

## SENATE BILL NO. 475

INTRODUCED BY D. EMRICH

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING ALUMINUM IN VACCINES; PROVIDING ENFORCEMENT; PROVIDING FOR NOTIFICATION AND IMPLEMENTATION; AND PROVIDING EFFECTIVE DATES."

WHEREAS, aluminum is used to induce allergies in animals by pairing aluminum with a silicone-covered food molecule to induce a permanent food allergy for study, and this is used to study treatments for food allergies; and

WHEREAS, when a child receives a vaccine that contains aluminum, the aluminum can create an allergy to anything that the child comes into contact with in the ambient environment; and

WHEREAS, a child receiving a vaccine that contains aluminum is 30 times more likely to develop an allergic rhinitis than a child that has received no vaccines, due to the aluminum forcing the body into a hyper-reactive state; and

WHEREAS, it is possible for vaccines to be manufactured without aluminum as an ingredient.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Prohibition on aluminum in vaccines -- enforcement.** (1) A vaccine containing aluminum as an ingredient may not be used or sold within the state. A health care provider, as defined in 50-4-106, may not administer a vaccine that contains aluminum as an ingredient.

(2) The department of public health and human services may use its authority pursuant to 50-1-202 to enforce this section.

(3) The department of labor and industry may maintain a licensing action against a health care provider for a violation of this section.

**NEW SECTION. Section 2. Provider notification -- implementation plan.** (1) Within 30 days of [the

effective date of this section], the department of public health and human services shall provide notice of [sections 1 and 2] to each vaccine manufacturer, vaccine distributor, and health care provider in the state.

(2) Within 1 year of [the effective date of this section], a vaccine manufacturer or vaccine distributor shall submit an implementation plan to the department of public health and human services. The implementation plan must include:

(a) a reasonable timeline for compliance not to exceed 90 days;

(b) provisions for the removal of vaccines containing aluminum from all retail, pharmacy, and health care establishments in the state; and

(c) provisions for the distribution of aluminum-free vaccines to pharmacy and health care providers in the state;

(3) Within 15 days of the date that aluminum-free vaccines become available for human use, the department of public health and human services shall certify to the code commissioner that aluminum-free vaccines are available.

(4) Within 30 days of the department of public health and human services certifying the availability of aluminum-free vaccines, a vaccine manufacturer or vaccine distributor shall proceed with the implementation plan submitted pursuant to subsection (2).

**NEW SECTION. Section 3. Codification instruction.** [Sections 1 and 2] are intended to be codified as a new part in Title 50, chapter 17, and the provisions of Title 50, chapter 17, apply to [sections 1 and 2].

**NEW SECTION. Section 4. Effective date and contingent effective date.** (1) Except as provided in subsection (2), [this act] is effective on passage and approval.

(2) [Section 1] is effective on the date that the director of the department of public health and human services certifies to the code commissioner that aluminum-free vaccines are available. The director of the department of public health and human services shall submit certification within 15 days of the occurrence of the contingency.

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