

House File 712 - Introduced

HOUSE FILE 712
BY THOMSON

A BILL FOR

1 An Act relating to liability for injuries caused by vaccines.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **139A.27 Vaccines — limitation of**
2 **distribution.**

3 Notwithstanding any provision of law to the contrary, a
4 vaccine shall not be distributed, sold, or administered in this
5 state unless the manufacturer of the vaccine affirmatively waives
6 any immunity from suit for an injury arising from a design defect
7 of the vaccine, including the immunity granted by the federal
8 National Childhood Vaccine Injury Act, 42 U.S.C. §300aa-1 et seq.

9 Sec. 2. NEW SECTION. **613.22 Vaccine injury — waiver of**
10 **immunity.**

11 A manufacturer of a vaccine that is distributed, sold, or
12 administered within this state shall be deemed to have waived
13 any immunity to suit for injuries caused by a design defect of
14 the vaccine, including immunity granted by the federal National
15 Childhood Vaccine Injury Act, 42 U.S.C. §300aa-1 et seq.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This bill relates to immunity from suit for injuries caused by
20 design defects of vaccines. The bill prohibits a vaccine from
21 being distributed, sold, or administered in this state unless
22 the manufacturer of the vaccine affirmatively waives any immunity
23 from suit for an injury arising from a design defect of the
24 vaccine, including the immunity granted by the federal National
25 Childhood Vaccine Injury Act, 42 U.S.C. §300aa-1 et seq. The
26 bill deems a manufacturer of a vaccine to have waived immunity
27 from suit for an injury arising from a design defect of a vaccine
28 if the vaccine is distributed, sold, or administered in this
29 state.