

HOUSE COMMITTEE OF REFERENCE REPORT

March 13, 2020

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Chair of Committee

\_\_\_\_\_  
Date

Committee on Public Health Care & Human Services.

After consideration on the merits, the Committee recommends the following:

HB20-1297 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 19-3-103, **add** (3)  
4 as follows:

5 **19-3-103. Child not neglected - when.** (3) REFUSING AN  
6 IMMUNIZATION ON THE GROUNDS OF MEDICAL, RELIGIOUS, OR PERSONAL  
7 BELIEF CONSIDERATIONS, AS SET FORTH IN SECTION 25-4-903, OR OPTING  
8 TO EXCLUDE IMMUNIZATION NOTIFICATION INFORMATION FROM THE  
9 IMMUNIZATION TRACKING SYSTEM ESTABLISHED IN SECTION 25-4-2403 (7)  
10 BY ITSELF DOES NOT CONSTITUTE CHILD ABUSE OR NEGLECT BY A PARENT  
11 OR LEGAL GUARDIAN FOR THE PURPOSES OF THIS ARTICLE 3.

12 **SECTION 2.** In Colorado Revised Statutes, 25-4-2403, **amend**  
13 (7) as follows:

14 **25-4-2403. Department of public health and environment -**  
15 **powers and duties - immunization tracking system - definitions -**  
16 **rules.** (7) An individual or a parent or legal guardian who consents to the  
17 immunization of an infant, child, or student pursuant to part 9 or 17 of  
18 this ~~article~~ ARTICLE 4 or this part 24 may exclude immunization  
19 information from the immunization tracking system. The individual,  
20 parent, or legal guardian may remove such immunization information  
21 from the immunization tracking system at any time. The department of  
22 public health and environment shall ensure that the process to exclude  
23 immunization information from the system is readily available and not  
24 burdensome. The physician, licensed health care practitioner, clinic,

1 hospital, or county, district, or municipal public health agency shall  
2 inform the individual, parent, or legal guardian of the option to exclude  
3 such information from such system and the potential benefits of inclusion  
4 in such system. In addition, the physician, licensed health care  
5 practitioner, clinic, hospital, or county, district, or municipal public health  
6 agency shall inform such parent or legal guardian of a minor individual  
7 of the option to refuse an immunization on the grounds of medical,  
8 religious, or personal belief considerations pursuant to section 25-4-903.  
9 Neither refusing an immunization on the grounds of medical, religious,  
10 or personal belief considerations pursuant to section 25-4-903 nor opting  
11 to exclude immunization notification information from the immunization  
12 tracking system shall, by itself constitute CONSTITUTES child abuse or  
13 neglect by a parent or legal guardian FOR THE PURPOSES OF PART 3 OF  
14 ARTICLE 3 OF TITLE 19.

15 **SECTION 3. Act subject to petition - effective date.** This act  
16 takes effect at 12:01 a.m. on the day following the expiration of the  
17 ninety-day period after final adjournment of the general assembly (August  
18 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a  
19 referendum petition is filed pursuant to section 1 (3) of article V of the  
20 state constitution against this act or an item, section, or part of this act  
21 within such period, then the act, item, section, or part will not take effect  
22 unless approved by the people at the general election to be held in  
23 November 2020 and, in such case, will take effect on the date of the  
24 official declaration of the vote thereon by the governor."

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