

STATEMENT OF PURPOSE

RS29110C1 / #billnum

This legislation enumerates three exemptions (medical, religious, and natural immunity) for employees from employer-required COVID-19 vaccinations and states the employer's responsibility to notify employees regarding these exemptions.

FISCAL NOTE

Since this legislation deals with the relationship between employers and employees, it does not impact the General fund.

Contact:

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).



LEGISLATURE OF THE STATE OF IDAHO



Sixty-sixth Legislature

First Regular Session - 2021

IN THE _____

BILL NO. _____

BY _____

1 AN ACT

2 RELATING TO EMPLOYERS AND EMPLOYEES; AMENDING CHAPTER 9, TITLE 44, IDAHO
3 CODE, BY THE ADDITION OF A NEW SECTION 44-906, IDAHO CODE, TO PROVIDE
4 THAT AN EMPLOYER THAT REQUIRES COVID-19 IMMUNIZATION AS A CONDITION OF
5 EMPLOYMENT MUST ALLOW CERTAIN EXEMPTIONS FOR EMPLOYEES AND TO PROVIDE
6 FOR CERTAIN INFORMATION IN COMMUNICATIONS REGARDING REQUIRED IMMUNIZA-
7 TION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Chapter 9, Title 44, Idaho Code, be, and the same is
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
11 ignated as Section 44-906, Idaho Code, and to read as follows:

12 44-906. EMPLOYEE COVID-19 IMMUNIZATION REQUIREMENTS -- EXEM-
13 TIONS. (1) An employer that requires immunization against COVID-19 as a
14 condition of employment must allow exemptions for an employee claiming a:

15 (a) Medical exemption, if his health and well-being would be injured by
16 a COVID-19 immunization according to a certificate signed by a physi-
17 cian licensed by the state board of medicine;

18 (b) Religious exemption, if he has submitted a signed statement to the
19 employer objecting to receiving the COVID-19 immunization on religious
20 grounds; or

21 (c) Natural immunity exemption, if he provides proof of a positive
22 polymerase chain reaction (PCR) test from a physician or a positive
23 serum antibody test from a CLIA-certified laboratory showing the em-
24 ployee has specific antibodies against the COVID-19 virus.

25 (2) The employer must describe the exemptions provided in this section
26 and provide a citation to this section in any communication to employees re-
27 garding required COVID-19 immunization.

28 SECTION 2. SEVERABILITY. The provisions of this act are hereby declared
29 to be severable, and if any provision of this act or the application of such
30 provision to any person or circumstance is declared invalid for any reason,
31 such declaration shall not affect the validity of the remaining portions of
32 this act.

33 SECTION 3. An emergency existing therefor, which emergency is hereby
34 declared to exist, this act shall be in full force and effect on and after its
35 passage and approval.