

## HOUSE BILL NO. 332

INTRODUCED BY E. HILL, S. GALLOWAY, C. HINKLE, J. KASSMIER, B. LER, A. REGIER, L. SHELDON-  
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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING DEFINITIONS RELATED TO IMMUNIZATIONS  
REQUIRED FOR SCHOOL ATTENDANCE; AMENDING SECTION 20-5-402, MCA; AND PROVIDING AN  
IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 20-5-402, MCA, is amended to read:

**"20-5-402. Definitions.** As used in this part, the following definitions apply:

(1) "Department" means the department of public health and human services provided for in 2-15-  
2201.

(2) "Governing authority" means the board of trustees of a school district or the administrator of a  
private school, preschool, or postsecondary school.

(3) "Immunity" means a state of resistance to a given disease.

~~(3)(4)~~ "Immunization" means induction of a state of resistance to a disease, either due to infection  
with and recovery from a disease or through administration of an immunizing agent.

~~(5) "Immunizing agent" means an antigen introduced through a vaccine, through immunotherapy, or  
through homeoprophylaxis, OR AN ANTIGEN INTRODUCED THROUGH A VACCINE that stimulates immunity without  
inducing the disease itself.~~

~~(4)(6)~~ "Local health department" means a city, city-county, county, or district health department.

~~(5)(7)~~ "Local health officer" means a city, city-county, county, or district health officer.

~~(6)(8)~~ "Postsecondary school" means a community college, a unit of the Montana university system,  
or a private university or college.

~~(7)(9)~~ "Preschool" means a place or facility that provides, on a regular basis and as its primary  
purpose, educational instruction designed for children 5 years of age or younger and that:

1 (a) serves no child under 5 years of age for more than 3 hours a day; and

2 (b) serves no child 5 years of age for more than 6 hours a day.

3 ~~(9)~~(10) "School" means a place or institution for the teaching of individuals, the curriculum of which is

4 composed of the work of:

5 (a) any combination of kindergarten through grade 12;

6 (b) a postsecondary school; or

7 (c) a preschool."

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9 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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