

IN THE SENATE

SENATE BILL NO. 1224

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO EMPLOYERS AND EMPLOYEES; AMENDING CHAPTER 9, TITLE 44, IDAHO  
2 CODE, BY THE ADDITION OF A NEW SECTION 44-906, IDAHO CODE, TO PROVIDE  
3 THAT AN EMPLOYER THAT REQUIRES COVID-19 IMMUNIZATION AS A CONDITION OF  
4 EMPLOYMENT MUST ALLOW CERTAIN EXEMPTIONS FOR EMPLOYEES AND TO PROVIDE  
5 FOR CERTAIN INFORMATION IN COMMUNICATIONS REGARDING REQUIRED IMMUNIZA-  
6 TION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.  
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8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Chapter 9, Title 44, Idaho Code, be, and the same is  
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
11 ignated as Section 44-906, Idaho Code, and to read as follows:

12 44-906. EMPLOYEE COVID-19 IMMUNIZATION REQUIREMENTS -- EXEMP-  
13 TIONS. (1) An employer that requires immunization against COVID-19 as a  
14 condition of employment must allow exemptions for an employee claiming a:

15 (a) Medical exemption, if his health and well-being would be injured by  
16 a COVID-19 immunization according to a certificate signed by a physi-  
17 cian licensed by the state board of medicine;

18 (b) Religious exemption, if he has submitted a signed statement to the  
19 employer objecting to receiving the COVID-19 immunization on religious  
20 grounds; or

21 (c) Natural immunity exemption, if he provides proof of a positive  
22 polymerase chain reaction (PCR) test from a physician or a positive  
23 serum antibody test from a CLIA-certified laboratory showing the em-  
24 ployee has specific antibodies against the COVID-19 virus.

25 (2) The employer must describe the exemptions provided in this section  
26 and provide a citation to this section in any communication to employees re-  
27 garding required COVID-19 immunization.

28 SECTION 2. SEVERABILITY. The provisions of this act are hereby declared  
29 to be severable, and if any provision of this act or the application of such  
30 provision to any person or circumstance is declared invalid for any reason,  
31 such declaration shall not affect the validity of the remaining portions of  
32 this act.

33 SECTION 3. An emergency existing therefor, which emergency is hereby  
34 declared to exist, this act shall be in full force and effect on and after its  
35 passage and approval.