



State of Tennessee
PUBLIC CHAPTER NO. 114

SENATE BILL NO. 93

By Finney, Tate, Hensley, Dickerson, Ketron, McNally, Burks

Substituted for: House Bill No. 288

By Fitzhugh, John Deberry, Love, Lois DeBerry, Harry Brooks, Pitts, Sargent, Mark White, Curtis Johnson, Ramsey, Harrison, Lollar, Holt, McCormick, Stewart, Hardaway, Sanderson, Armstrong, Powell

AN ACT to amend Tennessee Code Annotated, Title 37, Chapter 10, Part 4; Title 49 and Title 68, relative to meningococcal disease.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-7-124, is amended by deleting the section in its entirety and substituting instead the following:

49-7-124.

(a) This section shall be known and may be cited as the "Jacob Nunley Act".

(b) New incoming students at any public institution of higher learning in this state who live in on-campus student housing shall be required to produce proof of adequate immunization against meningococcal disease as recommended for adults in the current advisory committee on immunization practices "Recommended Adult Immunization Schedule" published by the centers for disease control and prevention.

(c) A student may be exempted from the requirements of this section only under the following circumstances:

(1) Where a physician licensed by the board of medical examiners, the board of osteopathic examiners or a health department certifies in writing that a particular vaccine is contraindicated for one (1) of the following reasons:

(A) The individual meets the criteria for contraindication set forth in the manufacturer's vaccine package insert; or

(B) The individual meets the criteria for contraindication published by the centers for disease control or the advisory committee on immunization practices; or

(C) In the best professional judgment of the physician, based upon the individual's medical condition and history, the risk of harm from the vaccine outweighs the potential benefit.

(2) Where a parent or guardian or, in the case of an adult student, the student provides to the school a written statement, affirmed under penalties of perjury, that vaccination conflicts with the religious tenets and practices of the parent or guardian or, in the case of an adult student, the student.

(d) Nothing in this section shall be construed to require a public institution of higher learning to provide or purchase vaccine against meningococcal disease.

(e) The Tennessee higher education commission is authorized to promulgate rules and regulations to effectuate the purposes of this section. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, title 4, chapter 5.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.

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PASSED: March 28, 2013

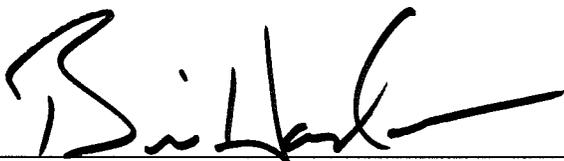


BON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 12th day of April 2013



BILL HASLAM, GOVERNOR