

# SENATE BILL 304

J1, C2

8lr2326  
CF HB 586

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By: **Senator Middleton**

Introduced and read first time: January 28, 2008

Assigned to: Finance and Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 31, 2008

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~**Consumer Products Safety – Lead and Mercury Reduction Act**~~  
3 ~~**Statewide Advisory Commission on Immunizations – Influenza**~~  
4 ~~**Vaccines – Study**~~

5 FOR the purpose of ~~prohibiting certain persons from administering vaccines that~~  
6 ~~contain more than a certain amount of mercury per dose; prohibiting the sale,~~  
7 ~~offer for sale, or distribution in the State of certain drugs that contain mercury;~~  
8 ~~prohibiting the sale, offer for sale, or distribution in the State of cosmetics that~~  
9 ~~contain lead or mercury; providing for a delayed effective date; and generally~~  
10 ~~relating to prohibitions against the administering of vaccines with specified~~  
11 ~~levels of mercury and the sale of cosmetics and specified drugs that contain~~  
12 ~~mercury~~ requiring the Statewide Advisory Commission on Immunizations to  
13 conduct a certain study; requiring the Commission to make a certain report to  
14 certain committees of the General Assembly on or before a certain date; and  
15 generally relating to the Statewide Advisory Commission on Immunizations and  
16 a study on the influenza vaccine.

17 ~~BY adding to~~  
18 ~~Article – Health – General~~  
19 ~~Section 18-405, 21-228, and 21-232~~  
20 ~~Annotated Code of Maryland~~  
21 ~~(2005 Replacement Volume and 2007 Supplement)~~

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
23 MARYLAND, That: ~~the Laws of Maryland read as follows:~~

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~Article Health General~~2 ~~18-405.~~3 ~~A PERSON LAWFULLY ADMINISTERING A VACCINE MAY NOT ADMINISTER A~~  
4 ~~VACCINE TO AN INDIVIDUAL IF THE VACCINE CONTAINS MORE THAN 1.25~~  
5 ~~MICROGRAMS OF MERCURY PER 0.5 MILLILITER DOSE.~~6 ~~21-228.~~7 ~~(A) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO THE SALE,~~  
8 ~~OFFER FOR SALE, OR DISTRIBUTION OF A PRESCRIPTION DRUG.~~9 ~~(B) A PERSON MAY NOT SELL, OFFER FOR SALE, OR DISTRIBUTE IN THE~~  
10 ~~STATE A DRUG THAT CONTAINS MERCURY.~~11 ~~21-232.~~12 ~~A PERSON MAY NOT SELL, OFFER FOR SALE, OR DISTRIBUTE IN THE~~  
13 ~~STATE A COSMETIC THAT CONTAINS LEAD OR MERCURY.~~14 (a) The Statewide Advisory Commission on Immunizations shall:15 (1) Study the current availability and anticipated future availability of  
16 single-dose influenza vaccines for use in the State; and17 (2) Identify the current and anticipated future cost differential  
18 between single-dose and multi-dose influenza vaccines; and19 (b) On or before December 1, 2008, the Commission shall report its findings,  
20 in accordance with § 2-1246 of the State Government Article, to the Senate Education,  
21 Health, and Environmental Affairs Committee, the Senate Finance Committee, and  
22 the House Health and Government Operations Committee.23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 ~~January 1, 2009~~ June 1, 2008.