

**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. Unless otherwise provided by law, a state agency, political subdivision, or any other
8 government entity, may not require an individual to take or receive a vaccine or similar
9 product used to prevent a disease, unless there is a procedure made available for an
10 opt-out for health, religious, or philosophical reasons.

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

12 a. The department of corrections and rehabilitation;

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

14 c. A local public health unit;

15 d. A human service zone;

16 e. The state hospital;

17 f. A developmental disability residential facility or other health care provider,
18 including a long-term care provider, basic care provider, and assisted living
19 provider; and

20 g. A school, day care center, child care facility, head start program, or nursery
21 school in compliance with section 23-07-17.1.

- 1 3. This section does not apply during a public health disaster or emergency declared
- 2 under chapter 37-17.1.