

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1301

Page 1, line 1, after the first "to" insert "provide for limits on access to vaccination status and records; to"

Page 1, line 2, replace "employer" with "civil"

Page 1, line 4, replace "provide for retroactive application" with "declare an emergency"

Page 1, after line 5, insert:

**"SECTION 1.**

**Vaccination status or records.**

1. A person may not inquire about an individual's vaccination status or request access to an individual's vaccination records.
2. This section does not apply to a health care facility, health care provider, or to an entity required to comply with section 23-07-17.1. For purposes of this section, "health care facility" means any facility in which health care services are provided and includes a hospital, special care unit, skilled nursing facility, intermediate care facility, basic care facility, assisted living facility, ambulatory surgical center, freestanding emergency department, rural primary care hospital, critical access hospital, inpatient hospice facility, including a clinic not located on a hospital's primary campus, health maintenance organization, home health agency, any field hospital, modular field-treatment facility, and a diagnostic, examination, treatment, imaging, or rehabilitation center."

Page 1, line 8, replace "**Employer immunity**" with "**Immunity**"

Page 1, remove line 16

Page 1, line 17, replace "an employer" with "a person"

Page 1, line 18, replace "employee" with "individual"

Page 1, line 19, remove "during the course of employment"

Page 1, line 20, remove "an"

Page 1, line 21, replace "employer's" with ":

a. A person's"

Page 1, line 21, after "harm" insert "; or

b. An immunization received by an employee or a prospective employee under section 3 of this Act"

Page 2, line 18, replace "A" with "Subject to subsection 4, a"

Page 2, line 26, replace "for" with "because of the employee's"

Page 2, line 27, replace the first underscored comma with "or the employee's"

Page 2, line 27, replace ", or philosophical reasons" with "beliefs"

Page 2, line 28, after "4." insert "A health care facility may not require an employee or a prospective employee receive an immunization for the prevention of a communicable disease as a condition of retaining or obtaining employment if the immunization went through an expedited development and review process before being approved for distribution and use.

5."

Page 3, line 1, replace "1" with "2"

Page 3, replace lines 5 and 6 with:

**"SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly