LEGISLATURE OF THE STATE OF IDAHO
Sixty-fifth Legislature
Second Regular Session - 2020

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 443

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT
RELATING TO THE MEDICAL CONSUMER PROTECTION ACT; AMENDING TITLE 44, IDAHO
CODE, BY THE ADDITION OF A NEW CHAPTER 28, TITLE 44, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, AND TO SPECIFY THAT EMPLOYERS OR
COMPANIES CONTRACTING WITH THE STATE OF IDAHO SHALL NOT ENGAGE IN DIS-
CRIMINATION AGAINST UNVACCINATED PERSONS.

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

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

CHAPTER 28
MEDICAL CONSUMER PROTECTION ACT

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

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

(1) "Company" means any domestic or foreign sole proprietorship, or-
organization, association, corporation, partnership, joint venture, limited
partnership, limited liability partnership, limited liability company, or
other domestic or foreign entity or business association, including without
limitation any wholly owned subsidiary, majority-owned subsidiary, parent
company, or affiliate of such an entity or business association that exists
for the purpose of making a profit.

(2) "Discrimination against unvaccinated persons" means a company or
employer maintaining a policy of subjecting, or actually subjecting, any em-
ployee to an adverse employment action for refusing to be vaccinated against
any illness or disease because of a medical contraindication or for reasons
of conscience, including religious or philosophical beliefs.

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

44-2803. CONTRACTING WITH CERTAIN COMPANIES PROHIBITED. (1) The state
of Idaho and any political subdivision in the state shall not enter into a
contract with an employer or company that discriminates against persons on
the basis of their vaccination records or vaccination status.

(2) No employer or company, having entered into a contract with the
state or any political subdivision in the state, shall discharge without
just cause, refuse to hire, or otherwise discriminate against any person
with respect to hire, tenure, terms, conditions, or privileges of employ-
ment, or any matter directly or indirectly related to employment, on the
basis that the person has not been or will not be vaccinated against any
illness or disease because of a medical contraindication or for reasons of
conscience, including religious or philosophical beliefs.

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