

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 _____

AN ACT

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

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

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

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

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

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

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

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

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

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