

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1406

Introduced by

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

Senators Boehm, Clemens, Estenson, Paulson

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

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

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

7 **Vaccine liability.**

8 If the department of health and human services promotes, markets, or advertises any
9 messenger ribonucleic acid vaccine or any vaccine intended to develop an immune system
10 response to SARS-CoV-2 and any mutation or viral fragments of SARS-CoV-2 as safe, the
11 department shall cover the costs of treatment and diagnostics for any individual who suffers any
12 physical injury due to receiving the vaccine.

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

15 **Medical liability of government entity.**

- 16 1. As used in this section, "medical product" means any product used to diagnose or
17 manage SARS-CoV-2, any mutation or viral fragments of SARS-CoV-2, or a future
18 disease, including any medical device, treatment, or drug.
- 19 2. Notwithstanding any other provision of law, a state agency, political subdivision, or any
20 other governmental entity, may not require an individual to take, receive, or disclose
21 whether the individual has taken or received a medical product unless the
22 manufacturer of the medical product is liable for any death or serious injury caused by
23 the medical product.
- 24 3. Subsection 2 does not apply to a public hospital.