

**FIRST ENGROSSMENT
with Senate Amendments**

ENGROSSED HOUSE BILL NO. 1454

Introduced by

Representatives Henderson, K. Anderson, Frelich, Hauck, Kasper

Senators Paulson, Clemens

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 opt-out procedure for 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 vaccine - Opt-out procedure - Exemptions.**

7 1. Notwithstanding any other provision of law, except as provided in subsections 2 and 3,
8 a state agency, political subdivision, or any other government entity, may not require
9 an individual to take or receive a vaccine or similar product used to prevent a disease,
10 unless there is a procedure made available for an opt-out for health, religious, or
11 philosophical reasons.

12 2. The following entities are exempt from subsection 1:

13 a. The department of corrections and rehabilitation;

14 b. A correctional facility as defined under section 12-44.1-01;

15 c. A law enforcement agency;

16 d. A local public health unit;

17 e. A human service zone;

18 f. The state hospital;

19 g. A developmental disability residential facility or other health care provider,
20 including a long-term care provider, basic care provider, and assisted living
21 provider; and

- 1 h. A school, day care center, child care facility, head start program, or nursery
- 2 school in compliance with section 23-07-17.1.
- 3 3. This section does not apply during a public health disaster or emergency declared
- 4 under chapter 37-17.1.