

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 281

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO STATE AFFAIRS; AMENDING CHAPTER 23, TITLE 67, IDAHO CODE, BY THE  
2 ADDITION OF A NEW SECTION 67-2359, IDAHO CODE, TO ESTABLISH PROVISIONS  
3 REGARDING THE PROHIBITION OF MASK MANDATES; AND DECLARING AN EMERGENCY.  
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Chapter 23, Title 67, Idaho Code, be, and the same is  
7 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
8 ignated as Section 67-2359, Idaho Code, and to read as follows:

9 67-2359. MASK MANDATES PROHIBITED. (1) Notwithstanding any provision  
10 of law to the contrary:

11 (a) Neither the state nor a political subdivision may mandate that an  
12 individual in this state must use a face mask, face shield, or other face  
13 covering for the purpose of preventing or slowing the spread of a conta-  
14 gious or an infectious disease;

15 (b) A face mask, face shield, or face covering shall not be required by  
16 the state or a political subdivision as a condition for entry, educa-  
17 tion, employment, or other services; and

18 (c) If the state or a political subdivision recommends using a face  
19 mask, face shield, or face covering to prevent or slow the spread of a  
20 contagious or an infectious disease, such recommendation shall be ac-  
21 companied by a notice that the recommendation is not mandatory.

22 (2) For purposes of this section:

23 (a) "Political subdivision" means a county, city, public health dis-  
24 trict, school district, special purpose district, or other district or  
25 municipality organized under any general or special law of this state.

26 (b) "State" means the state of Idaho or any of its agencies, boards,  
27 commissions, departments, divisions, or institutions, including any  
28 state institution of higher education.

29 SECTION 2. An emergency existing therefor, which emergency is hereby  
30 declared to exist, this act shall be in full force and effect on and after its  
31 passage and approval.