

HOUSE BILL NO. 1307

Introduced by

Representatives B. Koppelman, Christensen, Kading, Meier, Rohr, Schauer

Senators Clemens, Kannianen, O. Larsen

1 A BILL ~~for an Act to prohibit public accommodations from refusing services to an individual~~  
2 ~~because the individual has not been vaccinated; and to provide a penalty.~~for an Act to provide  
3 for limits on access to vaccination status and records.

4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

5 ~~SECTION 1.~~

6 ~~Public accommodation may not refuse service for failure to vaccinate - Penalty.~~

7 ~~1. For purposes of this section, "public accommodation" means every place,~~

8 ~~establishment, or facility of whatever kind, nature, or class that caters or offers~~

9 ~~services, facilities, or goods to the general public for a fee, charge, or gratuity.~~

10 ~~2. Except as provided in section 23-07-17.1, a person engaged in the provision of public~~

11 ~~accommodations may not refuse services, goods, or access to facilities to an~~

12 ~~individual because of the individual's failure to receive a vaccination or immunization~~

13 ~~for a communicable disease.~~

14 ~~3. If a person engaged in the provision of public accommodation violates this section,~~

15 ~~that person is subject to a civil penalty not to exceed two hundred fifty dollars for a first~~

16 ~~offense and a civil penalty not to exceed five hundred dollars for a second and~~

17 ~~subsequent offense.~~

18 SECTION 1.

19 Vaccination status or records.

20 1. A person may not inquire about an individual's vaccination status or request access to  
21 an individual's vaccination records.

22 2. This section does not apply to a health care facility, health care provider, or to an entity  
23 required to comply with section 23-07-17.1. For purposes of this section, "health care  
24 facility" means any facility in which health care services are provided and includes a

Sixty-seventh  
Legislative Assembly

1        hospital, special care unit, skilled nursing facility, intermediate care facility, basic care  
2        facility, assisted living facility, ambulatory surgical center, freestanding emergency  
3        department, rural primary care hospital, critical access hospital, inpatient hospice  
4        facility, including a clinic not located on a hospital's primary campus, health  
5        maintenance organization, home health agency, any field hospital, modular  
6        field-treatment facility, and a diagnostic, examination, treatment, imaging, or  
7        rehabilitation center.