

By: Luther

H.B. No. 3441

A BILL TO BE ENTITLED

AN ACT

relating to the liability of vaccine manufacturers for advertising a harmful vaccine.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter E, Chapter 431, Health and Safety Code, is amended by adding Section 431.118 to read as follows:

Sec. 431.118. LIABILITY OF MANUFACTURER FOR ADVERTISING CERTAIN VACCINES. (a) A manufacturer is liable to an individual if:

(1) the manufacturer advertises a vaccine in this state; and

(2) the vaccine causes harm or injury to the individual.

(b) A court shall award a claimant who prevails in an action brought under this section:

(1) actual damages; and

(2) court costs and reasonable attorney's fees incurred in bringing the action.

SECTION 2. The change in law made by this Act applies only to a cause of action that accrues on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2025.