

STATEMENT OF PURPOSE

RS29087 / #billnum

This legislation prevents an employer from mandating that current employees receive a vaccination as a condition of continued employment. However, this legislation does allow employers to require vaccinations for new employees if required vaccinations are identified at time of hire.

FISCAL NOTE

There will be no fiscal impact to state or local governments if this legislation passes because it does not create or expand any programs and does not require the expenditure of any funds.

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 EMPLOYEE IMMUNIZATIONS; AMENDING CHAPTER 2, TITLE 44, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 44-203, IDAHO CODE, TO PROHIBIT CERTAIN EMPLOYER PRACTICES REGARDING AN EMPLOYEE'S IMMUNIZATION STATUS; AMENDING THE HEADING FOR CHAPTER 2, TITLE 44, IDAHO CODE; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Chapter 2, 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 44-203, Idaho Code, and to read as follows:

44-203. EMPLOYEE VACCINATION REQUIREMENTS. (1) It is unlawful for an employer to require an existing employee to receive a vaccination as a condition of continued employment.

(2) It is unlawful for an employer to discriminate against an existing employee on the basis of the employee's immunization status in decisions relating to promotion, compensation, or job duties.

(3) Nothing in this section prohibits an employer from requiring a new employee, as a condition of hire, to receive a vaccination authorized by the United States food and drug administration.

SECTION 2. That the Heading for Chapter 2, Title 44, Idaho Code, be, and the same is hereby amended to read as follows:

CHAPTER 2

EMPLOYER AND EMPLOYEE RIGHTS AND DUTIES ~~EMPLOYEE ASSISTANCE PROGRAMS~~

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.