A BILL for an Act to create and enact a new section to chapter 23-12 of the North Dakota Century Code, relating to vaccine information.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 23-12 of the North Dakota Century Code is created and enacted as follows:

Vaccine information - Prohibitions.

1. Except as provided under sections 15.1-23-02, 23-01-05.3, and 23-07-17.1, neither a state government entity nor any of its subdivisions, agents, or assigns may:
   a. Require documentation, whether physical or electronic, for the purpose of certifying or otherwise communicating:
      (1) An individual's vaccination status;
      (2) The presence of pathogens, antigens, or antibodies; or
      (3) An individual's post-transmission recovery status;
   b. Otherwise publish or share an individual's vaccination record or similar health information; or
   c. Prohibit access to public or private employment, property, funds, or services based on:
      (1) An individual's vaccination status;
      (2) The presence of pathogens, antigens, or antibodies; or
      (3) An individual's post-transmission recovery status.

2. A business, other than a health care service provider, which requires a patron, employee, or customer to provide documentation certifying vaccination, the presence of pathogens, antigens, or antibodies, or post-transmission recovery to gain
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1 employment by, access to, entry upon, or service from the business is not eligible to
2 receive or make use of state or local public funds or state or local tax incentives.
3 3. This section may not be construed to interfere with an individual’s rights to access that
4 individual’s own personal health information or with a person’s right to access personal
5 health information of others which the person otherwise has a right to access.