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LEGISLATURE OF THE STATE OF IDAHO
Sixty-sixth Legislature First Regular Session - 2021

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1 AN ACT
2 RELATING TO EMPLOYMENT CONTRACTS; AMENDING CHAPTER 9, TITLE 44, IDAHO CODE,
3 BY THE ADDITION OF A NEW SECTION 44-906, IDAHO CODE, TO PROVIDE THAT AN
4 EMPLOYER MAY NOT REQUIRE CERTAIN VACCINES AS A CONDITION OF CONTINUED
5 EMPLOYMENT AND TO PROVIDE A PENALTY; AND DECLARING AN EMERGENCY.

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

7 SECTION 1. That Chapter 9, Title 44, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 44-906, Idaho Code, and to read as follows:

10 44-906. EMPLOYEE VACCINATION -- LIMITATIONS. (1) An employer may re-
11 quire that an employee receive certain vaccinations, as well as subsequent
12 boosters of such vaccinations, as a condition of hiring. An employer shall
13 provide an employee with a list of required vaccinations required prior to
14 an employee's hire. At the time of hire, such list shall be signed and dated
15 by the employer and the employee. One (1) copy of such signed and dated list
16 shall be provided to the employee and one (1) copy shall be placed in the em-
17 ployee's personnel file by the employer.

18 (2) No employer shall, after an employee's date of hire, require that an
19 employee receive vaccinations or immunizations not on the list provided for
20 in subsection (1) as a condition of continued employment.

21 (3) No employer shall discharge or in any other manner discriminate
22 against an employee because such employee refuses to receive an additional
23 vaccination not included on the list provided for in subsection (1) as a con-
24 dition of continued employment.

25 (4) No employer shall require an employee to waive the rights estab-
26 lished by the provisions of this section as a condition of hiring or contin-
27 ued employment.

28 (5) A violation of this section shall constitute a misdemeanor.

29 (6) Nothing in this section shall affect conflicting provisions of em-
30 ployment contracts entered into prior to the effective date of this section.

31 SECTION 2. An emergency existing therefor, which emergency is hereby
32 declared to exist, this act shall be in full force and effect on and after its
33 passage and approval.