

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 438

BY HEALTH AND WELFARE COMMITTEE

1 AN ACT  
2 RELATING TO IMMUNIZATIONS; AMENDING SECTION 39-4802, IDAHO CODE, TO REQUIRE  
3 NOTIFICATION OF IMMUNIZATION EXEMPTIONS; AND DECLARING AN EMERGENCY  
4 AND PROVIDING AN EFFECTIVE DATE.

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 39-4802, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 39-4802. EXEMPTIONS. (1) Any minor child whose parent or guardian has  
9 submitted to school officials a certificate signed by a physician licensed  
10 by the state board of medicine stating that the physical condition of the  
11 child is such that all or any of the required immunizations would endanger  
12 the life or health of the child shall be exempt from the provisions of this  
13 chapter.

14 (2) Any minor child whose parent or guardian has submitted a signed  
15 statement to school officials stating their objections on religious or other  
16 grounds shall be exempt from the provisions of this chapter.

17 (3) School officials shall describe the exemptions provided in this  
18 section and provide a citation to this section in any communication to par-  
19 ents and guardians regarding immunization.

20 (4) School officials shall describe that immunizations are not manda-  
21 tory and may be refused on religious or other grounds pursuant to section  
22 39-4804, Idaho Code, and provide a citation to section 39-4804, Idaho Code,  
23 in any communication to parents and guardians regarding immunization.

24 SECTION 2. An emergency existing therefor, which emergency is hereby  
25 declared to exist, this act shall be in full force and effect on and after  
26 July 1, 2024.