

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 567
Judiciary

(Delegate Kramer, *et al.*)

**Crimes Relating to Animals - Failure to Offer Dogs and Cats Used in Research
Facilities for Adoption - Penalties**

This bill requires a “research facility” located in the State in which dogs or cats are used for “scientific research purposes” to take reasonable steps to provide for the adoption of a dog or cat that is no longer needed for scientific research purposes by (1) establishing an animal rescue database identifying animal rescue organizations that are willing to take a dog or cat from the research facility and (2) offering the dog or cat to the organizations identified in the database.

An operator, employee, or agent of a research facility who willfully violates the bill’s provisions is guilty of a misdemeanor and is subject to a fine of up to \$1,000 for a first offense and a fine of up to \$5,000 for a second or subsequent offense.

The Attorney General must investigate alleged violations of the bill and may prosecute violations.

Fiscal Summary

State Effect: The bill is not expected to materially affect State finances. The Office of the Attorney General can handle the bill’s requirements with existing resources.

Local Effect: The bill’s penalty provisions are not expected to materially affect local finances.

Small Business Effect: None.

Analysis

Bill Summary: A “research facility” includes a higher education research facility, a scientific research facility, and a medical research facility. “Scientific research purposes” includes investigation, experimentation, instruction, and testing.

Current Law: Under the federal Animal Welfare Act, the U.S. Department of Agriculture’s (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 licensed and registered with USDA and are inspected by APHIS at least once per year. A facility must also appoint an Institutional Animal Care and Use Committee (IACUC), consisting of at least (1) a chairman; (2) a veterinarian who has program responsibility for activities involving animals at the research facility; and (3) a member who is not in any way affiliated with the facility and not an immediate family member of a person who is affiliated with the facility. IACUC is responsible for reviewing the facility’s program for humane care and use of animals and inspecting the research facility’s animal facilities every six months, along with various other responsibilities.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City, Montgomery County, Maryland Department of Agriculture, Department of Health and Mental Hygiene, University System of Maryland, University of Maryland Medical System, Department of Legislative Services

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md/kdm

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