

STATEMENT OF PURPOSE

RS29050 / #billnum

This proposed legislation would add medical, religious, philosophical, and natural immunity exemptions for employees from vaccine requirements in the workplace. Exemptions to vaccine requirements, including natural immunity, for children have been a part of Idaho code for over 40 years. This proposed employee vaccine exemption legislation would afford all Idaho employees protections regarding their personal health and beliefs while respecting employer contracts.

FISCAL NOTE

There will be no impact to 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 EMPLOYMENT CONTRACTS; 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 IMMUNIZATION AS A CONDITION OF EMPLOYMENT MUST ALLOW EXEMPTIONS FOR CERTAIN 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 IMMUNIZATION REQUIREMENTS -- EXEMPTIONS. (1) An employer that requires immunization as a condition of employment must allow exemptions for an employee:

(a) Whose life or health would be endangered by such immunization or who is pregnant according to a certificate signed by a physician licensed by the state board of medicine;

(b) Who has submitted a signed statement to the employer objecting to such immunization on religious or other grounds; or

(c) Who, with respect to a COVID-19 vaccination, has a documented history of COVID-19 infection or a positive antibody screen.

(2) Employers must describe the exemptions provided in this section and provide a citation to this section in any communication to employees regarding required 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.