

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 2831

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DATE	D-PG	OFFICIAL STATUS
04/11/2019	2744	Introduction and first reading Referred to Health and Human Services Finance and Policy

- 1.1 A resolution
- 1.2 memorializing the President and Congress to hold vaccine manufacturers liable for
- 1.3 design defects that result in adverse side effects from vaccines.
- 1.4 WHEREAS, Congress passed into law the National Childhood Vaccine Injury Act of 1986,
- 1.5 which states that "[no] vaccine manufacturer shall be liable in a civil action for damages arising
- 1.6 from a vaccine-related injury or death associated with the administration of a vaccine after October
- 1.7 1, 1988, if the injury or death resulted from side effects that were unavoidable even though the
- 1.8 vaccine was properly prepared and was accompanied by proper directions and warnings."; and
- 1.9 WHEREAS, in 2011, the United States Supreme Court ruled in *Brueswitz v. Wyeth* that the
- 1.10 National Childhood Vaccine Injury Act preempts all design defect claims against vaccine
- 1.11 manufacturers brought by plaintiffs who seek compensation for injury or death caused by vaccine
- 1.12 side effects; and
- 1.13 WHEREAS, our individual human rights should outweigh the profits of pharmaceutical
- 1.14 companies, and individuals should have the ability to hold vaccine manufacturers liable for design
- 1.15 defects that result in adverse side effects from vaccines; and
- 1.16 WHEREAS, the European Union has found a way to allow evidence-based lawsuits holding
- 1.17 vaccine manufacturers liable without destabilizing the European health care system; NOW,
- 1.18 THEREFORE,
- 1.19 BE IT RESOLVED by the Legislature of the State of Minnesota that it urges the President
- 1.20 and the Congress of the United States to pass legislation removing United States Code, title 42,
- 1.21 section 300aa-22(b)(1), from law and allow design defect claims against vaccine manufacturers by
- 1.22 individuals who have experienced adverse side effects caused by vaccines.
- 1.23 BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is directed
- 1.24 to prepare copies of this memorial and transmit them to the President of the United States, the
- 1.25 President and the Secretary of the United States Senate, the Speaker and the Clerk of the United

- 2.1 States House of Representatives, the Secretary of the United States Department of Health and
- 2.2 Human Services, and Minnesota's Senators and Representatives in Congress.