

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1475

By: Adams

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2021,
8 Section 1210.189, which relates to prohibited COVID-
9 19-related requirements; prohibiting student
10 distinctions based on vaccination status; stating
11 prohibited acts; providing penalty for violations;
12 amending 70 O.S. 2021, Section 1210.191, which
13 relates to required immunizations; providing penalty
14 for certain violations; providing an effective date;
15 and declaring an emergency.

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

17 SECTION 1. AMENDATORY 70 O.S. 2021, Section 1210.189, is
18 amended to read as follows:

19 Section 1210.189. A. A board of education of a public school
20 district or a technology center school district, the board of
21 regents of an institution within The Oklahoma State System of Higher
22 Education, the governing board of a private postsecondary
23 educational institution, the Oklahoma State Regents for Higher
24 Education, the State Board of Education or the State Board of Career
and Technology 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; or

8 4. Distinguish between students based on their vaccination
9 status. Actions prohibited by this paragraph include, but are not
10 limited to, discrimination in any of the following acts:

11 a. determination of eligibility for athletics or other
12 extracurricular activities,

13 b. allowing or denying participation inside and outside
14 of the classroom,

15 c. issuance of surveys to students relative to
16 vaccination status, and

17 d. organizing seating arrangements.

18 B. As used in this section, "vaccine passport" means
19 documentation that an individual has been vaccinated against COVID-
20 19.

21 C. A school district that violates any or all of the provisions
22 of this section shall receive a penalty of a five percent (5%)
23 reduction in state funding. Said penalty shall be applied in the
24 State Department of Education's next funding distribution and shall

1 continue for the school's current fiscal year through the following
2 fiscal year.

3 D. Nothing in this section shall be construed to apply to any
4 public or private healthcare setting.

5 SECTION 2. AMENDATORY 70 O.S. 2021, Section 1210.191, is
6 amended to read as follows:

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

16 B. Immunizations required, and the manner and frequency of
17 their administration, as prescribed by the State Commissioner of
18 Health, shall conform to recognized standard medical practices in
19 the state. The State Department of Health shall supervise and
20 secure the enforcement of the required immunization program. The
21 State Department of Education and the governing boards of the school
22 districts of this state shall render reasonable assistance to the
23 State Department of Health in the enforcement of the provisions
24 hereof.

1 C. The Commissioner, by rule, may alter the list of
2 immunizations required after notice and hearing. Any change in the
3 list of immunizations required shall be submitted to the next
4 regular session of the Legislature and such change shall remain in
5 force and effect unless and until a concurrent resolution of
6 disapproval is passed. Hearings shall be conducted by the
7 Commissioner, or such officer, agents or employees as the
8 Commissioner may designate for that purpose. The Commissioner shall
9 give appropriate notice of the proposed change in the list of
10 immunizations required and of the time and place for hearing. The
11 change shall become effective on a date fixed by the Commissioner.
12 Any change in the list of immunizations required may be amended or
13 repealed in the same manner as provided for its adoption.
14 Proceedings pursuant to this subsection shall be governed by the
15 Administrative Procedures Act.

16 D. The State Department of Education and the governing boards
17 of the school districts of this state shall provide for release to
18 the Oklahoma Health Care Authority of the immunization records of
19 school children covered under Title XIX or Title XXI of the federal
20 Social Security Act who have not received the required immunizations
21 at the appropriate time. The information received pursuant to such
22 release shall be transmitted by the Oklahoma Health Care Authority
23 to medical providers who provide services to such children pursuant
24 to Title XIX or Title XXI to assist in their efforts to increase the

1 rate of childhood immunizations pursuant to the requirements of the
2 Early and Periodic Screening, Diagnosis and Treatment (EPSDT)
3 services provisions. The provisions of this subsection shall not be
4 construed to prohibit or affect the eligibility of any child to
5 receive benefits pursuant to Title XIX or Title XXI of the Social
6 Security Act or to require the immunization of any child if such
7 child is exempt from the immunization requirements pursuant to law.
8 The name of any child exempt from immunization pursuant to Section
9 1210.192 of this title shall not be included in the information
10 transmitted pursuant to this subsection.

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

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

20 F. A school district that violates any or all of the provisions
21 of this section shall receive a penalty of a five percent (5%)
22 reduction in state funding. Said penalty shall be applied in the
23 State Department of Education's next funding distribution and shall
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1 continue for the school's current fiscal year through the following
2 fiscal year.

3 SECTION 3. This act shall become effective July 1, 2025.

4 SECTION 4. It being immediately necessary for the preservation
5 of the public peace, health or safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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