

1-1 By: Luther, et al. (Senate Sponsor - Hall, et al.) H.B. No. 3441  
1-2 (In the Senate - Received from the House May 19, 2025;  
1-3 May 22, 2025, read first time and referred to Committee on State  
1-4 Affairs; May 26, 2025, reported favorably by the following vote:  
1-5 Yeas 9, Nays 1; May 26, 2025, sent to printer.)

1-6	COMMITTEE VOTE				
1-7		Yea	Nay	Absent	PNV
1-8	Hughes	X			
1-9	Paxton	X			
1-10	Bettencourt	X			
1-11	Birdwell	X			
1-12	Hall	X			
1-13	Hinojosa of Nueces	X			
1-14	Middleton	X			
1-15	Parker			X	
1-16	Perry	X			
1-17	Schwertner	X			
1-18	Zaffirini		X		

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to the liability of vaccine manufacturers that advertise a  
1-22 harmful vaccine.  
1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-24 SECTION 1. Subchapter E, Chapter 431, Health and Safety  
1-25 Code, is amended by adding Section 431.118 to read as follows:  
1-26 Sec. 431.118. LIABILITY OF MANUFACTURER FOR ADVERTISING  
1-27 CERTAIN VACCINES. (a) In this section, "advertise" means a media  
1-28 communication, including through television, radio, print, the  
1-29 Internet, digital or electronic media, product placement,  
1-30 promotion by an influencer in exchange for compensation, or other  
1-31 manner of paid promotion, a vaccine manufacturer purchases to  
1-32 promote the manufacturer's vaccine. The term does not include:  
1-33 (1) any discussion between a health care provider and  
1-34 the provider's patient or written materials a health care provider  
1-35 provides to a patient concerning a vaccine; or  
1-36 (2) any posters, decorations, or other materials or  
1-37 promotional items concerning a vaccine that are displayed in or  
1-38 made available by a health care facility, health care provider's  
1-39 office, or other clinical setting.  
1-40 (b) A manufacturer is liable to an individual if:  
1-41 (1) the manufacturer advertises a vaccine in this  
1-42 state; and  
1-43 (2) the advertised vaccine causes harm or injury to  
1-44 the individual.  
1-45 (c) Notwithstanding any other law, an individual may bring  
1-46 an action under this section not later than the third anniversary of  
1-47 the date the cause of action accrues.  
1-48 (d) A court shall award a claimant who prevails in an action  
1-49 brought under this section:  
1-50 (1) actual damages; and  
1-51 (2) court costs and reasonable attorney's fees  
1-52 incurred in bringing the action.  
1-53 SECTION 2. The change in law made by this Act applies only  
1-54 to a cause of action that accrues on or after the effective date of  
1-55 this Act.  
1-56 SECTION 3. This Act takes effect September 1, 2025.

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