

Moved by Luker

Seconded by Rusche

IN THE HOUSE OF REPRESENTATIVES
HOUSE AMENDMENT TO S.B. NO. 1335

AMENDMENT TO SECTION 1

1 On page 1 of the printed bill, in line 15, delete "~~voluntary~~" and insert:
2 "voluntary"; in line 21, delete "~~voluntary~~" and insert: "voluntary"; and
3 delete lines 27 through 31, and insert:
4

5 " (2) The name of a child ~~or~~ and information relating to the immunization
6 status of that child ~~may shall~~ be collected ~~or~~ and included in the registry
7 ~~only upon the separate and specific written authorization of~~ unless a par-
8 ent, guardian or other person legally responsible for the care of the child
9 chooses not to have the child included in the registry upon a specified writ-
10 ten".

AMENDMENT TO THE BILL

11 On page 2, following line 38, insert:
12 "SECTION 2. That Section 39-4804, Idaho Code, be, and the same is hereby
13 amended to read as follows:
14

15 39-4804. NOTIFICATION TO PARENT OR GUARDIAN. (1) Before an immuniza-
16 tion is administered to any child in this state, the parent or guardian of the
17 child shall be notified that:

18 (1a) Immunizations are not mandatory and may be refused on religious or
19 other grounds;

20 (2b) Participation in the immunization registry is voluntary;

21 (3c) The parent or guardian is entitled to an accurate explanation of
22 the complications known to follow such immunization.

23 (2) At the time information is initially collected regarding any child
24 for entry into the registry created pursuant to this chapter, the parent or
25 guardian shall be notified that:

26 (a) They have the right under Idaho law to submit a statement pursuant
27 to the provisions of sections 39-1118 and 39-4802, Idaho Code, which ex-
28 empts them from any requirement to have information regarding the child
29 entered into the registry;

30 (b) At any time they have the right to remove any information from the
31 registry regarding the child; and

32 (c) Immunizations are not mandatory and may be refused on religious or
33 other grounds.

34 (3) The decision of a parent or guardian to:

35 (a) Submit a statement pursuant to the provisions of either section
36 39-1118(2) or 39-4802(2), Idaho Code;

37 (b) Remove any information regarding the child from the registry pur-
38 suant to the provisions of section 39-4803(4), Idaho Code; or

39 (c) Refuse the immunization on religious or other grounds;

1 shall not be used in any manner against the interests of the parent or
2 guardian in any administrative, civil or criminal action."

3 CORRECTION TO TITLE
4 On page 1, in line 3, delete "LANGUAGE REGARDING A VOLUNTARY IMMUNIZATION
5 REGISTRY, TO REMOVE"; in line 10, following "PERSONS" insert: "; AND AMEND-
6 ING SECTION 39-4804, IDAHO CODE, TO REVISE NOTIFICATION REQUIREMENTS AND TO
7 PROVIDE THAT CERTAIN DECISIONS OF THE PARENT OR GUARDIAN SHALL NOT BE USED
8 AGAINST THE PARENT OR GUARDIAN IN CERTAIN ACTIONS".