



**SENATE AMENDMENT 1,
TO SENATE BILL 401**

January 19, 2024 - Offered by Senator JACQUE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 7: delete the material beginning with that line and ending with
3 page 3, line 7, and substitute:

4 “(b) “Potentially pandemic pathogen” means a virus, bacterium, fungus, or
5 eukaryotic parasite, or any strain or variant of a virus, bacterium, fungus, or
6 eukaryotic parasite, that is likely to pose a severe threat to public health, the
7 capacity of health systems to function, or national security, and that is either likely
8 to be moderately or highly transmissible and likely to be capable of wide and
9 uncontrollable spread in human populations, or is likely to be moderately or highly
10 virulent and likely to cause significant morbidity or mortality in humans.
11 “Potentially pandemic pathogen” includes influenza viruses other than seasonal
12 influenza viruses, sarbecovirus and merbecovirus coronaviruses, henipah viruses,
13 filoviruses, arenaviruses, orthopoxviruses, and the bacterium *Yersinia pestis*.”.

1 **2.** Page 3, line 10: delete “pathogens.” and substitute “pathogens or conduct
2 or provide funding to another entity to conduct research on potentially pandemic
3 pathogens that are the product of prior gain of function research.”.

4 **3.** Page 4, line 1: delete lines 1 to 10 and substitute:

5 “(b) “Potentially pandemic pathogen” means a virus, bacterium, fungus, or
6 eukaryotic parasite, or any strain or variant of a virus, bacterium, fungus, or
7 eukaryotic parasite, that is likely to pose a severe threat to public health, the
8 capacity of health systems to function, or national security, and that is either likely
9 to be moderately or highly transmissible and likely to be capable of wide and
10 uncontrollable spread in human populations, or is likely to be moderately or highly
11 virulent and likely to cause significant morbidity or mortality in humans.
12 “Potentially pandemic pathogen” includes influenza viruses other than seasonal
13 influenza viruses, sarbecovirus and merbecovirus coronaviruses, henipah viruses,
14 filoviruses, arenaviruses, orthopoxviruses, and the bacterium *Yersinia pestis*.”.

15 **4.** Page 4, line 13: delete “pathogens.” and substitute “pathogens or conduct
16 or provide funding to another entity to conduct research on potentially pandemic
17 pathogens that are the product of prior gain of function research.”.

18 **5.** Page 5, line 8: delete lines 8 to 17 and substitute:

19 “(c) “Potentially pandemic pathogen” means a virus, bacterium, fungus, or
20 eukaryotic parasite, or any strain or variant of a virus, bacterium, fungus, or
21 eukaryotic parasite, that is likely to pose a severe threat to public health, the
22 capacity of health systems to function, or national security, and that is either likely
23 to be moderately or highly transmissible and likely to be capable of wide and
24 uncontrollable spread in human populations, or is likely to be moderately or highly

1 virulent and likely to cause significant morbidity or mortality in humans.
2 “Potentially pandemic pathogen” includes influenza viruses other than seasonal
3 influenza viruses, sarbecovirus and merbecovirus coronaviruses, henipah viruses,
4 filoviruses, arenaviruses, orthopoxviruses, and the bacterium *Yersinia pestis*.”

5 **6.** Page 5, line 20: delete “pathogens.” and substitute “pathogens or conduct
6 or provide funding to another entity to conduct research on potentially pandemic
7 pathogens that are the product of prior gain of function research.”.

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(END)