

SENATE BILL 675

M4, J1
SB 420/17 – EHE

8lr1374
CF HB 732

By: **Senators Hough, Astle, Bates, Benson, Brochin, Cassilly, Eckardt, Feldman, Guzzone, Hershey, Jennings, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, Middleton, Muse, Norman, Peters, Ramirez, Ready, Robinson, Rosapepe, Salling, Simonaire, Smith, and Young**

Introduced and read first time: February 1, 2018

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 13, 2018

CHAPTER _____

1 AN ACT concerning

2 **Humane Adoption of Companion Animals Used in Research Act of 2018**

3 FOR the purpose of requiring certain research facilities using dogs or cats for certain
4 scientific research purposes to take certain steps to provide for the adoption of a
5 certain dog or cat under certain circumstances; authorizing certain research facilities
6 to enter into certain agreements with certain animal rescue organizations for certain
7 purposes; ~~requiring certain research facilities to submit certain information to the~~
8 ~~Secretary of Agriculture beginning on a certain date and each year thereafter;~~
9 ~~prohibiting, for the purposes of this Act, a research facility or an animal rescue~~
10 ~~organization from disclosing certain information;~~ defining certain terms; providing
11 for the application of this Act; and generally relating to research facilities that use
12 dogs or cats.

13 BY adding to

14 Article – Agriculture

15 Section 15–101 to be under the new title “Title 15. Research Facilities That Use Dogs
16 or Cats”

17 Annotated Code of Maryland

18 (2016 Replacement Volume and 2017 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

20 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Agriculture

TITLE 15. RESEARCH FACILITIES THAT USE DOGS OR CATS.

15-101.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “ANIMAL RESCUE ORGANIZATION” INCLUDES:

(I) A NONPROFIT ORGANIZATION INCORPORATED FOR THE PURPOSE OF RESCUING ANIMALS IN NEED AND FINDING PERMANENT ADOPTIVE HOMES FOR THE ANIMALS; AND

(II) A GOVERNMENT-OPERATED ANIMAL CONTROL UNIT THAT PROVIDES ANIMALS FOR ADOPTION.

(3) “RESEARCH FACILITY” INCLUDES:

(I) A HIGHER EDUCATION RESEARCH FACILITY;

(II) A SCIENTIFIC RESEARCH FACILITY;

(III) A MEDICAL RESEARCH FACILITY; AND

(IV) A PRODUCT TESTING FACILITY.

(4) “SCIENTIFIC RESEARCH PURPOSES” INCLUDES:

(I) INVESTIGATION;

(II) EXPERIMENTATION;

(III) INSTRUCTION; AND

(IV) TESTING.

(B) THIS SECTION APPLIES TO A DOG OR CAT THAT, IN THE DETERMINATION OF AN ATTENDING VETERINARIAN, IS SUITABLE FOR ADOPTION.

(C) A RESEARCH FACILITY LOCATED IN THE STATE IN WHICH DOGS OR CATS ARE USED FOR SCIENTIFIC RESEARCH PURPOSES SHALL TAKE REASONABLE STEPS TO PROVIDE FOR THE ADOPTION OF A DOG OR CAT THAT, IN THE DETERMINATION

1 OF THE RESEARCH FACILITY, IS NO LONGER NEEDED FOR SCIENTIFIC RESEARCH
2 PURPOSES BY:

3 (1) ESTABLISHING A PRIVATE PLACEMENT PROCESS TO PROVIDE
4 FOR THE ADOPTION OF A DOG OR CAT;

5 (2) ESTABLISHING A LIST OF ANIMAL RESCUE ORGANIZATIONS THAT
6 ARE APPROVED BY THE RESEARCH FACILITY AND ARE WILLING TO TAKE A DOG OR
7 CAT FROM THE RESEARCH FACILITY; AND

8 ~~(2)~~ (3) OFFERING THE DOG OR CAT TO THE ANIMAL RESCUE
9 ORGANIZATIONS IDENTIFIED IN THE LIST ESTABLISHED UNDER ITEM ~~(1)~~ (2) OF THIS
10 SUBSECTION IF THE RESEARCH FACILITY IS UNABLE TO PLACE THE DOG OR CAT
11 THROUGH ITS PRIVATE PLACEMENT PROCESS.

12 (D) A RESEARCH FACILITY MAY ENTER INTO A COLLABORATIVE
13 AGREEMENT WITH AN ANIMAL RESCUE ORGANIZATION FOR THE PURPOSE OF
14 CARRYING OUT THE PROVISIONS OF THIS SECTION.

15 ~~(E) BEGINNING DECEMBER 1, 2019, AND EACH YEAR THEREAFTER, A~~
16 ~~RESEARCH FACILITY SHALL SUBMIT TO THE SECRETARY THE FOLLOWING~~
17 ~~INFORMATION REGARDING THE PRECEDING 12 MONTH PERIOD:~~

18 ~~(1) THE NUMBER OF DOGS OR CATS OWNED BY THE RESEARCH~~
19 ~~FACILITY;~~

20 ~~(2) THE NUMBER OF DOGS OR CATS USED FOR SCIENTIFIC RESEARCH~~
21 ~~PURPOSES BY THE RESEARCH FACILITY;~~

22 ~~(3) THE NUMBER OF DOGS OR CATS RELEASED TO AN ANIMAL RESCUE~~
23 ~~ORGANIZATION;~~

24 ~~(4) THE NAME OF THE ANIMAL RESCUE ORGANIZATION TO WHICH A~~
25 ~~DOG OR CAT WAS RELEASED; AND~~

26 ~~(5) THE LIST OF ANIMAL RESCUE ORGANIZATIONS ESTABLISHED BY~~
27 ~~THE RESEARCH FACILITY UNDER SUBSECTION (C)(1) OF THIS SECTION.~~

28 ~~(F) FOR THE PURPOSES OF THIS SECTION, A RESEARCH FACILITY OR AN~~
29 ~~ANIMAL RESCUE ORGANIZATION MAY NOT DISCLOSE THE FOLLOWING~~
30 ~~INFORMATION:~~

31 ~~(1) THE NAME OF AN INDIVIDUAL WHO ADOPTS A DOG OR CAT; AND~~

1 ~~(2) THE NAME OF AN INDIVIDUAL WHO IS EMPLOYED BY THE~~
2 ~~RESEARCH FACILITY.~~

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.