

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 32 - SB 88

January 28, 2023

SUMMARY OF BILL: Creates a Class C misdemeanor to manufacture, sell, deliver, hold, or offer for sale any food that contains a vaccine or vaccine material unless the food labeling contains a conspicuous notification of the presence of the vaccine or vaccine material in the food.

Defines “vaccine or vaccine material” as a substance intended for use in humans to stimulate the production of antibodies and provide immunity against disease, prepared from the causative agent of a disease, its products, or a synthetic substitute, treated to act as an antigen without inducing the disease, and that is authorized or approved by the United States Food and Drug Administration.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- It is assumed that the majority of food manufacturers will include any necessary and appropriate label to meet the requirements set forth in this legislation.
- Based on information provided by the Department of Agriculture (DOA), this legislation will have no significant impact on the DOA’s food inspection and sampling programs, as there is no known test for these vaccines in food and no known lab doing this kind of analysis; therefore, there is no estimated impact on the DOA’s lab operations.
- Current DOA agents can ensure that the requirements set forth in this legislation are being adhered to by food manufacturers, utilizing existing resources.
- Based on information provided by the Administrative Office of the Courts, there have been zero misdemeanor convictions under Tenn. Code Ann. § 53-1-103 (prohibited acts under the *Tennessee Food, Drug and Cosmetic Act*) in the last five fiscal years. It is assumed there will not be a sufficient change in the number of misdemeanor prosecutions for local government to experience any significant change in revenue or expenditures.
- Based on information proved by the Department of Health, this legislation is estimated to have no significant impact on federal funds.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

Handwritten signature of Krista Lee Carsner in black ink.

Krista Lee Carsner, Executive Director

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