



Sen. Don Harmon

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LRB094 06617 RXD 46633 a

1 AMENDMENT TO HOUSE BILL 511

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 511 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Mercury-Free Vaccine Act.

6 Section 5. Banned mercury-containing vaccines.

7 (a) Commencing January 1, 2006, a person who is knowingly  
8 pregnant or who is under 3 years of age shall not be vaccinated  
9 with a mercury-containing vaccine that contains more than 1.25  
10 micrograms of mercury per dose.

11 (b) Commencing January 1, 2008, (i) a person who is  
12 knowingly pregnant or who is under 3 years of age shall not be  
13 vaccinated with a mercury-containing vaccine, and (ii) all  
14 other persons shall not be vaccinated with a mercury-containing  
15 vaccine that contains more than 1.25 micrograms of mercury per  
16 dose.

17 (c) Commencing January 1, 2010, no person shall be  
18 vaccinated or injected with any product that contains, or prior  
19 to dilution, had contained as an additive, any mercury based  
20 product, whether at preservative or trace amount levels.

21 Section 10. Exemption. The Department of Public Health may  
22 exempt the use of a vaccine from this Act if the Department  
23 finds that an actual or potential bio-terrorist incident or

1 other actual or potential public health emergency, including an  
2 epidemic or shortage of supply of a vaccine that would prevent  
3 children under 3 years of age and knowingly pregnant women from  
4 receiving the needed vaccine, makes necessary the  
5 administration of a vaccine containing more mercury than the  
6 maximum level set forth in subsection (a) or subsection (b) of  
7 Section 5 in the case of influenza vaccine. The exemption shall  
8 meet all of the following conditions:

9 (1) The exemption shall not be issued for more than 12  
10 months.

11 (2) At the end of the effective period of any  
12 exemption, the Department may issue another exemption for  
13 up to 12 months for the same incident or public health  
14 emergency, if the Department makes a determination that any  
15 exemption is necessary as set forth in this Section and the  
16 Department notifies the legislature and interested parties  
17 pursuant to paragraphs (3), (4), and (5).

18 (3) Upon issuing an exemption, the Department shall,  
19 within 48 hours, notify the legislature about any exemption  
20 and about the Department's findings justifying the  
21 exemption's approval.

22 (4) Upon request for an exemption, the Department shall  
23 notify an interested party, who has expressed his or her  
24 interest to the Department in writing, that an exemption  
25 request has been made.

26 (5) Upon issuing an exemption, the Department shall,  
27 within 7 days, notify an interested party, who has  
28 expressed his or her interest to the Department in writing,  
29 about any exemption and about the Department's findings  
30 justifying the exemption's approval.".