

**S 4803** GRIFFO Same as [A 7485](#) Glick (MS)  
 ON FILE: 04/27/11 Public Health Law  
 TITLE....Restricts the definition of "student" for purposes of immunization of post-secondary students  
 04/25/11REFERRED TO HEALTH  
 05/03/111ST REPORT CAL.523  
 05/04/112ND REPORT CAL.  
 05/09/11ADVANCED TO THIRD READING  
 06/01/11PASSED SENATE  
 06/01/11DELIVERED TO ASSEMBLY  
 06/01/11referred to health

**A7485** Glick (MS) Same as [S 4803](#) GRIFFO  
 Public Health Law  
 TITLE....Restricts the definition of "student" for purposes of immunization of post-secondary students  
 05/06/11 referred to health  
 06/02/11 reported referred to rules

---

**SUMMARY:**

GRIFFO  
 Amd S2165, Pub Health L  
 Restricts the definition of "student" for purposes of immunization of post-secondary students: "student" does not include a graduate of a public, private or parochial secondary school that is located in New York.

---

**VOTING:**

[06/01/11](#)            S4803            Senate Vote            Aye: 59            Nay: 2

**Floor Votes:**

06/01/11 S4803 Senate Vote Aye: 59 Nay: 2

<b>Exc Adams</b>	<b>Aye Addabbo</b>	<b>Aye Alesi</b>	<b>Aye Avella</b>
<b>Aye Ball</b>	<b>Aye Bonacic</b>	<b>Aye Breslin</b>	<b>Aye Carlucci</b>
<b>Aye DeFrancisco</b>	<b>Aye Diaz</b>	<b>Aye Dilan</b>	<b>Aye Duane</b>
<b>Aye Espaillet</b>	<b>Aye Farley</b>	<b>Aye Flanagan</b>	<b>Aye Fuschillo</b>
<b>Aye Gallivan</b>	<b>Aye Gianaris</b>	<b>Aye Golden</b>	<b>Aye Griffo</b>
<b>Aye Grisanti</b>	<b>Aye Hannon</b>	<b>Aye Hassell-Thompson</b>	<b>Aye Huntley</b>
<b>Aye Johnson</b>	<b>Aye Kennedy</b>	<b>Aye Klein</b>	<b>Nay Krueger</b>
<b>Aye Kruger</b>	<b>Aye Lanza</b>	<b>Aye Larkin</b>	<b>Aye LaValle</b>
<b>Aye Libous</b>	<b>Aye Little</b>	<b>Aye Marcellino</b>	<b>Aye Martins</b>
<b>Aye Maziarz</b>	<b>Aye McDonald</b>	<b>Aye Montgomery</b>	<b>Aye Nozzolio</b>
<b>Aye O'Mara</b>	<b>Aye Oppenheimer</b>	<b>Aye Parker</b>	<b>Aye Peralta</b>
<b>Aye Perkins</b>	<b>Aye Ranzenhofer</b>	<b>Aye Ritchie</b>	<b>Aye Rivera</b>

Aye Robach  
Aye Serrano  
Nay Squadron  
Aye Young

Aye Saland  
Aye Seward  
Aye Stavisky  
Aye Zeldin

Aye Sampson  
Aye Skelos  
Aye Stewart-Cousins

Aye Savino  
Aye Smith  
Aye Valesky

---

**Same-As History:**

Bill Version	Same-As Bill
<a href="#">S 4803</a>	<a href="#">A 7485</a>
Current Same-As	
S 4803	A 7485

---

**BILL TEXT:**

**STATE OF NEW YORK**

4803

2011-2012 Regular Sessions

**IN SENATE**

April 25, 2011

Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to immunization of post-secondary students

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph b of subdivision 1 of section 2165 of the public  
2 health law, as amended by chapter 325 of the laws of 1991, is amended to  
3 read as follows:

4 b. The term "student" means any person born on or after January first,  
5 nineteen hundred fifty-seven, who is registered to attend or attends  
6 classes at an institution, whether full-time or part-time. "Part-time  
7 student" shall mean a student who is enrolled for at least six but less  
8 than twelve semester hours, or the equivalent per semester or at least  
9 four but less than eight semester hours per quarter at an institution.

10 The foregoing notwithstanding, the term "student" shall not include a  
11 graduate of a public, private or parochial secondary school that is  
12 located in New York.

13 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD10941-01-1

---

**SPONSORS MEMO:**

**NEW YORK STATE SENATE  
INTRODUCER'S MEMORANDUM IN SUPPORT  
submitted in accordance with Senate Rule VI. Sec 1**

**BILL NUMBER:** S4803

**SPONSOR:** GRIFFO

**TITLE OF BILL:**

An act to amend the public health law, in relation to immunization of post-secondary students

**PURPOSE OR GENERAL IDEA OF BILL:**

To reduce costs and administrative burdens on New York colleges and universities.

**SUMMARY OF SPECIFIC PROVISIONS:**

The bill amends Public Health Law §2165(1)(b) to delete from the definition of "student" graduates of public, private and parochial secondary schools that are located in New York. The effect of the amendment is to eliminate the requirement for students who have graduated from New York high schools to provide college administrators, as a requisite to attending college, certificates of immunization against measles, mumps and rubella. Out-of-state and foreign students who attend New York colleges shall continue to be required to provide certificates of immunization.

**JUSTIFICATION:**

Pursuant to Public Health Law §2164 all children in New York must be immunized against measles, mumps and rubella, unless exempt for health or religious reasons, and must present certification or other evidence of immunization as a requisite to attend a New York child care center, day nursery, day care agency, nursery school, kindergarten, elementary, intermediate or secondary school. That is, prior to attending college or university, every New York child who has graduated from a secondary school located in New York must have been immunized. The requirement that such a New York student present immunization certification as a condition to attend a New York college or university imposes an unnecessary burden on the student, the student's parent or guardian, the health care practitioner who prepares the certificate, and administrators of

the college or university who must collect certificates and monitor compliance to allow attendance within the time frames set forth in the statute.

**PRIOR LEGISLATIVE HISTORY:**

New bill.

**FISCAL IMPLICATIONS:**

The proposal should reduce costs of colleges and universities, including the State University of New York and community colleges under its jurisdiction.

**EFFECTIVE DATE:**

This act shall take effect immediately.