

1 HOUSE BILL NO. 684
 2 INTRODUCED BY C. HINKLE, J. READ, E. BUTCHER, B. KEENAN, M. LANG, J. HINKLE, L. SHELDON-
 3 GALLOWAY, B. LER, B. PHALEN, F. NAVE, K. ZOLNIKOV, B. MITCHELL, A. REGIER, J. SCHILLINGER, R.
 4 MARSHALL, T. SMITH, L. DEMING, J. BERGSTROM, G. KMETZ, J. ETCHART, L. HELLEGAARD, N.
 5 HASTINGS, S. KERNS

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 7 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING USE OF VACCINATION STATUS IN CERTAIN
 8 ADMINISTRATIVE AND LEGAL PROCEEDINGS RELATED TO CHILDREN AND INCAPACITATED ADULTS;
 9 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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 13 **NEW SECTION. Section 1. Vaccination status prohibited as evidence or grounds for decision.**

14 A court may not:

- 15 (1) admit into evidence in any proceeding under this part the vaccination status of a parent or a
- 16 minor child; or
- 17 (2) consider a person's vaccination status in making any order related to child support, child
- 18 custody, visitation, or parental rights.

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 20 **NEW SECTION. Section 2. Vaccination status prohibited as grounds for action.** The vaccination
 21 status of a parent or child may not be admitted as evidence or considered as a factor in any administrative or
 22 judicial decision regarding a petition filed under part 3, part 4, part 6, or part 10 of this chapter.

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 24 **NEW SECTION. Section 3. Vaccination status prohibited as evidence or grounds for decision.**
 25 The vaccination status of a parent, putative father, child, or person seeking to adopt a child may not be
 26 admitted as evidence or considered as a factor in any administrative or judicial evaluation or decision regarding
 27 an adoption.

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1 **NEW SECTION. Section 4. Vaccination status prohibited as evidence or grounds for decision.**

2 In considering and deciding a petition for guardianship of a minor pursuant to part 2 or of an incapacitated adult
3 pursuant to part 3, a court may not:

- 4 (1) admit into evidence the vaccination status of a person seeking appointment as a guardian; or
- 5 (2) consider a person's vaccination status when making an order on the petition.

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7 **NEW SECTION. Section 5. Codification instruction.** (1) [Section 1] is intended to be codified as an
8 integral part of Title 40, chapter 4, part 2, and the provisions of Title 40, chapter 4, part 2, apply to [section 1].

9 (2) [Section 2] is intended to be codified as an integral part of Title 41, chapter 3, part 1, and the
10 provisions of Title 41, chapter 3, part 1, apply to [section 2].

11 (3) [Section 3] is intended to be codified as an integral part of Title 42, chapter 1, part 1, and the
12 provisions of Title 42, chapter 1, part 1, apply to [section 3].

13 (4) [Section 4] is intended to be codified as an integral part of Title 72, chapter 5, part 1, and the
14 provisions of Title 72, chapter 5, part 1, apply to [section 4].

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16 **NEW SECTION. Section 6. Severability.** If a part of [this act] is invalid, all valid parts that are
17 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
18 the part remains in effect in all valid applications that are severable from the invalid applications.

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20 **NEW SECTION. Section 7. Effective date.** [This act] is effective on passage and approval.

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