



AN ACT PROHIBITING USE OF VACCINATION STATUS IN CERTAIN ADMINISTRATIVE AND LEGAL PROCEEDINGS RELATED TO CHILDREN AND INCAPACITATED ADULTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

Section 1. Vaccination status prohibited as evidence or grounds for decision. A court may not:

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

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

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

Section 4. Vaccination status prohibited as evidence or grounds for decision. In considering and deciding a petition for guardianship of a minor pursuant to part 2 or of an incapacitated adult pursuant to part 3, a court may not:

- (1) admit into evidence the vaccination status of a person seeking appointment as a guardian; or

- (2) consider a person's vaccination status when making an order on the petition.

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

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

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

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

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

Section 7. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
HB 684, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2023.

President of the Senate

Signed this _____ day
of _____, 2023.

HOUSE BILL NO. 684

INTRODUCED BY C. HINKLE, J. READ, E. BUTCHER, B. KEENAN, M. LANG, J. HINKLE, L. SHELDON-
GALLOWAY, B. LER, B. PHALEN, F. NAVE, K. ZOLNIKOV, B. MITCHELL, A. REGIER, J. SCHILLINGER, R.
MARSHALL, T. SMITH, L. DEMING, J. BERGSTROM, G. KMETZ, J. ETCHART, L. HELLEGAARD, N.
HASTINGS, S. KERNS

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