

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

As Engrossed: S3/15/07 S3/19/07

# A Bill

SENATE BILL 911

5 By: Senator Baker  
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## For An Act To Be Entitled

9 AN ACT TO PROHIBIT OR REDUCE THE AMOUNT OF  
10 MERCURY IN CHILDHOOD VACCINES; AND FOR OTHER  
11 PURPOSES.  
12

### Subtitle

14 PROHIBIT OR REDUCE THE AMOUNT OF MERCURY  
15 IN CHILDHOOD VACCINES.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 *SECTION 1. Arkansas Code Title 20, Chapter 27, Subchapter 1 is amended*  
21 *to add an additional section to read as follows:*

22 *20-7-136. Reduction of mercury in childhood vaccines.*

23 *(a) The General Assembly finds that:*

24 *(1) Mercury is a toxic substance that can cause damage to nerve*  
25 *and brain tissue;*

26 *(2) A mercury derived preservative known as thimerosal has been*  
27 *used in the vaccine manufacturing process since the late 1920s, predating the*  
28 *creation of the federal Food and Drug Administration;*

29 *(3) Since the late 1980s, the number of vaccines given to*  
30 *American children has expanded while the age at which vaccinations are*  
31 *administered has been lowered;*

32 *(4) The American Academy of Pediatrics and the United States*  
33 *Public Health Service recommended in 1999 that mercury be removed as soon as*  
34 *possible from all vaccines because of the potential for neurological damage*  
35 *posed by mercury;*

36 *(5) Most vaccines recommended for use in children are now*



1 mercury-free, with the exception of the flu shot;

2 (6) Administering the standard flu shot to a child three (3)  
3 years of age or younger results in mercury exposure levels far in excess of  
4 maximum adult exposure limits set the federal Food and Drug Administration;

5 (7) Public concern about the presence of mercury in vaccines is  
6 undermining the effectiveness of immunization programs that protect the  
7 public health; and

8 (8) Eliminating the mercury in vaccines would minimize public  
9 fear, increase public confidence in the safety of the vaccine supply and  
10 serve to protect children from the potential negative impacts of mercury  
11 exposure.

12 (b) After the effective date of this act, no person who is eight (8)  
13 years of age or younger shall be vaccinated in this state with a vaccine  
14 containing more than five-tenths microgram (0.5  $\mu$ g) of mercury in any form  
15 per five-tenths milliliter (0.5 ml) dose of vaccine.

16 (c)(1) The Division of Health of the Department of Health and Human  
17 Services shall promulgate rules to implement the requirements of this  
18 section.

19 (2) The rules may include exceptions for potential bioterrorist  
20 incidents or for actual or potential public health emergencies.

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22 /s/ Baker  
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