private healthcare setting.

13       SECTION 3.       NEW LAW       A new section of law to be codified  
14 in the Oklahoma Statutes as Section 1210.190 of Title 70, unless  
15 there is created a duplication in numbering, reads as follows:

16       A. A board of education of a public school district or a  
17 technology center school district may only implement a mandate to  
18 wear a mask or any other medical device as provided in this  
19 subsection.

20       1. A board of education of a public school district or a  
21 technology center school district may only implement a mandate to  
22 wear a mask or any other medical device after consultation with the  
23 local county health department or city-county health department  
24 within the jurisdiction of where the board is located and when the

1 jurisdiction of where the board is located is under a current state  
2 of emergency declared by the Governor.

3 2. The mandate shall explicitly list the purposes for the  
4 mandate.

5 3. The mandate shall reference the specific masks or medical  
6 devices that would meet the requirements of the mandate.

7 4. Any mandate to implement wearing a mask or any other medical  
8 device shall be reconsidered at each regularly scheduled board  
9 meeting.

10 SECTION 4. This act shall become effective July 1, 2021.

11 SECTION 5. It being immediately necessary for the preservation  
12 of the public peace, health or safety, an emergency is hereby  
13 declared to exist, by reason whereof this act shall take effect and  
14 be in full force from and after its passage and approval.

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