

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1353 Personal Protective Equipment

**SPONSOR(S):** Yarborough

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 1760

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Pandemics & Public Emergencies Committee	16 Y, 0 N	Landry	Dearden
2) Infrastructure & Tourism Appropriations Subcommittee			
3) Health & Human Services Committee			

### SUMMARY ANALYSIS

On March 11, 2020, the World Health Organization declared COVID-19 a pandemic, and Florida Governor DeSantis issued a series of executive orders declaring a state of emergency. The Florida Division of Emergency Management (the division) is tasked with managing the state's response to the COVID-19 pandemic, including acquiring and distributing personal protective equipment (PPE) to local governments and health care provider. PPE refers to protective clothing, helmets, gloves, face shields, goggles, facemasks, respirators, or other equipment designed to protect a person from spread of infection. The COVID-19 pandemic increased the need for PPE for healthcare workers, patients, and the general public, resulting in PPE shortages nationwide. Because of the supply shortage, the division struggled to acquire the necessary amounts of PPE, prompting Florida to list PPE as an essential commodity. Supply chain issues gave rise to third-party brokers looking to profit off of the pandemic through fraudulent sales. The division urged manufacturers to eliminate the middleman by selling directly to the state.

The division has procedures in place for acquiring, managing and deploying the state's resources during an emergency. Currently, the division is required to develop and maintain logistics contracts with suppliers who can supply resources and commodities, such as generators, and other commonly needed supplies during a natural disaster. The division also operates and manages the State Logistics Response Center, which stores the state's stockpile of resources.

HB 1353 requires the division to maintain an inventory of PPE in reserve for declared emergencies caused by an infectious or communicable disease. The division must also plan for and procure PPE or have sufficient contracts in place for ensuring PPE availability in the event of a declared emergency. The division must make the PPE available for purchase by healthcare practitioners or their employers at the cost procured or negotiated by the division, and may not sell such PPE at a price exceeding purchase price.

Prior to the COVID-19 Pandemic, PPE was not acquired to the extent needed for supporting a pandemic response. The bill enables the division to be prepared for future declared emergencies caused by an infectious or communicable disease.

The bill has a significant, recurring, negative fiscal impact on the Division of Emergency Management and no fiscal impact on local government.

The bill provides an effective date of July 1, 2021.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Background

##### COVID-19

In December 2019, an outbreak of a new strain of coronavirus, called Severe Acute Respiratory Syndrome Coronavirus 2, emerged in China.<sup>1</sup> The disease caused by this strain of the coronavirus, coronavirus disease 2019 (COVID-19), quickly spread worldwide. COVID-19 causes a wide range of symptoms including fever, cough, difficulty breathing, fatigue, loss of taste or smell, sore throat, and congestion or runny nose.

The U.S. reported its first known case of COVID-19 in January 2020,<sup>2</sup> and its first known death in February 2020.<sup>3</sup> In March 2020, Florida reported both the state's first known COVID-19 case and death. On March 11, 2020, the World Health Organization declared COVID-19 a pandemic.<sup>4</sup>

The CDC issued social distancing guidelines and instructions for wearing face coverings.<sup>5</sup> In an effort to limit the spread of COVID-19, Florida Governor DeSantis issued a series of executive orders<sup>6</sup> declaring a public health emergency, shutting down non-essential businesses and schools, and encouraging citizens to stay at home.<sup>7</sup> Florida also listed PPE, sanitizing and disinfecting supplies, and COVID-19 test kits as essential commodities.<sup>8</sup>

#### *Personal Protective Equipment*

Personal protective equipment (PPE) refers to protective clothing, helmets, gloves, face shields, goggles, facemasks, respirators, or other equipment designed to protect a person from injury or the spread of infection or illness. PPE is commonly used in health care settings to act as a barrier between infectious materials such as viral and bacterial contaminants and a person's skin, mouth, nose, or eyes, to block transmission of contaminants from blood, bodily fluids, or respiratory secretions. PPE is also used to protect patients who are at high risk for contracting infections brought in by visitors and healthcare workers.<sup>9</sup>

The COVID-19 Pandemic increased the need for PPE for healthcare workers, patients, and the general public, resulting in PPE shortages nationwide. Some healthcare facilities were unable to access appropriate PPE, forcing them to identify alternative means to protect healthcare workers and provide adequate patient care.<sup>10</sup>

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<sup>1</sup> National Institute of Allergy and Infectious Diseases, *Coronaviruses*, <https://www.niaid.nih.gov/diseases-conditions/coronaviruses> (last visited Mar. 17, 2021).

<sup>2</sup> Michelle L. Holshue, M.P.H., *First case of 2019 novel coronavirus in the United States*, *The New England Journal of Medicine* (Mar. 5, 2020), <https://www.nejm.org/doi/full/10.1056/NEJMoa2001191> (last visited Mar. 17, 2021).

<sup>3</sup> Centers for Disease Control and Prevention, *Washington state reports first COVID-19 death*, <https://www.cdc.gov/media/releases/2020/s0229-COVID-19-first-death.html> (last visited Mar. 17, 2021).

<sup>4</sup> World Health Organization, *WHO Director-General's opening remarks at the media briefing on COVID-19*, <https://www.who.int/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020> (last visited Mar. 17, 2021).

<sup>5</sup> Centers for Disease Control and Prevention, *COVID-19, Social Distancing*, <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html> (last visited Mar. 17, 2021).

<sup>6</sup> Florida Governor Ron DeSantis, *2020 Executive Orders*, <https://www.flgov.com/2020-executive-orders/> (last visited Mar. 17, 2021).

<sup>7</sup> Fla. Exec. Order No. 20-51 (Mar. 12, 2020).

<sup>8</sup> Attorney General Ashley Moody, *COVID-19 Resources to Stay Informed*, <http://www.myfloridalegal.com/covid19> (last visited Mar. 17, 2021).

<sup>9</sup> U.S. Food and Drug Administration, *Personal Protective Equipment for Infection Control* (Feb. 10, 2021), <https://www.fda.gov/medical-devices/general-hospital-devices-and-supplies/personal-protective-equipment-infection-control> (last visited Mar. 17, 2021).

<sup>10</sup> COCA Now, *Strategies for Optimizing PPE Supplies During Shortages*, <https://emergency.cdc.gov/newsletters/coca/010521.htm> (last visited Mar. 17, 2021).

The Center for Disease Control and Prevention (CDC) released guidance for optimizing PPE during a shortage. One of the CDC's strategies includes utilizing a burn rate calculator, which estimates how long remaining supply of PPE will last based on average consumption rates.<sup>11</sup> PPE expires, which varies depending on the manufacturer's guidance, the product type, usage rate, and the environment it's used or stored in. The CDC offers guidance for using expired PPE depending on the capacity in which the PPE is needed for. Due to PPE shortages, the Florida Department of Business and Professional Regulation issued an emergency order suspending the provisions of section 499.006(9), Florida Statutes, as they relate to the expiration date of PPE on March 23, 2020.<sup>12</sup>

### *Florida's Need for PPE*

The Florida Division of Emergency Management (the division) is tasked with managing the state's response to the COVID-19 pandemic.<sup>13</sup> When an event, such as a pandemic, is beyond the capacity of a local government, counties may request state assistance.<sup>14</sup> During the COVID-19 pandemic, the division assists counties by acquiring and distributing PPE to local governments and to private entities like hospitals, nursing homes and assisted living facilities.<sup>15</sup> Because of the nationwide shortage, the division struggled to acquire the necessary amounts of PPE.

3M N95 respirator masks are considered the gold-standard for facemasks, as they filter out at least 95% of airborne particles and have passed both the National Institute for Occupational Safety and Health (NIOSH) and the Federal Drug Administration's (FDA) standards.<sup>16</sup> 3M N95 masks are essential for protecting health care workers from contracting COVID-19 as they treat patients, and were particularly in short supply at the beginning of the COVID-19 Pandemic.<sup>17</sup> A subset of non-healthcare buyers of PPE hoarded items with the intent of reselling them at inflated prices.<sup>18</sup> A significant portion of 3M N95 respirators on the market during the beginning of the COVID-19 pandemic were being sold by third-party brokers.<sup>19</sup> According to news reports, 3M N95 masks typically sell for \$2.00 apiece. During the height of the COVID-19 pandemic, media reported that third-party brokers were selling them for as high as \$6.77 apiece.<sup>20</sup> In April 2020, former President Trump issued an executive order directing 3M to stop exporting N95 masks and redirect them to the U.S. market.<sup>21</sup> The Department of Justice created the Hoarding and Price Gouging Task Force, aimed at pursuing bad actors hoarding critical supplies for the purpose of profiteering.<sup>22</sup> The division urged manufacturers to eliminate the middle man by selling directly to the state.<sup>23</sup> Reducing competition for buying PPE abroad by purchasing directly from the

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<sup>11</sup> Centers for Disease Control and Prevention, *Optimizing Supply of PPE and Other Equipment during Shortages* (Jul. 16, 2020), <https://www.cdc.gov/coronavirus/2019-ncov/hcp/ppe-strategy/general-optimization-strategies.html> (last visited Mar. 17, 2021).

<sup>12</sup> Fla. Emergency Order No. 2020-02, Department of Business and Professional Regulation (Mar. 23, 2020).

<sup>13</sup> Fla. Exec. Order No. 20-52 (Mar. 1, 2020).

<sup>14</sup> Comprehensive Emergency Management Plan, Division of Emergency Management, available at <https://www.floridadisaster.org/globalassets/cemp/2020-cemp/2020-state-cemp.pdf> (last visited Mar. 17, 2021).

<sup>15</sup> Division of Emergency Management, *Florida Division of Emergency Management Celebrates Accomplishments in 2020* (Dec. 23, 2020), <https://www.floridadisaster.org/news-media/news/20201223-florida-division-of-emergency-management-celebrates-accomplishments-in-2020/> (last visited Mar. 17, 2021).

<sup>16</sup> Centers for Disease Control and Prevention, *NIOSH-Approved N95 Particulate Filtering Facepiece Respirators*, [https://www.cdc.gov/niosh/nppt/topics/respirators/disp\\_part\\_n95list1.html](https://www.cdc.gov/niosh/nppt/topics/respirators/disp_part_n95list1.html) (last visited Mar. 17, 2021).

<sup>17</sup> Cohen, Jennifer, and Yana van der Meulen Rodgers. "Contributing factors to personal protective equipment shortages during the COVID-19 pandemic." *Preventive medicine* vol. 141 (Sep. 8, 2020), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7531934/pdf/main.pdf> (last visited Mar. 17, 2021).

<sup>18</sup> *Id.*

<sup>19</sup> Skyler Swisher and Austen Erblat, 'Chasing a ghost.' *Florida's emergency leader pleads for masks on social media*, South Florida Sun Sentinel (Mar. 30, 2020), <https://www.sun-sentinel.com/coronavirus/fl-ne-coronavirus-jared-moskowitz-masks-20200330-fazdhvob5fznhakniabihjszi-story.html> (last visited Mar. 17, 2021).

<sup>20</sup> Mary Ellen Klas and Ben Weider, *Maker of N95 Masks Says it's Targeting Florida's Fraudsters and Profiteers*, Tampa Bay Times (Apr. 17, 2020), <https://www.tampabay.com/news/health/2020/04/17/maker-of-n95-masks-says-its-targeting-floridas-fraudsters-and-profiteers/> (Mar. 17, 2021).

<sup>21</sup> Trump Whitehouse Archives, *Memorandum on Order Under the Defense Production Act Regarding 3M Company* (Apr. 2, 2020), <https://trumpwhitehouse.archives.gov/presidential-actions/memorandum-order-defense-production-act-regarding-3m-company/> (last visited Mar. 17, 2021).

<sup>22</sup> The United States Department of Justice, *Combatting Price Gouging & Hoarding*, <https://www.justice.gov/coronavirus/combatingpricegouginghoarding> (last visited Mar. 17, 2021).

<sup>23</sup> Ryan Nichol, *Jared Moskowitz says private market for protective masks is a 'Ponzi scheme'*, Florida Politics (Mar. 30, 2020), <https://floridapolitics.com/archives/325903-moskowitz-market-masks-ponzi-scheme> (last visited Mar. 17, 2021).

manufacturer would help mitigate the inflated prices and price gouging by third-party brokers acting as intermediaries between states and suppliers.<sup>24</sup>

Counterfeit products and fraudulent sellers also saturated the PPE market. According to news reports, U.S. Customs and Border Protection officers have seized nearly 15 million counterfeit face masks since the beginning of the COVID-19 Pandemic.<sup>25</sup> The CDC released guidance on how to identify counterfeit products.<sup>26</sup> In April U.S. Immigration and Customs Enforcement launched Operation Stolen Promise focused on combating the illegal import and sale of counterfeit PPE.<sup>27</sup> Federal authorities identified attempts by individuals and organizations to fraudulently secure contracts for the delivery of PPE to private and public entities. In the last year, the Federal Bureau of Investigation, Department of Justice, and other law enforcement agencies pursued numerous cases of PPE fraud, including attempts to fraudulently secure large government or private procurement contracts with no intention of ever delivering the PPE or even having access to PPE.<sup>28</sup> According to the Department of Homeland Security, more than 19,000 new websites selling PPE emerged as COVID-19 began to spread in the U.S., resulting in numerous reports of sites taking orders, accepting payment, and failing to deliver products.<sup>29</sup> In April 2020, a Georgia man was arrested after making a series of fraudulent misrepresentations to secure \$750 million from the Department of Veterans Affairs for 125 million facemasks and other PPE, knowing he was unable to fulfill the orders.<sup>30</sup> In January 2021, a Philadelphia man was arrested after fraudulently claiming to be a PPE provider and entering into agreements for over \$700 million to provide PPE to the City of New York.<sup>31</sup>

To alleviate the PPE supply shortage, many non-PPE manufacturers pivoted to making PPE. Ferrara Manufacturing, a New York City garment company, shifted its production of high-end fashion to medical isolation gowns.<sup>32</sup> Ford began manufacturing surgical masks.<sup>33</sup> Cascade, a company that makes lacrosse helmets, began producing face shields. Companies shifting their production to PPE helped increase supply, however shortages still remain.<sup>34</sup>

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<sup>24</sup> *Supra* note 13.

<sup>25</sup> Megan Cerullo, *U.S. Customs has seized millions of counterfeit N95s. Here's how to spot a fake*, CBS News (Feb 5, 2021), <https://www.cbsnews.com/news/n95-masks-fake-seized/> (last visited Mar. 17, 2021).

<sup>26</sup> Centers for Disease Control and Prevention, *Counterfeit Respirators / Misrepresentation of NIOSH-Approval* (Feb. 26, 2021), <https://www.cdc.gov/niosh/nppt/usernotices/counterfeitResp.html> (last visited Mar. 17, 2021).

<sup>27</sup> The United States Immigration and Customs Enforcement, *Operation Stolen Promise 2.0*, <https://www.ice.gov/topics/operation-stolen-promise#> (last visited Mar. 17, 2021).

<sup>28</sup> JDSUPRA, *With Latest COVID-19 Surge, Federal Officials Will Be Prepared to Combat PPE Fraud* (Dec. 28, 2020), <https://www.jdsupra.com/legalnews/with-latest-covid-19-surge-federal-33450/> (last visited Mar. 17, 2021).

<sup>29</sup> Office of Attorney General Ashley Moody, *Consumer Alert: New Websites Selling PPE Take Money, Don't Deliver Gear* (May 14, 2020), <http://www.myfloridalegal.com/newsrel.nsf/newsreleases/DD06CDD09BE8587B85258568004EC790> (last visited Mar. 17, 2021).

<sup>30</sup> Johnny Diaz and Aimee Ortiz, *Man Charged in Scheme to Sell 125 Million Nonexistent Masks*, The New York Times (Apr. 11, 2020), <https://www.nytimes.com/2020/04/11/us/coronavirus-face-mask-fraud-christopher-parris.html> (last visited Mar. 17, 2021).

<sup>31</sup> The U.S. Attorney's Office, District of New Jersey, *Philadelphia Man Arrested for COVID-19 PPE Fraud* (Jan. 20, 2021), <https://www.justice.gov/usao-nj/pr/philadelphia-man-arrested-covid-19-ppe-fraud> (last visited Mar. 17, 2021).

<sup>32</sup> Liz Briggs, *U.S. Companies Pivot to Meet Demand for PPE During COVID-19 Crisis*, Occupational Health and Safety (Nov. 20, 2020), <https://ohsonline.com/Articles/2020/11/20/US-Companies-Pivot-to-Meet-Demand-for-PPE-During-COVID-19-Crisis.aspx?Page=1> (last visited Mar. 17, 2021).

<sup>33</sup> *Ford's PPE initiative: 'we're going to go as long as necessary'*, Yahoo Finance (Mar. 11, 2021), [https://finance.yahoo.com/video/ford-ppe-initiative-going-long-213445060.html?guccounter=1&guce\\_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS8&guce\\_referrer\\_sig=AQAAAHYz0T7b76NK6Pp5mLUN1vxeMBmhA\\_KzHWtf3ZnBB2J7Ay-McixepsjBFHoWsYwdoobUxS1s1569vk7u2LLN07PzU6qZ7Qe5HoSsnbwLd2PPE0gfmRpfLY9Odrmtj1I5HLxU5nR09hxPYaKdLaVJQIN\\_F\\_sLUKNK\\_T3ed2q34NsMU](https://finance.yahoo.com/video/ford-ppe-initiative-going-long-213445060.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS8&guce_referrer_sig=AQAAAHYz0T7b76NK6Pp5mLUN1vxeMBmhA_KzHWtf3ZnBB2J7Ay-McixepsjBFHoWsYwdoobUxS1s1569vk7u2LLN07PzU6qZ7Qe5HoSsnbwLd2PPE0gfmRpfLY9Odrmtj1I5HLxU5nR09hxPYaKdLaVJQIN_F_sLUKNK_T3ed2q34NsMU) (last visited Mar. 17, 2021).

<sup>34</sup> Megan Cerullo, *How companies pivoted from making dresses, snowboards and whisky to face masks gloves, and sanitizer*, CBS News (Mar. 12, 2021), <https://www.cbsnews.com/news/ppe-manufacturing-business-transformations/> (last visited Mar. 17, 2021).

## Emergency Resource Management

According to the Federal Emergency Management Agency (FEMA), the most effective way to deliver needed supplies to an impacted area is by re-establishing pre-emergency supply chains.<sup>35</sup> Building resilience within supply chain systems is key to responding to emergencies.<sup>36</sup> For ensuring supply chain resilience, agencies should do the following:

- Ensure primary crucial suppliers have adequate resources to support an incident;
- Collaborate with supply chain partners to promote actions that make supply chains of critical goods and services more resilient; and
- Develop an awareness of supply chains and their vulnerabilities and use that information to inform response and recovery planning.<sup>37</sup>

Section 252.35, Florida Statutes, requires the division to complete a Comprehensive Emergency Management Plan (CEMP) and program from emergency management, to include developing and maintaining logistics contracts and other vendors who can supply resources and commodities during an emergency. The division must also complete an inventory of generators owned by state and local governments which are capable of operating during a disaster.<sup>38</sup>

Since 2007, the division has managed the State Logistics Response Center (SLRC) located in Orlando.<sup>39</sup> The SLRC is a 200,000 square foot, climate controlled logistics management facility.<sup>40</sup> The SLRC stores the division's stockpile life-sustaining supplies for disaster survivors, such as food and water.<sup>41</sup> The SLRC maintains around \$38 million in resources to support 500,000 people for the first 3 days of a disaster.<sup>42</sup> The division uses historical data and models for determining the amount of supplies needed to respond to an event.<sup>43</sup> The SLRC provides a centralized point of coordination for the resource ordering, deployment, resupply, maintenance, and demobilization of resources.<sup>44</sup> When an event poses an impending threat to the state, the division will activate the SLRC, which then coordinates with other state, federal, non-profit and contractual agencies, organizations and companies regarding the pre-positioning of state resources.<sup>45</sup> The division's Unified Logistics Plan acts as a supporting document to the CEMP and outlines the procedures for acquiring, managing and deploying the state's resources during an emergency.

Current law does not expressly require the division to procure and maintain a reserve of PPE.

### **Effect of Proposed Changes**

HB 1353 requires the division to maintain an inventory of PPE held in reserve, such as respirators, gloves, gowns, and masks, to protect the wearer from illness during a declared emergency caused by an infectious or communicable disease. The division must also plan for and procure PPE or have sufficient contracts in place for ensuring PPE availability in the event of a declared emergency. The bill requires the division to make this PPE available for purchase by healthcare practitioners or employers of healthcare practitioners at the cost procured or negotiated by the division. The division may not sell

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<sup>35</sup> Strategic Plan, 2018-2022, Federal Emergency Management Agency available at [https://www.fema.gov/sites/default/files/2020-03/fema-strategic-plan\\_2018-2022.pdf](https://www.fema.gov/sites/default/files/2020-03/fema-strategic-plan_2018-2022.pdf) (last visited Mar. 17, 2021)

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> S. 252.35(s) and (t), F.S.

<sup>39</sup> Governor's Hurricane Conference, <https://flgbc.org/governors-hurricane-conference-21/> (last visited Mar. 17, 2021).

<sup>40</sup> *Id.*

<sup>41</sup> Florida Division of Emergency Management Unified Logistics Plan, Division of Emergency Management, available at <https://www.floridadisaster.org/globalassets/dem/response/logistics/florida-unified-logistics-plan-sop-approved-ver-1.0.pdf> (last visited Mar. 17, 2021).

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> *Supra* note 13.

<sup>45</sup> *Id.*

such PPE at a price exceeding purchase price. Under the bill, healthcare practitioners include the following:<sup>46</sup>

- Behavioral Analyst
- Acupuncturist
- Allopathic physician
- Osteopathic physician
- Chiropractor
- Podiatrist
- Optometrist
- Nurse
- Pharmacist
- Dentist
- Dental hygienist
- Midwife
- Speech therapist
- Occupational therapist
- Radiology technician
- Electrologist
- Orthotist
- Pedorthist
- Prosthetist
- Medical physicist
- Emergency Medical Technician
- Paramedic
- Massage therapist
- Optician
- Hearing aid specialist
- Clinical laboratory personnel
- Respiratory therapist
- Physical therapist
- Psychologist
- Psychotherapist
- Dietician/Nutritionist
- Athletic trainer
- Clinical social worker
- Marriage and family therapist
- Mental health counselor

Prior to the COVID-19 Pandemic, PPE was not acquired to the extent needed for supporting a pandemic response. The bill enables the division to be prepared for future declared emergencies caused by an infectious or communicable disease.

The bill provides an effective date of July 1, 2021.

#### B. SECTION DIRECTORY:

**Section 1:** Amends s. 252.35, F.S., relating to personal protective equipment.

**Section 2:** Provides an effective date of July 1, 2021.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill has an indeterminate but significant recurring, negative fiscal impact on the Division of Emergency Management.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

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<sup>46</sup> See, s. 456.001: part III, ch. 401; ch. 457; ch. 458; ch. 459; ch. 460; ch. 461; ch. 463; ch. 464; ch. 465; ch. 466; ch. 467; part I, part III, part IV, part V, part X, part XIII, and part XIV, ch. 468; ch. 478; ch. 480; part II and part III, ch. 483; ch. 484; ch. 486; ch. 490; or ch. 491.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill does not authorize or require rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**