

Introduced by

Representative B. Koppelman

(Approved by the Delayed Bills Committee)

1 A BILL for an Act to create and enact a new section to chapter 34-01 and a new section to  
2 chapter 65-01 of the North Dakota Century Code, relating to mandatory vaccination exemptions  
3 and an employer's civil liability for mandatory vaccinations; and to provide an effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 34-01 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Mandatory vaccination exemption.**

8 An employer may not require an employee or prospective employee to be vaccinated as a  
9 condition of employment if the employee or prospective employee submits to the employer a  
10 certificate from a licensed physician stating the physical condition of the employee or  
11 prospective employee is such that the vaccination would endanger the life or health of the  
12 employee or prospective employee, or a certificate signed by the employee or potential  
13 employee stating the employee or potential employee is opposed to the vaccination because of  
14 the employee's or potential employee's religious, philosophical, or moral beliefs.

15 **SECTION 2.** A new section to chapter 65-01 of the North Dakota Century Code is created  
16 and enacted as follows:

17 **Civil liability for mandatory vaccinations.**

18 Notwithstanding any other provision of law, an employer that requires an employee to be  
19 vaccinated as a condition of employment is liable to that employee in a civil action for all  
20 damages, including exemplary damages, costs of the litigation, and reasonable attorney's fees,  
21 for any adverse reaction incurred by the employee as a result of the required vaccination. An  
22 action under this section must be commenced within four years of the date of vaccination.

23 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective upon its filing with the  
24 secretary of state.