



Sen. Don Harmon

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LRB094 06617 RXD 46532 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  
5 Mercury-Free Vaccine Act.

6 Section 5. Banned mercury-containing vaccines. Commencing  
7 January 1, 2007, no person shall be vaccinated with a vaccine  
8 or injected with any product that contains or, prior to  
9 dilution, had contained as an additive, thimerosal or other  
10 mercury-based product, whether at preservative or trace amount  
11 levels.

12 Section 10. Exemption. The Department of Public Health may  
13 exempt the use of a vaccine from this Act if the Department  
14 finds that an actual or potential bio-terrorist incident or  
15 other actual or potential public health emergency, including an  
16 epidemic or shortage of supply of a vaccine at a reasonable  
17 cost makes necessary the administration of a vaccine containing  
18 mercury at either preservative or trace amount levels. The  
19 exemption shall meet all of the following conditions:

20 (1) The exemption shall not be issued for more than 12  
21 months.

22 (2) At the end of the effective period of any  
23 exemption, the Department may issue another exemption for

1 up to 12 months for the same incident or public health  
2 emergency, if the Department makes a determination that the  
3 exemption is necessary as set forth in this Section and the  
4 Department notifies the legislature and interested parties  
5 pursuant to paragraphs (3), (4), and (5).

6 (3) Upon issuing an exemption, the Department shall,  
7 within 48 hours, notify the legislature about the exemption  
8 and about the Department's findings justifying the  
9 exemption's approval.

10 (4) Upon request for an exemption, the Department shall  
11 notify an interested party, who has expressed his or her  
12 interest to the Department in writing, that an exemption  
13 request has been made.

14 (5) Upon issuing an exemption, the Department shall,  
15 within 7 days, notify an interested party, who has  
16 expressed his or her interest to the Department in writing,  
17 about the exemption and about the Department's findings  
18 justifying the exemption's approval.".