

## ASSEMBLY THIRD READING

AB 2651 (Bonta)

As Amended April 20, 2026

Majority vote

**SUMMARY**

Requires the State Department of Public Health (DPH) to establish, and update as needed, the immunization rate necessary to prevent the spread of specified communicable diseases and establish notification procedures to inform the governing authority of a school or institution when an immunization rate falls below the established rate necessary to prevent the spread of disease. Requires DPH to annually inform the governing authority of a school or institution when an immunization rate is determined to fall below the rate established by DPH, as specified. Requires the notice to be translated into any language, in addition to English, that is spoken by 15% or more of enrolled pupils. Requires DPH to apply existing de-identification standards and methodologies to protect individual privacy, consistent with applicable state and federal law, in implementing this bill. Requires the governing authority of a school or institution, public or private, to inform the parents or guardians of pupils if it is notified by DPH that a relevant immunization rate has fallen below the established rate necessary to prevent the spread of communicable disease within 10 business days of receiving notice from DPH.

**COMMENTS**

*Herd Immunity.* Herd immunity occurs when a significant portion of a population becomes immune to an infectious disease and the risk of spread from person to person decreases; those who are not immune (including individuals who are unable to be vaccinated) are indirectly protected because ongoing disease spread is very small. A 2020 article published on *JAMA Network* titled, "What is Herd Immunity?" notes that the proportion of a population who must be immune to achieve herd immunity varies by disease. For example, a disease that is very contagious, such as measles, requires more than 95% of the population to be immune to stop sustained disease transmission and achieve herd immunity. Herd immunity may be achieved either through infection and recovery or by vaccination.

Communities with lower vaccine coverage may have outbreaks of vaccine-preventable diseases because the proportion of people who are vaccinated is below the necessary herd immunity threshold. In addition, the protection offered by vaccines may wane over time, requiring repeat vaccination.

California law requires children to be vaccinated against specified diseases before attending school and childcare settings. Evidence of immunization is collected for all children when they first enter a school or childcare setting, and when they enter transitional kindergarten, kindergarten, and seventh grade. State law requires schools to report immunization data annually to DPH and local health departments.

According to a publication by DPH titled, "Kindergarten Immunization Assessment, 2024-2025," California immunization rates among kindergarteners remained higher than national rates reported by the federal Centers for Disease Control and Prevention in 2024-2025. For example, the United States vaccination rate for measles, mumps and rubella (MMR) was 92.5%, whereas in California the vaccination rate was 96.1%. Although California's state-wide immunization levels among kindergarten students remained high in 2024-2025, regional differences persisted,

with 26% of counties reporting kindergarten MMR rates below 95%, an approximate threshold necessary to prevent the transmission of measles. Large measles outbreaks seen in other states in 2025 were associated with lower immunization rates and high exemption rates.

Schools are subject to audits for compliance with immunization laws. DPH's website states that the annual financial and compliance audits of public schools will include an immunization component for schools with kindergarten or 7th grade that: did not submit immunization assessment reports or had conditional admission and overdue rates above 10% reported in the fall. According to an article by *EdSource* titled "California audits 428 schools with low vaccination rates", the state is auditing 428 of its public schools because more than 10% of their kindergartners or seventh grade students were not fully vaccinated last school year. An additional 80 schools did not report their vaccination information to the state. According to the Assembly Education Committee's analysis of this bill, there were 570 schools audited in 2023-2024, suggesting some improvement. However, 110 of these schools have been on the audit list for the last three years, suggesting persistent unvaccinated or under-vaccinated populations.

The audit list includes both schools in rural and urban districts. Districts with the highest rates of unvaccinated kindergartners include ones in Fresno, San Bernadino, Trinity, Los Angeles, and Humboldt counties; districts with the highest rates of unvaccinated seventh graders include ones in San Bernadino, Alameda, Los Angeles, Stanislaus, and Mariposa counties. Schools found to be out of compliance with state immunization requirements may lose average daily attendance (ADA) funding for unvaccinated students. Between 2021 and 2024, 62 schools lost some funding due to low vaccine rates.

There is currently no requirement for schools to notify parents when their school's vaccination rates fall below levels necessary to maintain herd immunity. As a result, parents may be unaware of elevated risks of outbreaks for vaccine-preventable diseases associated with the specific campus their child attends.

This bill requires DPH to establish an immunization rate necessary to prevent the spread of disease, and to establish procedures to notify the governing authority of a school or institution when the immunization rate falls below the established rate. Upon receipt of a notification, schools and institutions would be required to notify parents and guardians when their child's school falls below the established rate necessary to prevent disease.

Please see the Assembly Committee on Health analysis for additional background.

### **According to the Author**

Parents deserve to have easy access to the information that keeps their children safe. This bill requires DPH to notify parents when a school's vaccination rate falls below herd immunity levels. The author states that by ensuring parents have this knowledge, this bill gives parents additional tools to make informed decisions about their children's well-being. The author continues that with this knowledge, parents are better equipped to care for their immunocompromised children and family members. The author notes that thirty-nine states saw kindergarten vaccination rates fall below the herd immunity threshold for measles, mumps, and rubella in the 2023-24 school year. The author concludes that this bill reinforces California's commitment to giving parents the resources they need to make educated decisions for their children's health, without changing current vaccination requirements.

**Arguments in Support**

This bill is co-sponsored by the California Academy Family Physicians (CAFP) and the Cal State PTA. CAFP states in support that this bill ensures that parents have the timely, school-specific information they need to make informed decisions about their children's health, without creating additional reporting requirements for schools. By leveraging data already collected and maintained by DPH, this bill provides a streamlined approach to communication that does not require school staff to submit new forms or allocate significant resources. This thoughtful design recognizes the critical role schools play in supporting public health while respecting their operational constraints and limited administrative capacity. CAFP concludes that the potential benefits of this approach are significant, by increasing awareness of vaccination coverage at the local level, schools, families, and communities can proactively prevent disease outbreaks, maintain higher immunization rates, and foster a culture of health and safety that extends beyond the classroom.

Cal State PTA states in support that by ensuring families receive timely information about immunization levels in their children's schools, this bill would help parents make informed decisions and strengthen efforts to protect student health. Cal State PTA continues that this bill improves transparency around school vaccination rates and ensures that parents receive timely information when immunization levels fall below thresholds needed to prevent disease transmission. Providing families with clear, school-specific information helps communities respond more quickly and supports efforts to maintain healthy learning environments for all students.

**Arguments in Opposition**

A Voice for Choice Advocacy (AVCA) opposes this bill. AVCA expresses concerns that this bill will create conditions that may lead to the identification, stigmatization, and discrimination of students who are legally attending school under valid exemptions. In California, access to school without full vaccination is extremely limited. As a result, any public reporting of school or grade level vaccination rates effectively highlights a very small and identifiable population of students, the majority of whom have legitimate vaccine medical exemptions. This raises serious concerns regarding privacy, equity, and unintended targeting. AVCA notes that vaccination rate data is already publicly available through the DPH and states that it is unclear what additional benefit this bill provides, particularly when weighed against the potential risks to students. AVCA further expresses concerns regarding this bill's delegation of authority to DPH to define acceptable immunity thresholds, representing a significant policy determination that may be subject to change over time without legislative oversight, creating uncertainty for families and schools alike. AVCA seeks clarification on how students with valid vaccine medical exemptions, individualized education plans, long term medical needs, disabilities, as well as students who are in temporary exemption populations such as foster youth and military families be reflected in the data and what safeguards will be in place to prevent misuse of this information at the school and community level and requests amendments to clarify and limit the scope of DPH's authority regarding immunity thresholds, provide an opt out mechanism for schools that determine reporting place students at risk of discrimination. AVCA further requests that legally exempt populations be exempt from reported totals, ensure data cannot be used to identify small groups of students, and provide safeguards to protect medically vulnerable and disabled students from unintended discrimination.

**FISCAL COMMENTS**

According to the Assembly Committee on Appropriations, General Fund costs to DPH of an unknown amount, potentially \$150,000 per year, to establish and update herd immunity rates, identify for each specified disease schools whose vaccination rates fall below herd immunity rates, and provide notices to such schools. The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing. Costs of an unknown but likely absorbable amount to schools, as schools required to provide notice would need to do so no more than once per year, and most schools would likely not be required to provide notices.

**VOTES****ASM HEALTH: 12-3-1**

**YES:** Bonta, Addis, Aguiar-Curry, Ahrens, Caloza, Carrillo, Mark González, Patel, Rogers, Schiavo, Sharp-Collins, Stefani

**NO:** Johnson, Patterson, Sanchez

**ABS, ABST OR NV:** Chen

**ASM EDUCATION: 7-1-1**

**YES:** Patel, Alvarez, Bonta, Garcia, Lowenthal, Pellerin, Zbur

**NO:** Castillo

**ABS, ABST OR NV:** Hoover

**ASM APPROPRIATIONS: 11-2-2**

**YES:** Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

**NO:** Ta, Tangipa

**ABS, ABST OR NV:** Hoover, Dixon

**UPDATED**

VERSION: April 20, 2026

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