1 HOUSE OF REPRESENTATIVES - FLOOR VERSION 2 STATE OF OKLAHOMA 3 2nd Session of the 57th Legislature (2020) HOUSE CONCURRENT 4 RESOLUTION 1010 By: West (Kevin) of the House 5 and 6 Newhouse of the Senate 7 8 9 AS INTRODUCED 10 A Concurrent Resolution urging the President and the 11 Congress of the United States to pass legislation removing 42 U.S.C., Section 300aa-22(b)(1) from law 12 and allow design defect claims against vaccine manufacturers by individuals who have experienced 1.3 adverse side effects caused by vaccines; and directing distribution. 14 15 16 WHEREAS, Congress passed into law the National Childhood Vaccine 17 Injury Act of 1986, which states that "No vaccine manufacturer shall 18 be liable in a civil action for damages arising from a vaccine-19 related injury or death associated with the administration of a 20 vaccine after October 1, 1988, if the injury or death resulted from 21 side effects that were unavoidable even though the vaccine was 22 properly prepared and was accompanied by proper directions and 23 warnings."; and 24

1 WHEREAS, in 2011, the United States Supreme Court ruled in Bruesewitz v. Wyeth that the National Childhood Vaccine Injury Act preempts all design defect claims against vaccine manufacturers brought by plaintiffs who seek compensation for injury or death caused by vaccine side effects; and

WHEREAS, our individual human rights should outweigh the profits of pharmaceutical companies, and individuals should have the ability to hold vaccine manufacturers liable for design defects that result in adverse side effects from vaccines; and

WHEREAS, the European Union has found a way to allow evidencebased lawsuits holding vaccine manufacturers liable without destabilizing the European health care system.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 57TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the Oklahoma Legislature urges the President and the Congress of the United States to pass legislation removing 42 U.S.C., Section 300aa-22(b)(1) from law and allowing design defect claims against vaccine manufacturers by individuals who have experienced adverse side effects caused by vaccines.

THAT the Oklahoma Secretary of State is directed to prepare copies of this resolution and transmit them to the President of the United States, the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of

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Representatives, the Secretary of the United States Department of Health and Human Services, and the Oklahoma Congressional Delegation. DIRECT TO CALENDAR.

HCR1010 HFLR BOLD FACE denotes Committee Amendments.