

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 140

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO THE MEDICAL CONSUMER PROTECTION ACT; AMENDING TITLE 44, IDAHO
2 CODE, BY THE ADDITION OF A NEW CHAPTER 28, TITLE 44, IDAHO CODE, TO PRO-
3 VIDE A SHORT TITLE, TO DEFINE TERMS, AND TO PROVIDE THAT EMPLOYERS OR
4 COMPANIES CONTRACTING WITH THE STATE OF IDAHO MAY NOT ENGAGE IN DISCRIM-
5 INATION AGAINST UNVACCINATED PERSONS.
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7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Title 44, Idaho Code, be, and the same is hereby amended
9 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-
10 ter 28, Title 44, Idaho Code, and to read as follows:

11 CHAPTER 28

12 MEDICAL CONSUMER PROTECTION ACT

13 44-2801. SHORT TITLE. This chapter shall be known and may be cited as
14 the "Medical Consumer Protection Act."

15 44-2802. DEFINITIONS. As used in this chapter:

16 (1) "Company" means any domestic or foreign sole proprietorship, or-
17 ganization, association, corporation, partnership, joint venture, limited
18 partnership, limited liability partnership, limited liability company,
19 nonprofit corporation, or other domestic or foreign entity or business
20 association, including without limitation any wholly owned subsidiary, ma-
21 jority-owned subsidiary, parent company, or affiliate of such an entity or
22 business association.

23 (2) "Discrimination against unvaccinated persons" means a company or
24 employer maintaining a policy of subjecting any employee to termination or
25 refusal to hire, failure to promote, reassignment with significantly dif-
26 ferent responsibilities, a reduction in pay, or a significant change in ben-
27 efits on the basis of such employee's vaccination records or because such em-
28 ployee refuses to be vaccinated against any illness or disease because of a
29 medical contraindication or for reasons of conscience, including religious
30 or philosophical beliefs.

31 (3) "Employer" means any person employing an employee or acting
32 directly or indirectly in the interest of an employer in relation to an em-
33 ployee but does not include the federal government or any federal agency.

34 44-2803. CONTRACTING WITH CERTAIN COMPANIES PROHIBITED. (1) The state
35 of Idaho and any political subdivision in the state may not enter into a con-
36 tract with an employer or company that engages in discrimination against un-
37 vaccinated persons.

1 (2) No employer or company having entered into a contract with the
2 state or any political subdivision in the state may engage in discrimination
3 against unvaccinated persons.

4 (3) An employer or company that violates this section is in breach
5 of its contract with the state or respective political subdivision in the
6 state.