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Sixty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1406

Introduced by

Representatives Hoverson, Henderson, S. Olson, Schatz, Tveit

Senators Boehm, Clemens, Estenson, Paulson

A BILL for an Act to create and enact a new section to chapter 23-01 and a new section to chapter 32-12.1 of the North Dakota Century Code, relating to studying vaccines and the medical liability of a governmental entity.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 23-01 of the North Dakota Century Code is created and enacted as follows:

Vaccine study - Liability.

1. The department of health and human services shall study and maintain records on the effects of any vaccine intended to develop an immune system response to SARS-CoV-2 and any mutation or viral fragments of SARS-CoV-2. The study must include research on individuals who died thirty days after receiving the vaccine.
2. If the department of health and human services promotes, markets, or advertises any messenger ribonucleic acid vaccine or any vaccine intended to develop an immune system response to SARS-CoV-2 and any mutation or viral fragments of SARS-CoV-2, the department shall cover the costs of treatment and diagnostics for any individual who suffers any physical injury due to receiving the vaccine.

SECTION 2. A new section to chapter 32-12.1 of the North Dakota Century Code is created and enacted as follows:

Medical liability of government entity.

1. As used in this section, "medical product" means any product used to diagnose or manage a disease, including any medical device, treatment, or drug.
2. Notwithstanding any other provision of law, a state agency, political subdivision, or any other governmental entity, may not require an individual to take, receive, or disclose whether the individual has taken or received a medical product unless the

manufacturer of the medical product is liable for any death or serious injury caused by the medical product.

3. Subsection 2 does not apply to a public hospital.