

REPORT OF STANDING COMMITTEE – House Health and Human Services

MR. SPEAKER:

The Committee on House Health and Human Services respectfully reports that it has had under consideration **SB 3** and returns the same with the recommendation that said bill be amended as follows:

3A

On page 1, line 3, of the Introduced bill, after "Dakota:" delete "Section 1. That section 2 of chapter 145 of the 2020 Session Laws be REPEALED."

On page 1, after line 3, of the Introduced bill, insert "

Section 1. That § 34-22-18.1 be AMENDED.

~~34-22-18.1. [Effective until July 1, 2021] Action for injunction to enforce department directive or order-- Confidential information.~~

~~If the department has determined by medical or epidemiological information that a person is infected with, or is reasonably suspected of having active tuberculosis, severe acute respiratory syndrome coronavirus 2, which causes the disease known as COVID-19, any middle east respiratory syndrome (MERS), severe acute respiratory syndrome (SARS), smallpox, or viral hemorrhagic fevers, or any disease or condition which is the subject of a declared public health emergency pursuant to § 34-22-42, and that person presents a health threat to others, the department may commence an action in circuit court, pursuant to chapters 15-6 and 21-8, for injunctive relief as necessary to enforce any applicable department directive or order. The court shall treat individually identifying information including the gender, age, ethnicity, race, national origin, location, or identity of any person subject to the proceedings as strictly confidential information. If necessary, identifying numbers or initials may be used to protect the individually identifying information of the person.~~

34-22-18.1. [Effective July 1, 2021] Action for injunction to enforce department directive or order--Confidential information.

If the department has determined by medical or epidemiological information that a person is confirmed to be infected with, or is reasonably suspected of having an active tuberculosis, severe acute respiratory syndrome coronavirus 2, which causes the disease known as COVID-19, any middle east respiratory syndrome (MERS), severe acute respiratory syndrome (SARS), smallpox, or viral hemorrhagic fevers, or any disease or condition which is the subject of a declared public health emergency pursuant to § 34-22-42, and that person presents a health threat to others, the department may commence an action in circuit court, pursuant to chapters 15-6 and 21-8, for injunctive relief as necessary to enforce any applicable department directive or order. The court shall treat individually identifying information including the gender, age, ethnicity, race, national origin, location, or identity of any person subject to the proceedings as strictly confidential information. If necessary, identifying numbers or initials may be used to protect the individually identifying information of the person.

Nothing in this section authorizes the department to compel a person to be vaccinated.

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And that as so amended, said bill do pass.

Also MR. SPEAKER:

The Committee on House Health and Human Services respectfully reports that it has had under consideration **SB 20** and returns the same with the recommendation that said bill do pass.

Respectfully submitted,
/s/ KEVIN D. JENSEN

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Kevin D. Jensen, Chair