

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Health Policy

BILL: CS/SB 762

INTRODUCER: Health Policy Committee and Senator Berman

SUBJECT: Preventing the Spread of Avian Influenza

DATE: March 12, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Morgan</u>	<u>Brown</u>	<u>HP</u>	<u>Fav/CS</u>
2. _____	_____	<u>AHS</u>	_____
3. _____	_____	<u>FP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 762 creates undesignated sections of the Laws of Florida, requiring the Florida Department of Health (DOH) to establish a “Be Ready Task Force” (task force) to develop a comprehensive statewide response strategy for preventing the spread of avian influenza in Florida’s livestock population and prepare for the probability of human-to-human transmission in this state.

The bill provides administrative support to the task force, establishes the membership of the task force, and requires that the task force meet upon the call of the chair and as often as necessary to complete its duties. The task force may conduct its meetings through teleconference or other electronic means.

The bill requires that members of the task force serve without compensation; however, the bill authorizes reimbursement for per diem and travel expenses for members.

The bill requires the task force to develop recommendations on the spread of avian influenza in the state of Florida. The task force must submit a report of its recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2025. The task force is dissolved upon submission of its report.

The bill takes effect upon becoming law.

II. Present Situation:

Avian Influenza (Bird Flu)

Avian influenza, commonly known as the “bird flu,” is a viral infection that spreads in birds, cows, and other animals. It can sometimes spread to people, causing mild to severe respiratory symptoms and conjunctivitis.¹

Risk Factors

Exposure to infected, sick, or dead animals is the main risk factor for getting bird flu. Exposure to surfaces contaminated with animal secretions or excretions is another risk. Eating raw or undercooked poultry, eggs, or consuming unpasteurized milk from infected dairy cows could also be an exposure risk for infection with avian influenza viruses.²

Individuals with job-related or recreational exposure to birds or other avian-influenza virus-infected animals are at greater risk of infection. According to the federal Centers for Disease Control and Prevention (CDC), the following people are most likely to be exposed:³

- Poultry, dairy, and other livestock farmers and workers;
- Backyard bird flock owners;
- Veterinarians and veterinary staff;
- Animal health responders;
- Public health responders;
- Dairy laboratory workers;
- Food processing workers handling raw milk and other confirmed or potentially contaminated materials;
- Slaughterhouse workers performing certain tasks on lactating dairy cattle, including:
 - Unloading or handling live, lactating dairy cattle for slaughter, including working in holding pens and tasks involved with ante-mortem inspection;
 - Post-mortem processes, including the post-mortem inspection, handling, and transporting of viscera; and
 - Removing and transporting udders from dairy cattle for further processing or rendering.
- Zoo or other wild animal facility workers, such as:
 - Sanctuary workers;
 - Aquarium workers; and
 - Wild animal rehabilitation center workers.
- Hunters.

¹ Cleveland Clinic, *Bird Flu (Avian Influenza)*, available at <https://my.clevelandclinic.org/health/diseases/22401-bird-flu> (last visited Mar. 7, 2025).

² Centers for Disease Control and Prevention, *About Bird Flu*, available at <https://www.cdc.gov/bird-flu/about/index.html> (last visited Mar. 7, 2025).

³ *Id.*

Symptoms and Complications

The reported signs and symptoms of avian influenza virus infections in humans have ranged from no symptoms or mild symptoms to moderate-to-severe disease and complications, including resulting in death.⁴

Mild signs and symptoms may include:⁵

- Eye redness and irritation (the most common symptom among recent cases nationally);
- Mild fever;
- Cough;
- Sore throat;
- Runny or stuffy nose;
- Muscle or body aches;
- Headaches; and
- Fatigue.

Less common symptoms include diarrhea, nausea, or vomiting.⁶

Signs and symptoms of moderate-to-severe disease include:⁷

- High fever;
- Shortness of breath or difficulty breathing;
- Altered consciousness; and
- Seizures.

Treatment & Vaccines

Flu antiviral drugs can treat avian influenza virus infections. Individuals who develop bird flu symptoms following exposure to infected animals should seek treatment with flu antivirals as soon as possible.⁸

Individuals who have been exposed to infected animals while not wearing the recommended personal protective equipment (PPE) or experienced a breach in their PPE may also be offered flu antivirals, regardless of whether they have symptoms.⁹

According to the CDC, antiviral treatment works best within 48 hours of developing symptoms and should not be delayed while waiting for test results.¹⁰

At this time, there is no recommendation for people to be vaccinated against bird flu and there is no commercially available vaccine against avian influenza viruses. Seasonal flu vaccines are not designed or intended to protect against avian influenza viruses.¹¹

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

Animal Impact

Bird flu is widespread in wild birds worldwide¹² and is being reported in an increasing number of animals in addition to outbreaks in poultry and U.S. dairy herds.¹³

Wild birds that can carry avian influenza viruses include waterbirds (e.g. ducks, geese, and swans) and shorebirds (e.g. storks). While most wild birds can be infected with avian influenza viruses without being sick, poultry can get infected, become very sick, and die from certain avian influenza viruses. Many common songbirds are not likely to get infected with avian influenza viruses.¹⁴

Other mammals can also be infected with avian influenza viruses. In these animals, signs can range from mild-to-severe, including death. Recently¹⁵ H5N1 bird flu has been detected in mammals, including dairy cows.¹⁶

Bird Flu in Humans¹⁷

According to the CDC, the current public health risk for bird flu in humans is low. See the following illustrations from the CDC and the U.S. Department of Agriculture.

¹² World Organisation for Animal Health, *Avian Influenza*, available at <https://www.woah.org/en/disease/avian-influenza/#ui-id-2> (last visited Mar. 7, 2025).

¹³ *Supra* note 2.

¹⁴ *Id.*

¹⁵ U.S. Department of Agriculture, Animal and Plant Health Inspection Service, *Detections of Highly Pathogenic Avian Influenza*, available at <https://www.aphis.usda.gov/livestock-poultry-disease/avian/avian-influenza/hpai-detections> (last visited Mar. 7, 2025).

¹⁶ *Supra* note 2.

¹⁷ Centers for Disease Control and Prevention, *H5 Bird Flu: Current Situation*, available at https://www.cdc.gov/bird-flu/situation-summary/index.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fbird-flu%2Fphp%2Favian-flu-summary%2Findex.html&cove-tab=1 (last visited Mar. 7, 2025).

Situation summary of confirmed and probable human cases since 2024

Confirmed Cases

Probable Cases

State or territory

National

National Total Cases: 70

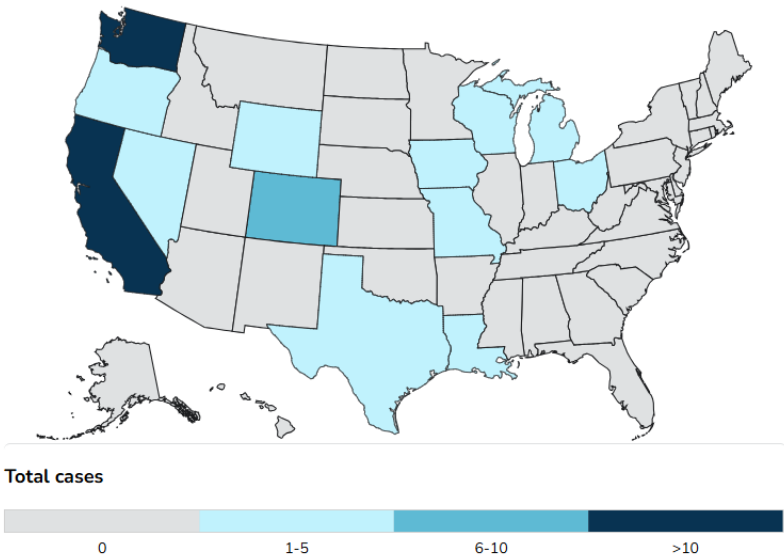
Cases	Exposure Source
41	Dairy Herds (Cattle)*
24	Poultry Farms and Culling Operations*
2	Other Animal Exposure†
3	Exposure Source Unknown‡

NOTE: One additional case was previously detected in a poultry worker in Colorado in 2022. Louisiana reported the first H5 bird flu death in the U.S.

*Exposure Associated with Commercial Agriculture and Related Operations

†Exposure was related to other animals such as backyard flocks, wild birds, or other mammals

‡Exposure source was not able to be identified



Confirmed Cases

Probable Cases

State or territory

National

National Total Cases: 7

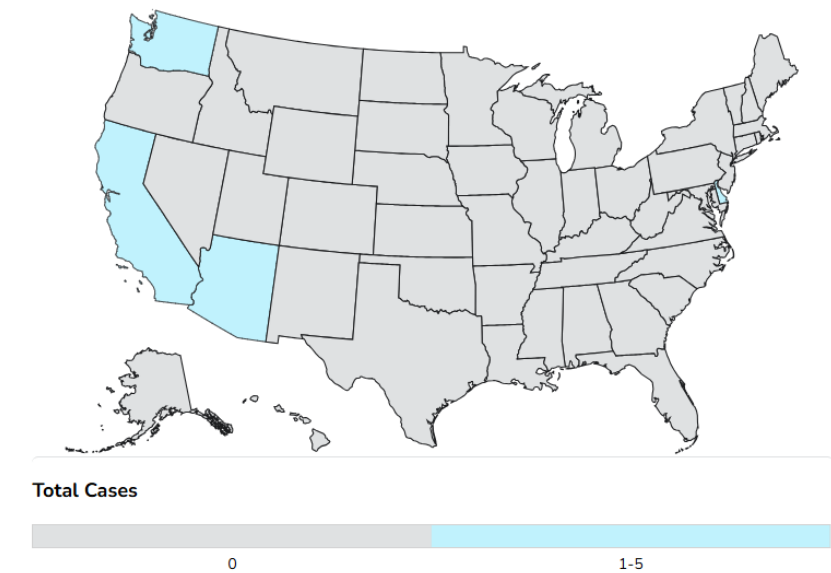
Cases	Exposure Source
1	Dairy Herds (Cattle)*
5	Poultry Farms and Culling Operations*
0	Other Animal Exposure†
1	Exposure Source Unknown‡

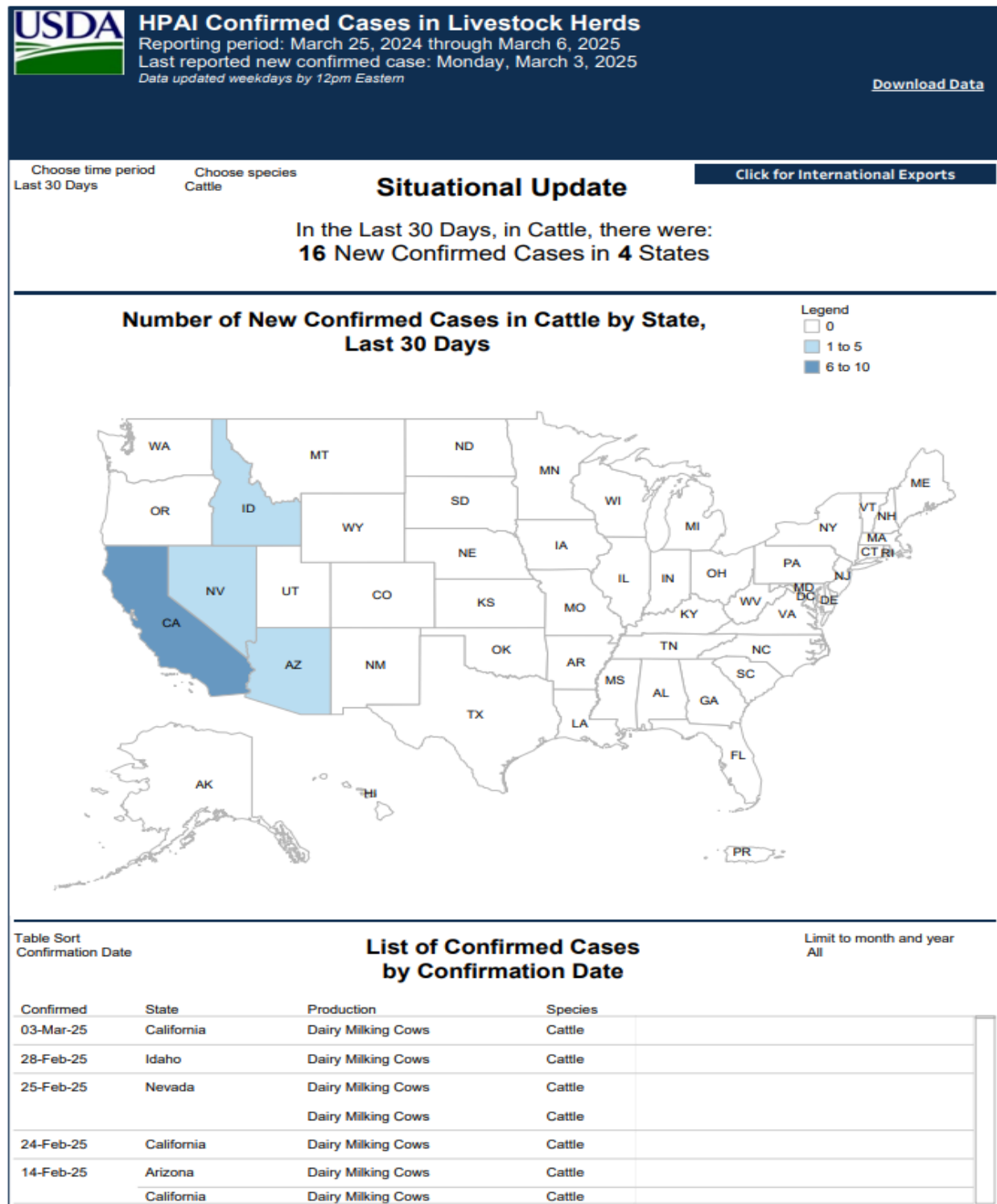
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*Exposure Associated with Commercial Agriculture and Related Operations

†Exposure was related to other animals such as backyard flocks, wild birds, or other mammals

‡Exposure source was not able to be identified



Bird Flu in Dairy Cows¹⁸

¹⁸ U.S. Department of Agriculture, Animal and Plant Health Inspection Service, *HPAI Confirmed Cases in Livestock*, available at <https://www.aphis.usda.gov/livestock-poultry-disease/avian/avian-influenza/hpai-detections/hpai-confirmed-cases-livestock> (last visited Mar. 7, 2025).

Florida Executive Branch Structure

Chapter 20, F.S., creates the organizational structure of the Executive Branch of state government, and s. 20.03, F.S., provides definitions for uniform nomenclature throughout the structure of the Executive Branch, including bodies created as adjuncts to Executive Branch departments, agencies, or offices. A “committee” or “task force” means an advisory body created without specific statutory enactment for a time not to exceed one year or created by specific statutory enactment for a time not to exceed three years and appointed to study a specific problem and recommend a solution or policy alternative with respect to that problem. Its existence terminates upon the completion of its assignment.

III. Effect of Proposed Changes:

CS/SB 762 contains four whereas clauses: three regarding cases of avian influenza and one clause stressing the need for preparation to prevent the spread of avian influenza in the state.

Section 1 creates a non-statutory section of the Laws of Florida to require the Florida Department of Health (DOH) to establish a “Be Ready Task Force,” a task force as defined in s. 20.03(5), F.S., to develop a comprehensive statewide response strategy for preventing the spread of avian influenza in Florida’s livestock population and prepare for the probability of human-to-human transmission in this state. The DOH must provide administrative support to the task force.

The bill requires that the task force be composed of the following members:

- Two physicians specializing in infectious diseases who are on staff with a medical school in this state and have a background in public health, appointed by the Governor.
- The State Surgeon General and the Deputy Secretary of Health or their designees. The bill directs the State Surgeon General or his or her designee to serve as the chair of the task force.
- Two representatives of the Division of Emergency Management, appointed by the director.
- Three representatives from county health departments, with at least one representative from a rural county, appointed by the Governor.
- One representative of a water management district, appointed by the Governor.
- Two representatives of the Department of Agriculture and Consumer Services who have experience working with the livestock industry, appointed by the Commissioner of Agriculture.

The bill requires the task force to meet upon the call of the chair and as often as necessary to complete its duties. The task force may conduct its meetings through teleconference or other electronic means. Members of the task force are to serve without compensation but may be reimbursed for per diem and travel expenses as provided in s. 112.061, F.S.

The bill requires the task force to develop recommendations on all of the following:

- Monitoring and reporting livestock with avian influenza, including the location for each outbreak.
- Wastewater monitoring for avian influenza transmission.
- How to cost-effectively implement statewide testing for avian influenza.

- Ways in which the state can implement a statewide response to prevent the spread of avian influenza among livestock as well as humans.

The bill requires the task force to submit a report of its recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2025. The task force is dissolved upon submission of its report.

Section 2 provides that the bill take effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

CS/SB 762 requires the DOH to provide the task force with administrative support. This duty could have a workload and/or fiscal impact on the department.¹⁹

¹⁹ The Department of Health has not provided an impact estimate to Senate staff.

The bill authorizes the reimbursement of task force members for per diem and travel expenses as provided in s. 112.061, F.S. This could result in a nominal fiscal impact to the state.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill creates undesignated sections of the Laws of Florida.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Health Policy on March 11, 2025:

The committee substitute provides that the task force's report is due on December 1, 2025. The underlying bill provided a due date of October 1, 2025.

- B. **Amendments:**

None.