

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 5305**

Chapter 231, Laws of 2006

59th Legislature  
2006 Regular Session

MERCURY-CONTAINING VACCINES

EFFECTIVE DATE: 6/7/06

Passed by the Senate March 8, 2006  
YEAS 47 NAYS 0

BRAD OWEN

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**President of the Senate**

Passed by the House March 7, 2006  
YEAS 98 NAYS 0

FRANK CHOPP

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**Speaker of the House of Representatives**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5305** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

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**Secretary**

Approved March 27, 2006.

FILED

March 27, 2006 - 2:25 p.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE SENATE BILL 5305**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2006 Regular Session

**State of Washington                      59th Legislature                      2006 Regular Session**

**By** Senate Committee on Health & Long-Term Care (originally sponsored by Senators Rasmussen, Benton, Roach, Swecker, Zarelli, Regala, Stevens, Shin, Delvin, Franklin and Mulliken)

READ FIRST TIME 03/02/05.

1            AN ACT Relating to the use of mercury-containing vaccines; adding  
2 a new section to chapter 70.95M RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.** The legislature finds that vaccinations and  
5 immunizations are among the most important public health innovations of  
6 the last one hundred years. The centers for disease control and  
7 prevention placed vaccinations at the top of its list of the ten  
8 greatest public health achievements of the twentieth century. In its  
9 efforts to improve public health in the world's poorest countries, the  
10 Bill and Melinda Gates foundation has identified childhood immunization  
11 as a cost-effective method of improving public health and saving the  
12 lives of millions of children around the world.

13            Fortunately, in Washington, safe and cost-effective vaccinations  
14 against childhood diseases are widely available through both public and  
15 private resources. The vaccines that the Washington state department  
16 of health provides to meet the requirements for the recommended  
17 childhood vaccination schedule through its universal childhood vaccine  
18 program are screened for thimerosal and preference is given toward the  
19 purchase of thimerosal-free products. The department of health

1 currently provides thimerosal-free products for all routinely  
2 recommended childhood vaccines. Regardless of the absence of  
3 thimerosal in childhood vaccines in Washington, scientifically  
4 reputable organizations such as the centers for disease control and  
5 prevention, the national institute of medicine, the American academy of  
6 pediatrics, the food and drug administration, and the world health  
7 organization have all determined that there is no credible evidence  
8 that the use of thimerosal in vaccines poses a threat to the health and  
9 safety of children.

10 Notwithstanding these assurances of the safety of the vaccine  
11 supply, the legislature finds that where there is public concern over  
12 the safety of vaccines, vaccination rates may be reduced to the point  
13 that deadly, vaccine-preventable, childhood diseases return. This  
14 measure is being enacted to maintain public confidence in vaccine  
15 programs, so that the public will continue to seek vaccinations and  
16 their health benefits may continue to protect the people of Washington.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.95M RCW  
18 to read as follows:

19 (1) Beginning July 1, 2007, a person who is known to be pregnant or  
20 who is under three years of age shall not be vaccinated with a  
21 mercury-containing vaccine or injected with a mercury-containing  
22 product that contains more than 0.5 micrograms of mercury per 0.5  
23 milliliter dose.

24 (2) Notwithstanding subsection (1) of this section, an influenza  
25 vaccine may contain up to 1.0 micrograms of mercury per 0.5 milliliter  
26 dose.

27 (3) The secretary of the department of health may, upon declaration  
28 of a public health emergency, suspend the requirements of this section  
29 for the duration of the emergency.

30 (4) All vaccines and products referenced under this section must  
31 meet food and drug administration licensing requirements.

Passed by the Senate March 8, 2006.

Passed by the House March 7, 2006.

Approved by the Governor March 27, 2006.

Filed in Office of Secretary of State March 27, 2006.