

Department of Legislative Services
 Maryland General Assembly
 2018 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 732
 Appropriations

(Delegate Kramer, *et al.*)

Humane Adoption of Companion Animals Used in Research Act of 2018

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 determined by the research facility to be no longer needed for scientific research purposes and is determined by an attending veterinarian to be suitable for adoption, by (1) 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 (2) offering the dog or cat to the organizations identified in the list. Beginning December 1, 2019, and annually thereafter, a research facility must submit specified information to the Secretary of Agriculture.

Fiscal Summary

State Effect: General fund expenditures increase by \$29,100 in FY 2019, and possibly also, to a lesser extent, in future years. Revenues are not affected.

(in dollars)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	29,100	-	-	-	-
Net Effect	(\$29,100)	(-)	(-)	(-)	(-)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: Minimal or 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 or an animal rescue organization may not disclose (1) the name of an individual who adopts a dog or cat or (2) the name of an individual who is employed by the research facility.

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 the number used for scientific research purposes by the facility; (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 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, 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.

State Expenditures: General fund expenditures increase by \$29,091 in fiscal 2019, which accounts for the bill’s October 1, 2018 effective date. This estimate reflects the cost of the Maryland Department of Agriculture (MDA) hiring a part-time contractual employee (to develop reporting procedures and conduct outreach to identify contact persons at research facilities who will be handling the reporting) and programming costs to establish a web portal and database that will allow for electronic reporting and compiling of the reported

information. The establishment of reporting procedures and conducting outreach cannot be absorbed by existing MDA staff.

Contractual Position	0.5
Salary and Fringe Benefits	\$14,606
Programming Costs	10,000
Other Operating Expenses	<u>4,485</u>
Total FY 2019 State Expenditures	\$29,091

This estimate does not include any health insurance costs that could be incurred for specified contractual employees under the State's implementation of the federal Patient Protection and Affordable Care Act.

General fund expenditures may also increase in future years (to a lesser extent than in fiscal 2019), depending on the level of noncompliance with the reporting requirement or other considerations, to hire a temporary, part-time contractual employee to conduct outreach to research facilities and follow-up in the months surrounding the December 1 reporting date.

Additional Information

Prior Introductions: SB 420 of 2017, a similar bill, received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. Its cross file, HB 528, also a similar bill, received a hearing in the House Appropriations Committee, but no further action was taken. HB 594 of 2016, a similar bill, passed with amendments in the House and received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Cross File: SB 675 (Senator Hough, *et al.*) - Education, Health, and Environmental Affairs.

Information Source(s): Maryland Department of Agriculture; Morgan State University; St. Mary's College of Maryland; University of Maryland; Kent, Montgomery, and Washington counties; Department of Legislative Services

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