

HOUSE BILL NO. 415

INTRODUCED BY J. CARLSON, M. BLASDEL, K. BOGNER, B. BROWN, J. ELLSWORTH, B. GILLESPIE, G. HERTZ, S. HINEBAUCH, B. HOVEN, D. HOWARD, D. KARY, M. LANG, T. MANZELLA, B. MOLNAR, K. REGIER, J. SMALL, C. SMITH, G. VANCE, D. BARTEL, S. BERGLEE, M. BINKLEY, L. BREWSTER, J. DOOLING, N. DURAM, P. FIELDER, S. GALLOWAY, W. GALT, J. GILLETTE, S. GIST, S. GREEF, S. GUNDERSON, E. HILL, C. HINKLE, J. HINKLE, M. HOPKINS, J. KASSMIER, S. KERNS, C. KNUDSEN, R. KNUDSEN, B. LER, D. LOGE, M. MALONE, R. MARSHALL, B. MITCHELL, T. MOORE, F. NAVE, M. NOLAND, B. PHALEN, J. READ, A. REGIER, M. REGIER, J. SCHILLINGER, K. SEEKINS-CROWE, L. SHELDON-GALLOWAY, D. SKEES, M. STROMSWOLD, J. TREBAS, B. TSCHIDA, B. USHER, S. VINTON, K.

ZOLNIKOV

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING DISCRIMINATION BASED ON VACCINATION STATUS; PROHIBITING THE USE OF IMMUNITY PASSPORTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Discrimination based on vaccination status prohibited -- definitions.

(1) It is an unlawful discriminatory practice for:

(a) the state or any of its political subdivisions or any entity receiving state funding in any form, including grants and property tax exemptions, to refuse, withhold from, or deny to a person any local, state, or federal funds, services, goods, facilities, advantages, privileges, licensing, educational opportunities, health care access, or employment opportunities based on a person's vaccination status;

(b) an employer to refuse employment to a person, to bar a person from employment, or to discriminate against a person in compensation or in a term, condition, or privilege of employment based on the person's vaccination status;

(c) a public accommodation to exclude, limit, refuse to serve, or otherwise discriminate against an individual based on the individual's vaccination status; or

1 (d) an entity listed in this subsection (1) to implement an immunity passport system.

2 (2) An entity governed by subsection (1) does not unlawfully discriminate as long as any vaccination
3 policy set forth includes exemptions for individuals to decline to be vaccinated based on medical or religious
4 grounds.

5 (3) As used in this section, the following definitions apply:

6 (a) "Immunity passport" means a document, digital record, or software application indicating that a
7 person is immune to a disease, either through vaccination or infection and recovery.

8 (b) "Vaccination status" means an indication of whether a person has received one or more doses of
9 a vaccine.

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11 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
12 integral part of Title 49, chapter 2, part 3, and the provisions of Title 49, chapter 2, part 3, apply to [section 1].

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14 **NEW SECTION. Section 3. Severability.** If a part of [this act] is invalid, all valid parts that are
15 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
16 the part remains in effect in all valid applications that are severable from the invalid applications.

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18 **NEW SECTION. Section 4. Effective date.** [This act] is effective on passage and approval.

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