SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 3439

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DATE	D-PG	OFFICIAL STATUS
04/25/2025	4010	Introduction and first reading Referred to Health and Human Services

A bill for an act

relating to health; prohibiting the use of an exemption to immunization due to conscientiously held beliefs for immunization against measles, mumps, and rubella; amending Minnesota Statutes 2024, section 121A.15, subdivisions 3, 9, by adding a subdivision.

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

Section 1. Minnesota Statutes 2024, section 121A.15, subdivision 3, is amended to read:

Subd. 3. **Exemptions from immunizations.** (a) If a person is at least seven years old and has not been immunized against pertussis, the person must not be required to be immunized against pertussis.

(b) If a person is at least 18 years old and has not completed a series of immunizations against poliomyelitis, the person must not be required to be immunized against poliomyelitis.

(c) If a statement, signed by a physician, is submitted to the administrator or other person having general control and supervision of the school or child care facility stating that an immunization is contraindicated for medical reasons or that laboratory confirmation of the presence of adequate immunity exists, the immunization specified in the statement need not be required.

(d) If a notarized statement signed by the minor child's parent or guardian or by the emancipated person is submitted to the administrator or other person having general control and supervision of the school or child care facility stating that the person has not been immunized as prescribed in subdivision 1 because of the conscientiously held beliefs of the parent or guardian of the minor child or of the emancipated person, the immunizations

specified in the statement shall not be required. This statement must also be forwarded to the commissioner of the Department of Health. This paragraph does not apply to:

(1) a child enrolling or enrolled in a child care center or family child care program that adopts a policy under subdivision 3b~~.~~; or

(2) effective August 1, 2026, a person enrolling or enrolled in a child care facility, certified license-exempt child care center, preschool, prekindergarten program, or elementary or secondary school for immunization against measles, mumps, and rubella.

(e) If the person is under 15 months, the person is not required to be immunized against measles, ~~rubella, or~~ mumps, and rubella.

(f) If a person is at least five years old and has not been immunized against haemophilus influenzae type b, the person is not required to be immunized against haemophilus influenzae type b.

(g) If a person who is not a Minnesota resident enrolls in a Minnesota school online learning course or program that delivers instruction to the person only by computer and does not provide any teacher or instructor contact time or require classroom attendance, the person is not subject to the immunization, statement, and other requirements of this section.

Sec. 2. Minnesota Statutes 2024, section 121A.15, is amended by adding a subdivision to read:

Subd. 3c. **Immunization against measles, mumps, and rubella.** Effective August 1, 2026, the parent or guardian of a person 15 months of age or older who submitted a statement under subdivision 3, paragraph (d), prior to August 1, 2026, stating that the person has not been immunized against measles, mumps, and rubella must submit one of the following to the administrator or person having general control and supervision of a child care facility, certified license-exempt child care center, preschool, prekindergarten program, or elementary or secondary school in order for the person to enroll or remain enrolled in the facility, center, preschool, program, or school:

(1) documentation that the person has received immunization against measles, mumps, and rubella consistent with medically accepted standards; or

(2) a statement of exemption under subdivision 3, paragraph (c).

Sec. 3. Minnesota Statutes 2024, section 121A.15, subdivision 9, is amended to read:

Subd. 9. **Definitions.** (a) As used in this section the following terms have the meanings given them.

~~(a)~~ (b) "Elementary or secondary school" includes any public school as defined in section 120A.05, subdivisions 9, 11, 13, and 17, or nonpublic school, church, or religious organization, or home school in which a child is provided instruction in compliance with sections 120A.22 and 120A.24.

~~(b)~~ (c) "Person enrolled in any elementary or secondary school" means a person born after 1956 and enrolled in grades kindergarten through 12, and a child with a disability receiving special instruction and services as required in sections 125A.03 to 125A.24 and 125A.65, excluding a child being provided services at the home or bedside of the child or in other states.

~~(c)~~ (d) "Child care facility" includes those child care programs subject to licensure under chapter 142B, and Minnesota Rules, chapters 9502 and 9503.

~~(d)~~ (e) "Family child care" means child care for no more than ten children at one time of which no more than six are under school age. The licensed capacity must include all children of any caregiver when the children are present in the residence.

~~(e)~~ (f) "Group family child care" means child care for no more than 14 children at any one time. The total number of children includes all children of any caregiver when the children are present in the residence.

(g) "Certified license-exempt child care center" has the meaning given in section 142C.01, subdivision 6.

(h) "Prekindergarten" has the meaning given in section 120A.05, subdivision 11a.