

Good afternoon, Chairman Weisz and members of the House Human Services committee. My name is Sandy Tibke and I am the Executive Director of Foundation for a Healthy North Dakota.

I am providing testimony in opposition to HB1505.

This bill would create and enact a new subsection of the North Dakota Century Code (23-07-17.2). This new subsection violates a core pillar of public health by removing all immunization requirements – even those for routine wellness vaccines – for employers, healthcare facilities, schools, universities, and more settings where diseases spread.

This legislation would criminalize the rights of businesses to protect their employees, customers, and economic success from disease outbreaks. Similarly, it restricts private, independent healthcare institutions from enforcing vaccine requirements that are in place to protect their staff and patients. Finally, educational institutions could not maintain vaccine requirements, undermining existing school requirements that have been in place for decades to keep students and teachers safe.

The Foundation is also concerned this subsection will threaten the ability of parents to make the choice to vaccinate their children without fear of punishment from the law. This legislation notes that violation of this law would be a Class C felony. That would group vaccination amongst various kinds of assault, including aggravated assault.

The North Dakota Century Code notes that aggravated assault is a Class C felony when a person willfully causes serious bodily injury to another person and knowingly causes bodily injury to another person with a weapon (because in these circumstances, possession of that weapon indicates an intent or readiness to inflict serious bodily injury).¹ Our organization objects to the comparison of requiring vaccines, when the science is clear they are safe and effective, to willfully and knowingly causing bodily injury to another person. A vaccine is not a deadly weapon, and this bill irresponsibly conflates the two.

Thank you for the opportunity to speak. I am open to your questions.

References

1. [NDCC 12.1-17-02](#)