

March 24, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1454

Introduced by

Representatives Henderson, K. Anderson, Frelich, Hauck, Kasper

Senators Paulson, Clemens

1 A BILL for an Act to create and enact a new section to chapter ~~32-12.1~~23-12 of the North
2 Dakota Century Code, relating to an opt-out procedure for required vaccines.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 ~~—SECTION 1. A new section to chapter 32-12.1 of the North Dakota Century Code is created~~
5 ~~and enacted as follows:~~

6 **SECTION 1.** A new section to chapter 23-12 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Required vaccine - Opt-out procedure - Exemptions.**

9 1. Notwithstanding any other provision of law, except as provided in subsections 2 and 3,
10 a state agency, political subdivision, or any other government entity, may not require
11 an individual to take or receive a vaccine or similar product used to prevent a disease,
12 unless there is a procedure made available for an opt-out for health, religious, or
13 philosophical reasons.

14 2. ~~This section is not applicable to the department of corrections and rehabilitation~~The
15 following entities are exempt from subsection 1:

16 a. The department of corrections and rehabilitation;

17 b. A correctional facility as defined under section 12-44.1-01;

18 c. A law enforcement agency;

19 d. A local public health unit;

20 e. A human service zone;

1 f. The state hospital;

2 g. A developmental disability residential facility or other health care provider,
3 including a long-term care provider, basic care provider, and assisted living
4 provider; and

5 h. A school, day care center, child care facility, head start program, or nursery
6 school in compliance with section 23-07-17.1.

7 3. ~~For a school, day care center, child care facility, head start program, or nursery school,~~
8 ~~the provisions of section 23-07-17.1 must be followed for vaccines and vaccine opt-out~~
9 ~~provisions~~ This section does not apply during a public health disaster or emergency
10 declared under chapter 37-17.1.