

STORAGE NAME: h3115a.ag

DATE: February 5, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
AGRICULTURE
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 3115

RELATING TO: Animals

SPONSOR(S): Representative Futch

COMPANION BILL(S):

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) AGRICULTURE YEAS 4 NAYS 1
 - (2)
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

Under current law, ferret owners are not required to have their animals vaccinated. In the event that a ferret bites someone, the animal is destroyed by animal control authorities rather than being quarantined as is the case with animals such as dogs and cats, which are vaccinated.

Because of the practice of destroying the animal, many biting incidents are not being reported to animal control authorities, thus increasing the likelihood of a rabies outbreak or other public health risk.

HB 3115 provides for the rabies vaccination of ferrets 4 months of age or older, unless the vaccination would prove fatal to the animal due to health, age, disability, infirmity or medical considerations. However, the animal must be vaccinated as soon as its health permits.

By requiring vaccination, ferrets, when necessary, can be quarantined to determine if an animal has rabies, rather than automatically being destroyed.

The bill also provides for penalties for violations and allows counties and municipalities to enact requirements similar to or more stringent than the provisions of this section.

The bill has no fiscal impact to state or local government.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

It is estimated that Florida has between 200,000 and 250,000 domestic ferrets. Currently, these animals are not required to be vaccinated for rabies. Approximately 15 other states have enacted mandatory vaccination programs or are about to enact legislation making vaccination mandatory. Six other states are moving toward mandatory vaccination.

B. EFFECT OF PROPOSED CHANGES:

Section 1 requires all ferrets 4 months of age or older to be vaccinated by a licensed veterinarian with a U.S. Government-approved vaccine. A ferret is exempt from the vaccination if a licensed veterinarian examines the animal and certifies in writing that vaccinating the animal at that time would endanger the animal's health due to its age, infirmity, disability, illness, or other medical considerations. An exempt animal must be vaccinated against rabies as soon as its health permits.

Once vaccinated, the veterinarian shall provide the animal's owner and the animal control authority with a rabies vaccination certificate which must contain: the license number of the administering veterinarian; the name, address and phone number of the veterinarian and the owner; the date and expiration date of the vaccine; the species, age, sex, color, weight and name of the animal vaccinated; the rabies vaccine manufacturer; the vaccine lot number and expiration date; the type and brand of vaccine used; the route of administration of vaccine; and, the signature or signature stamp of the licensed veterinarian.

Beginning March 1 following the effective date of this act, each ferret vaccinated according to this section shall be quarantined, when necessary, according to the rules of the Department of Health.

A violation of this section shall be treated as a civil infraction punishable by a fine not to exceed \$500. This section does not prohibit or limit municipalities or counties from enacting requirements similar to or more stringent than the provisions of this section for the implementation and enforcement of rabies-control ordinances.

Section 2 provides an effective date of January 1 of the year following the year in which enacted.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes. By requiring vaccinations of ferrets, it would place additional responsibilities, as well as costs, on the owners to have their animals vaccinated. The veterinarians who administer the vaccine would also have the additional responsibility of providing a rabies vaccination certificate to the animal's owner as well as the animal control authority.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced: **Not applicable.**

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

(2) what is the cost of such responsibility at the new level/agency?

(3) how is the new agency accountable to the people governed?

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

It would require ferret owners to pay for the cost of vaccinating their animals.

c. Does the bill reduce total taxes, both rates and revenues?

No.

- d. Does the bill reduce total fees, both rates and revenues?

No.

- e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

Yes. By having their ferrets vaccinated, the owners avoid having their animals automatically destroyed in the event the animal bites someone.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment: **Not applicable.**

- a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

(2) Who makes the decisions?

(3) Are private alternatives permitted?

(4) Are families required to participate in a program?

(5) Are families penalized for not participating in a program?

b. Does the bill directly affect the legal rights and obligations between family members?

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

(2) service providers?

(3) government employees/agencies?

D. STATUTE(S) AFFECTED:

Chapter 828, Florida Statutes

E. SECTION-BY-SECTION RESEARCH:

Please refer to section "B", Effect of Proposed Changes, for a section-by-section rundown.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

Costs to the private sector would be determined by the licensed veterinarian administering the vaccine and providing the rabies vaccination certificate.

2. Direct Private Sector Benefits:

Administering the rabies vaccination to ferrets will help to prevent the possible exposure of rabies to the human population as well as other susceptible pets/animals.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

The mandates provision is not applicable to an analysis of HB 3115 because the bill does not require counties or municipalities to spend funds or take actions requiring expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

HB 3115 does not reduce the revenue raising authority of any county or municipality.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

HB 3115 does not reduce any state tax revenues shared with counties and municipalities.

V. COMMENTS:

After the initial analysis was completed, a publication was found on the Internet regarding a meeting of the National Association of State Public Health Veterinarians, Inc. (NASPHV). At the November 1997 meeting, NASPHV recommended a change in the rabies postexposure management procedures for ferrets to be exactly like those for dogs and cats---in other words, a 10-day quarantine period rather than destruction of the animal.

According to State Epidemiologist, Dr. Richard G. Hopkins, a memo has gone out to all county health departments in the state informing them that the Florida Department of Health and its' Rabies Control Advisory Committee now endorses the recommendations of NASPHV.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

VII. SIGNATURES:

COMMITTEE ON AGRICULTURE:

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