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**HB 1454**  
**Testimony of Amy De Kok**  
**House Industry, Business, & Labor Committee**  
**January 29, 2025**

Chairman Warrey and members of the House IBL Committee, thank you for the opportunity to provide testimony in connection with HB 1454. My name is Amy De Kok, and I serve as the executive director for the North Dakota School Boards Association. I am here today to express deep concerns about the unintended consequences of this legislation on public health, the operations of school districts, and the well-being of students and staff.

**Current Law and Public Health Standards**

Under North Dakota law, school districts are required to ensure that students meet immunization requirements as a condition of attendance, with exemptions allowed for medical, religious and philosophical reasons. These requirements are critical to maintaining safe and healthy learning environments by preventing outbreaks of vaccine-preventable diseases such as measles, mumps, and whooping cough.

Immunization policies protect not only those who are vaccinated but also vulnerable populations, such as children who cannot be vaccinated for medical reasons and individuals with weakened immune systems. By ensuring high vaccination rates, school districts can fulfill their duty to provide a safe environment for all students and staff.

**Impacts of HB 1454 on School District Immunization Policies**

HB 1454 would likely prevent school districts, as political subdivisions of the state, from requiring individuals to disclose or provide proof of receiving medical products, including vaccinations, unless the manufacturer assumes liability for adverse effects. This restriction raises several concerns:

**1. Erosion of Public Health Protections:**

- Immunization requirements are a cornerstone of public health and safety. Without the ability to require proof of vaccination, schools would face increased risks of disease outbreaks, which could disrupt education, endanger lives, and strain public health resources.

**2. Legal Uncertainty:**

- The liability provision in HB 1454 imposes an unreasonable burden by tying immunization mandates to manufacturer liability—an issue over which school districts and public health officials have no control. Vaccine manufacturers’ liability protections, governed by federal law, cannot realistically be altered by school districts or the State of North Dakota.

**3. Risk to Vulnerable Populations:**

- Students and staff with health conditions that make them more susceptible to severe outcomes from infectious diseases would face increased exposure risks in the absence of immunization policies.

**4. Operational Challenges for Schools:**

- Schools may be unable to enforce existing immunization laws effectively, creating legal confusion and administrative challenges. Moreover, school closures due to disease outbreaks could result in significant disruptions to education and added costs for families and communities.

**Broader Public Health Consequences**

By prohibiting political subdivisions, including school districts, from requiring proof of immunization, this bill undermines established public health practices and weakens the state’s ability to respond to communicable disease threats. Immunization mandates are not arbitrary; they are evidence-based measures that have successfully reduced the prevalence of life-threatening diseases for decades.

While respecting individual rights is important, HB 1454 tips the balance too far, jeopardizing the collective health and safety of our communities, particularly within schools. I urge the committee to reject this bill to preserve the integrity of North Dakota’s public health framework and ensure that school districts can continue protecting the well-being of students and staff.

Thank you for your time and consideration. I am happy to answer any questions or provide additional information.