

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 594

(Delegate Kramer, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs

Humane Adoption of Companion Animals Used in Research Act of 2016

This bill requires a “research facility” 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 by (1) establishing a list of 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 list. Beginning December 1, 2017, and annually thereafter, a research facility must submit specified information to the Secretary of Agriculture.

Fiscal Summary

State Effect: The bill’s requirements can likely be handled with existing budgeted resources, as discussed below.

Local Effect: None.

Small Business Effect: None.

Analysis

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

A research facility may enter into a collaborative agreement with an animal rescue organization to carry out the bill’s provisions.

A research facility must submit the following information annually to the Secretary of Agriculture regarding the preceding 12-month period: (1) the number of dogs or cats owned by the facility and used for research purposes; (2) the number of dogs or cats released to an animal rescue organization and the name of the organization; and (3) the list of animal rescue organizations established by the research facility pursuant to the bill.

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 three members, including a veterinarian and one person who is not in any way 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.

State Expenditures: The University System of Maryland (USM) advises that costs related to animal care and legal assistance may increase by up to \$10,000 per animal in order to provide for the adoption of a dog or cat that is no longer needed for research purposes. USM also advises that any heightened scrutiny from animal rights groups may necessitate a potentially significant increase in expenditures for security and surveillance costs. The Department of Legislative Services disagrees and advises that the bill's requirements can likely be handled with existing resources. The requirement to develop a list of rescue organizations and submit specified information to the Secretary of Agriculture once each year is not burdensome. In addition, the bill only requires a research facility to take "reasonable steps" to provide for the adoption of a dog or cat that is no longer needed; this provides a great deal of discretion to a research facility and likely minimizes costs. Further, any costs incurred for additional health care that would otherwise not be incurred are unclear; many rescue organizations bear the costs of health care associated with rescue animals and pass those costs along in the form of adoption fees. Finally, the bill itself should not result in any heightened scrutiny from animal rights groups or necessitate additional security/surveillance measures.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City, Harford and Montgomery counties, University of Maryland Medical System, University System of Maryland, Maryland Department of Agriculture, U.S. Department of Agriculture, Department of Legislative Services

Fiscal Note History: First Reader - March 14, 2016
kb/lgc Revised - House Third Reader/Updated Information - March 25, 2016

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