

HOUSE BILL NO. 1457

Introduced by

Representatives Henderson, D. Johnston, Christianson, S. Olson, Rios, Frelich, VanWinkle
Senators Walen, Weston

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

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

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

6 **Required vaccines - Exemption.**

- 7 1. As used in this section, "department" means the department of health and human
8 services.
- 9 2. The department shall publicize an exemption exists for required vaccines that do not
10 meet the minimal standards under this section.
- 11 3. Notwithstanding any other law, an individual who is required to receive a vaccine for
12 any purpose, including as a condition of employment, school attendance, or securing a
13 license, certification, or degree, may claim an exemption from the requirement if there
14 is not a vaccine approved by the food and drug administration to fulfill the purpose that
15 meets the following criteria:
- 16 a. The clinical trial the food and drug administration relied on to approve the vaccine
17 evaluated its safety for at least one year after it was administered against a
18 control group that received only a placebo or another vaccine that meets the
19 requirements of this section;
- 20 b. The department posts on its website the injuries or disease caused by the
21 vaccine and the rate at which the injury or disease occurs due to the vaccine;
- 22 c. The risk of permanent disability or death from the vaccine has been proven to be
23 less than that caused by the infection it is intended to prevent; and

- 1 d. The vaccine manufacturer is liable for any death or serious injury caused by the
2 vaccine.
- 3 4. The department shall inform the public that an individual may claim the exemption
4 under this section on the individual's own behalf or on behalf of a child or dependent.
- 5 5. A state agency, political subdivision, board, or commission may not require an
6 individual to meet any condition that is inconsistent with this section to claim the
7 exemption under this section.