

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 413

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO EMPLOYMENT CONTRACTS; AMENDING CHAPTER 9, TITLE 44, IDAHO CODE,
2 BY THE ADDITION OF A NEW SECTION 44-906, IDAHO CODE, TO PROVIDE THAT AN
3 EMPLOYER SHALL NOT REQUIRE ADDITIONAL VACCINATIONS AS A CONDITION OF
4 CONTINUED EMPLOYMENT, TO PROVIDE A PENALTY, AND TO PROVIDE EXCEPTIONS;
5 AND DECLARING AN EMERGENCY.
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7 Be It Enacted by the Legislature of the State of Idaho:

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

11 44-906. EMPLOYEE VACCINATION -- LIMITATIONS. (1) An employer may re-
12 quire that an employee receive certain vaccinations, as well as subsequent
13 booster shots of such vaccinations, as a condition of hiring. An employer
14 must provide written notice of each required vaccination on or before an em-
15 ployee's date of hire. An employer shall not, after an employee's date of
16 hire, require an employee to receive additional vaccinations as a condition
17 of continued employment. An employee hired before the effective date of this
18 section shall not be required to receive any vaccination that the employer
19 did not require as a condition of hiring.

20 (2) An employer shall not discharge or in any other manner discriminate
21 against an employee because such employee refuses to receive an additional
22 vaccination, excluding a booster shot as provided for in subsection (1) of
23 this section, as a condition of continued employment.

24 (3) An employer shall not require an employee to waive the rights estab-
25 lished by the provisions of this section as a condition of hiring or contin-
26 ued employment.

27 (4) A violation of this section shall constitute a misdemeanor.

28 (5) Nothing in this section shall affect conflicting provisions of bona
29 fide employment contracts entered into prior to the effective date of this
30 section.

31 (6) This section shall not apply to an employer who employs an in-home
32 care employee in a private residence.

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