

## STATEMENT OF PURPOSE

RS32700 / S1189

The purpose of this legislation is to ensure accountability in the distribution and administration of human gene therapy products for infectious disease indications in Idaho. Given the unique nature of these products which may have long-term and unforeseen consequences—this bill establishes that manufacturers must accept full legal responsibility for design defects in their products if they choose to distribute them in the state.

Under current federal law, certain vaccine manufacturers are shielded from liability for design defects through the National Childhood Vaccine Injury Act (42 U.S.C. 300aa-1, et seq.). This bill removes such immunity for human gene therapy products distributed in Idaho, ensuring that manufactures remain legally accountable for potential design defects.

By requiring an affirmative waiver of immunity, this legislation prioritizes the rights of Idaho citizens to seek redress for injuries potentially caused by potentially defective human gene therapy products. It also serves as a safeguard against the unchecked proliferation of genetic medical interventions that have not been subjected to adequate long-term study.

## FISCAL NOTE

This legislation will have no impact on the state's General Fund. It does create new regulatory requirements or impose costs on state agencies. Any financial impact would be borne by private manufacturers choosing to distribute human gene therapy products in Idaho.

### Contact:

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**DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).**