

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 301

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE REQUIRED IMMUNIZATION LIABILITY ACT; AMENDING TITLE 44,
2 IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 28, TITLE 44, IDAHO CODE, TO
3 PROVIDE A SHORT TITLE, TO DEFINE A TERM, TO PROVIDE THAT EMPLOYERS SHALL
4 BE LIABLE FOR REQUIRED IMMUNIZATIONS, AND TO PROVIDE THAT NOTHING SHALL
5 PRECLUDE AN EMPLOYER FROM OBTAINING CERTAIN INSURANCE.
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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 REQUIRED IMMUNIZATION LIABILITY ACT

13 44-2801. SHORT TITLE. This chapter shall be known and may be cited as
14 the "Required Immunization Liability Act."

15 44-2802. EMPLOYER DEFINED. As used in this chapter, "employer" means
16 any person employing an employee or acting directly or indirectly in the in-
17 terest of an employer in relation to an employee but does not include the fed-
18 eral government or any federal agency.

19 44-2803. EMPLOYER LIABLE FOR REQUIRED IMMUNIZATION. (1) Any employer
20 that requires its employees to receive an immunization as a condition of em-
21 ployment shall be liable to such employees for damages or injury arising from
22 the required immunization.

23 (2) Nothing in this section shall preclude an employer from obtaining
24 insurance to cover and protect the employer and its employees from any lia-
25 bility arising from a required immunization.