

CHAMBER ACTION

1 The Health Care General Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to vaccine production facilities;
7 requiring Enterprise Florida, Inc., to conduct an outreach
8 campaign to encourage vaccine production facilities to
9 produce certain vaccines in this state; exempting certain
10 business entities from liability under certain
11 circumstances; providing an effective date.

12
13 WHEREAS, the adequacy of our country's supply of vaccines
14 has been called into question because of the growing demand for
15 the influenza vaccine and other vaccines in response to the
16 exhortations of public health officials, and

17 WHEREAS, this growing demand for vaccines has increased the
18 pressure on the nation's domestic suppliers and created the
19 potential for a major public health crisis, and

20 WHEREAS, the issue of the inadequacy of vaccine supplies to
21 meet the needs of our citizens, and particularly to protect the
22 public against influenza, which kills some 36,000 Americans each

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23 | year, has now advanced to the forefront of the public health
24 | agenda, and

25 | WHEREAS, urgent action is needed to augment the limited
26 | domestic vaccine supply, especially the supply of influenza
27 | vaccine, in order to protect the health of the American public,
28 | not only those individuals who are most at risk from vaccine-
29 | preventable diseases but also the rest of the population as
30 | well, and

31 | WHEREAS, given the impediment to the increased production
32 | of vaccines created by the regulatory requirements imposed by
33 | the United States Food and Drug Administration, the state should
34 | offer financial incentives to pharmaceutical manufacturers to
35 | increase the production of vaccines and thereby ensure their
36 | availability in quantities that are adequate to protect the most
37 | vulnerable individuals in the state and to permit the rest of
38 | the citizens of the state who wish to be vaccinated to receive
39 | this protection as well, NOW, THEREFORE,

40 |
41 | Be It Enacted by the Legislature of the State of Florida:

42 |
43 | Section 1. Vaccine production facilities; outreach
44 | campaign for vaccine production; liability.--

45 | (1) Enterprise Florida, Inc., as the principal economic
46 | development organization for the state under s. 288.9015,
47 | Florida Statutes, shall conduct an outreach campaign to
48 | encourage pharmaceutical companies located in this state to
49 | produce vaccines for the prevention of communicable diseases and
50 | to encourage pharmaceutical companies located outside of this

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51 state to establish facilities in this state to produce vaccines
52 for the prevention of communicable diseases.

53 (2) A business, corporation, sole proprietorship,
54 partnership, subchapter S corporation, limited liability
55 corporation, nonprofit corporation, consortium, or other
56 business entity located in this state that in good faith
57 develops or produces vaccines for the prevention of communicable
58 diseases shall not be held liable for civil damages for any act
59 or omission, except for knowing and willful acts or omissions,
60 in the development or production of vaccines for the prevention
61 of communicable diseases that are approved for market
62 distribution by the United States Food and Drug Administration.

63 Section 2. This act shall take effect July 1, 2006.