

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 537 (Senator Kramer)
Education, Energy, and the Environment

Research Facilities and Testing Facilities That Use Animals - Adoption and Reporting Requirements

This bill requires each “research facility” and “testing facility” in the State that uses live animals for research, education, or testing to annually report to the Maryland Department of Agriculture (MDA) information on the number of dogs or cats used by the facility and the number released to animal rescue organizations (and the names of such organizations). The Secretary of Agriculture must prepare an annual report aggregating the information and must post the annual report on the MDA website. Schools and institutions of higher education that use animals for the same purpose as a research facility or testing facility must annually report specified inspection results to the General Assembly. In addition, existing provisions addressing adoption of dogs or cats used for scientific research by research facilities are made applicable to both research facilities and testing facilities. The bill establishes penalties for violations of the bill or the existing provisions addressing adoption of dogs or cats used for scientific research. MDA must adopt specified regulations.

Fiscal Summary

State Effect: The bill can be implemented with existing resources. The bill’s penalty provisions are not expected to materially affect State finances.

Local Effect: The bill is not expected to significantly affect local government finances.

Small Business Effect: Minimal.

Analysis

Bill Summary:

Reporting Requirements

“Research facility” means any facility in the State that uses live animals for research, education, or experimentation. “Research facility” does not include a partnership, a corporation, an association, an institution, an organization, or any other entity in the State that provides only beneficial services to an animal, such as spaying or neutering.

“Testing facility” means a public or private partnership, corporation, association, organization, or other entity in the State – including one owned, leased, or operated by a public or private entity – that uses animals for the testing of (1) chemical substances; (2) ingredients; (3) drugs; (4) vaccines; (5) products; or (6) product formulations. “Testing facility” does not include a partnership, a corporation, an association, an institution, an organization, or any other entity in the State that provides only beneficial services to an animal, such as spaying or neutering.

By January 31 of each year, each research facility and testing facility that uses live animals for research, education, or testing must submit to the Secretary of Agriculture the following information regarding the immediately preceding 12-month period: (1) the number of dogs or cats owned and used by the research facility or testing facility and (2) the number of dogs or cats released to animal rescue organizations and the names of the organizations to which the dogs or cats were released.

The Secretary must prepare an annual report aggregating the information submitted pursuant to the above requirement and post the annual report on the department’s website.

By December 31 of each year, a school or an institution of higher education that uses animals for the same purpose as a research facility or testing facility must report to the General Assembly on the results of any inspection of the school or institution of higher education performed by MDA. The report must include any violations found during an inspection.

Adoption of Dogs or Cats No Longer Needed for Scientific Research Purposes – Applicability to Testing Facilities

The bill makes existing provisions – requiring a research facility located in the State in which dogs or cats are used for scientific research purposes to take specified reasonable steps to provide for the adoption of a dog or cat no longer needed for scientific research

purposes – applicable to testing facilities as defined under the bill. Also, while these provisions still apply to “research facilities,” that term is modified by the bill.

Penalties

A research facility or testing facility that violates the provisions of the bill or the existing provisions relating to adoption of dogs or cats used for scientific research is subject to (1) for a first offense, a fine of up to \$1,000 and (2) for a second or subsequent offense, a fine of up to \$5,000.

Regulations

MDA must adopt regulations to (1) carry out the bill and the existing provisions relating to adoption of dogs or cats used for scientific research and (2) ensure the humane treatment and care of dogs and cats that are used for research, education, or testing consistent with the federal Animal Welfare Act and corresponding regulations.

Current Law:

Title 15 of the Agriculture Article – Research Facilities That Use Dogs or Cats

A research facility located in the State in which dogs or cats are used for scientific research purposes must take reasonable steps to provide for the adoption of a dog or cat that, in the determination of the research facility, is no longer needed for scientific research purposes by (1) establishing a private placement process to provide for the adoption of a dog or cat; (2) establishing a list of animal rescue organizations that are approved by the research facility and are willing to take a dog or cat from the research facility; and (3) offering the dog or cat to the animal rescue organizations identified in the list if the research facility is unable to place the dog or cat through its private placement process. “Research facility” includes (1) a higher education facility; (2) a scientific research facility; (3) a medical research facility; and (4) a product testing facility.

Federal Regulation

Under the federal Animal Welfare Act, the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) regulates commercial animal dealers, exhibitors (circuses, zoos, etc.), research facilities, and commercial businesses that transport animals. Research facilities that use or intend to use live animals in research, tests, or experiments must be registered with USDA and are inspected by APHIS. A facility must also appoint an Institutional Animal Care and Use Committee (IACUC) consisting of at least three members, including a veterinarian and one person who is not in any way affiliated with the facility. IACUC is responsible for, among other things, reviewing the

facility's program for humane care and use of animals and inspecting the research facility's animal facilities.

Research facilities must submit an annual report to APHIS providing information that includes the types and numbers of animals used for teaching, testing, experiments, research, or surgery, by specified categories, and the types and numbers of animals being bred, conditioned, or held for use in teaching, testing, experiments, research, or surgery, but not yet used for such purposes.

In addition, the Office of Laboratory Animal Welfare within the National Institutes of Health administers the Public Health Service [Policy on Humane Care and Use of Laboratory Animals](#).

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Baltimore City; Harford, Talbot, and Wicomico counties; Maryland Association of Counties; Maryland Municipal League; Morgan State University; St. Mary's College of Maryland; Maryland Department of Agriculture; Maryland Department of Health; Baltimore City Public Schools; Baltimore County Public Schools; Montgomery County Public Schools; Prince George's County Public Schools; National Institutes of Health; Department of Legislative Services

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