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DRMDD411

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 THAT REQUIRES IMMUNIZATION AS A CONDITION OF EMPLOYMENT MUST
5 ALLOW EXEMPTIONS FOR CERTAIN EMPLOYEES AND TO PROVIDE FOR CERTAIN IN-
6 FORMATION IN COMMUNICATIONS REGARDING REQUIRED IMMUNIZATION; PROVID-
7 ING SEVERABILITY; AND DECLARING AN EMERGENCY.

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

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

12 44-906. EMPLOYEE IMMUNIZATION REQUIREMENTS -- EXEMPTIONS. (1) An em-
13 ployer that requires immunization as a condition of employment must allow
14 exemptions for an employee:

15 (a) Whose life or health would be endangered by such immunization or who
16 is pregnant according to a certificate signed by a physician licensed by
17 the state board of medicine;

18 (b) Who has submitted a signed statement to the employer objecting to
19 such immunization on religious or other grounds; or

20 (c) Who has a documented history of COVID-19 infection or a positive an-
21 tibody screen.

22 (2) Employers must describe the exemptions provided in this section and
23 provide a citation to this section in any communication to employees regard-
24 ing required immunization.

25 SECTION 2. SEVERABILITY. The provisions of this act are hereby declared
26 to be severable and if any provision of this act or the application of such
27 provision to any person or circumstance is declared invalid for any reason,
28 such declaration shall not affect the validity of the remaining portions of
29 this act.

30 SECTION 3. An emergency existing therefor, which emergency is hereby
31 declared to exist, this act shall be in full force and effect on and after its
32 passage and approval.