

# HOUSE BILL No. 1292

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 15-17-3-13; IC 15-22; IC 34-30-2.1-195.2.

**Synopsis:** Regulation of animal testing. Prohibits the use of state funds for painful dog and cat research. Requires research facilities to offer for adoption dogs or cats no longer required for research purposes. Requires the state board of animal health to: (1) establish a registry of research facilities that use live animals for research and testing; and (2) track the number of live animals used for research or testing at each research facility.

**Effective:** July 1, 2024.

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## Campbell, Errington

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January 9, 2024, read first time and referred to Committee on Agriculture and Rural Development.

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Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

# HOUSE BILL No. 1292

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 15-17-3-13, AS AMENDED BY P.L.41-2021,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2024]: Sec. 13. In addition to the powers and duties given the  
4 board in this article and by law, the board has the powers and duties  
5 reasonable and necessary to do the following:  
6 (1) Provide for the quarantine of animals and objects to prevent,  
7 control, and eradicate diseases and pests of animals.  
8 (2) Develop, adopt, and implement programs and procedures for  
9 establishing and maintaining accredited, certified, validated, or  
10 designated disease or pest free or disease or pest monitored  
11 animals, herds, flocks, or areas, including the following:  
12 (A) The establishment and maintenance of herds that are  
13 monitored for disease or pest syndromes.  
14 (B) The establishment and maintenance of certified or  
15 validated brucellosis free herds, animals, and areas.  
16 (C) The establishment and maintenance of accredited  
17 tuberculosis free herds, animals, and areas.



- 1 (3) Develop, adopt, and implement programs and plans for the  
2 prevention, detection, control, and eradication of diseases and  
3 pests of animals.
- 4 (4) Control or prohibit, by permit or other means, the movement  
5 and transportation into, out of, or within Indiana of animals and  
6 objects in order to prevent, detect, control, or eradicate diseases  
7 and pests of animals. When implementing controls or  
8 prohibitions, the board may consider whether animals or objects  
9 are diseased, suspected to be diseased, or under quarantine, or  
10 whether the animals or objects originated from a country, a state,  
11 an area, or a premises that is known or suspected to harbor  
12 animals or objects infected with or exposed to a disease or pest of  
13 animals.
- 14 (5) Control or prohibit the public and private sale of animals and  
15 objects in order to prevent the spread of disease and pests of  
16 animals.
- 17 (6) Control the use, sanitation, and disinfection of:  
18 (A) public stockyards; and  
19 (B) vehicles used to transport animals and objects into and  
20 within Indiana;  
21 to accomplish the objectives of this article.
- 22 (7) Control the use, sanitation, and disinfection of premises,  
23 facilities, and equipment to accomplish the objectives of this  
24 article.
- 25 (8) Control the movement of animals and objects to, from, and  
26 within premises where diseases or pests of animals may exist.
- 27 (9) Control the movement and disposal of carcasses of animals  
28 and objects.
- 29 (10) Control the manufacture, sale, storage, distribution, handling,  
30 and use of serums, vaccines, and other biologics and veterinary  
31 drugs, except those drugs for human consumption regulated under  
32 IC 16-42-19, to be used for the prevention, detection, control, and  
33 eradication of disease and pests of animals.
- 34 (11) Control and prescribe the means, methods, and procedures  
35 for the vaccination or other treatment of animals and objects and  
36 the conduct of tests for diseases and pests of animals.
- 37 (12) Develop, adopt, and implement plans and programs for the  
38 identification of animals, objects, premises, and means of  
39 conveyances. Plans and programs may include identification:  
40 (A) of animals or objects that have been condemned under this  
41 article; and  
42 (B) related to classification as to disease, testing, vaccination,



- 1 or treatment status.
- 2 (13) Establish the terms and method of appraisal or other
- 3 determination of value of animals and objects condemned under
- 4 this article, the payment of any indemnities that may be provided
- 5 for the animals and objects, and the regulation of the sale or other
- 6 disposition of the animals or objects.
- 7 (14) Control the sale of baby chicks.
- 8 (15) Cooperate and enter into agreements with the appropriate
- 9 departments and agencies of this state, any other state, or the
- 10 federal government to prevent, detect, control, and eradicate
- 11 diseases and pests of animals.
- 12 (16) Control or prohibit the movement and transportation into, out
- 13 of, or within Indiana of wild animals, including birds, that might
- 14 carry or disseminate diseases or pests of animals.
- 15 (17) Provide for condemning or abating conditions that cause,
- 16 aggravate, spread, or harbor diseases or pests of animals.
- 17 (18) Establish and designate, in addition to the animal disease
- 18 diagnostic laboratory under IC 21-46-3-1, other laboratories
- 19 necessary to make tests of any nature for diseases and pests of
- 20 animals.
- 21 (19) Investigate, develop, and implement the best methods for the
- 22 prevention, detection, control, suppression, or eradication of
- 23 diseases and pests of animals.
- 24 (20) Investigate, gather, and compile information concerning the
- 25 organization, business conduct, practices, and management of any
- 26 registrant, licensee, permittee, applicant for a license, or applicant
- 27 for a permit.
- 28 (21) Investigate allegations of unregistered, unlicensed, and
- 29 unpermitted activities.
- 30 (22) Institute legal action in the name of the state of Indiana
- 31 necessary to enforce:
- 32 (A) the board's orders and rules; and
- 33 (B) this article.
- 34 (23) Control the collection, transportation, and cooking of garbage
- 35 to be fed to swine or other animals and all matters of sanitation
- 36 relating to the collection, transportation, and cooking of garbage
- 37 affecting the health of swine or other animals and affecting public
- 38 health and comfort.
- 39 (24) Adopt an appropriate seal.
- 40 (25) Issue orders as an aid to enforcement of the powers granted
- 41 by this article, IC 15-18-1, and IC 15-19-6.
- 42 (26) Control disposal plants and byproducts collection services



- 1 and all matters connected to disposal plants and byproducts  
 2 collection services.
- 3 (27) Abate biological or chemical substances that:  
 4 (A) remain in or on any animal before or at the time of  
 5 slaughter as a result of treatment or exposure; and  
 6 (B) are found by the board to be or have the potential of being  
 7 injurious to the health of animals or humans.
- 8 (28) Regulate the production, manufacture, processing, and  
 9 distribution of products derived from animals to control health  
 10 hazards that may threaten:  
 11 (A) animal health;  
 12 (B) the public health and welfare of the citizens of Indiana;  
 13 and  
 14 (C) the trade in animals and animal products in and from  
 15 Indiana.
- 16 (29) Cooperate and coordinate with animal owners, law  
 17 enforcement, and local, state, and federal emergency management  
 18 agencies to plan for, prepare for, respond to, and recover from all  
 19 hazard emergencies in Indiana.
- 20 (30) Assist law enforcement agencies investigating allegations of  
 21 cruelty and neglect of animals.
- 22 (31) Assist organizations that represent livestock and poultry  
 23 producers with issues and programs related to the care of  
 24 livestock and poultry.
- 25 (32) Establish a registry of commercial dog brokers and  
 26 commercial dog breeders in Indiana.
- 27 (33) Establish a registry of animal care facilities (as defined in  
 28 IC 15-20-4-1).
- 29 **(34) Establish a registry of research facilities (as defined in**  
 30 **IC 15-22-1-7) that use live animals for research and testing.**
- 31 **(35) Collect the number of live animals used for research or**  
 32 **testing at each research facility (as defined in IC 15-22-1-7).**
- 33 SECTION 2. IC 15-22 IS ADDED TO THE INDIANA CODE AS  
 34 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 35 2024]:
- 36 **ARTICLE 22. REGULATION OF ANIMAL TESTING**  
 37 **Chapter 1. Definitions**  
 38 **Sec. 1. As used in this article, "alternative test method" means**  
 39 **a test method that does not use animals.**  
 40 **Sec. 2. As used in this article, "animal" means all vertebrate**  
 41 **species, except for humans.**  
 42 **Sec. 3. As used in this article, "cat" means a small domesticated**



1 **carnivorous mammal that is a member of the family Felidae.**

2 **Sec. 4. (a) As used in this article, "devocalize" means the process**  
 3 **of performing a surgical procedure to:**

- 4 (1) cut;  
 5 (2) notch;  
 6 (3) punch;  
 7 (4) abrade;  
 8 (5) laser;  
 9 (6) suture; or  
 10 (7) otherwise physically alter;

11 **the vocal apparatus of an animal with the intent of altering,**  
 12 **reducing, or eliminating vocal sounds produced by the animal.**

13 **(b) The term includes:**

- 14 (1) debarking;  
 15 (2) devoicing;  
 16 (3) silencing;  
 17 (4) ventriculocordectomy;  
 18 (5) vocal cordectomy;  
 19 (6) bark reduction; and  
 20 (7) bark softening.

21 **Sec. 5. As used in this article, "dog" means any member of the**  
 22 **species Canis familiaris.**

23 **Sec. 6. As used in this article, "medically unnecessary" means**  
 24 **not carried out solely for the better:**

- 25 (1) health;  
 26 (2) welfare; or  
 27 (3) safety;

28 **of the dog or cat.**

29 **Sec. 7. (a) As used in this article, "research facility" means a**  
 30 **privately or government owned, leased, or operated:**

- 31 (1) partnership;  
 32 (2) corporation;  
 33 (3) association;  
 34 (4) school;  
 35 (5) institution; or  
 36 (6) organization;

37 **located in Indiana that uses animals for experimentation or**  
 38 **research or that tests chemical substances, ingredients, drugs,**  
 39 **medical devices, vaccines, products, or product formulations on**  
 40 **animals.**

41 **(b) The term includes a facility that carries out biomedical**  
 42 **research or educational research.**



1 (c) The term does not include a:

- 2 (1) partnership;  
 3 (2) corporation;  
 4 (3) association;  
 5 (4) school;  
 6 (5) institution; or  
 7 (6) organization;

8 that primarily provides veterinary services to an animal.

9 Sec. 8. As used in this article, "state funds" means money of a  
 10 fund or account in the state treasury.

11 Sec. 9. As used in this article, "traditional animal test method"  
 12 means a process or procedure that uses animals to obtain  
 13 information on the characteristics of:

- 14 (1) a chemical substance;  
 15 (2) an ingredient;  
 16 (3) a drug;  
 17 (4) a medical device;  
 18 (5) a vaccine;  
 19 (6) a product;  
 20 (7) a product formulation; or  
 21 (8) a chemical or agent;

22 that generates information regarding the ability of a chemical or  
 23 agent to produce a specific biological effect under specified  
 24 conditions.

25 Sec. 10. As used in this article, "waiver" means guidance issued  
 26 by a federal:

- 27 (1) agency; or  
 28 (2) program within an agency;

29 responsible for regulating a specific product being studied that  
 30 allows a research facility to forego the use of a traditional animal  
 31 test method.

32 Chapter 2. Prohibiting the Use of State Funds for Painful Dog  
 33 and Cat Research

34 Sec. 1. (a) Subject to subsection (b), a research facility is  
 35 prohibited from using state funds to directly support medically  
 36 unnecessary research on animal subjects that is classified under  
 37 pain and distress categories D or E by the United States  
 38 Department of Agriculture.

39 (b) Subsection (a) does not apply to the direct funding of  
 40 research for the following:

- 41 (1) Construction or maintenance of facilities.  
 42 (2) The purchase or maintenance of general use equipment.



- 1           (3) Overhead costs.
- 2           (4) Capital improvements.
- 3           (5) Faculty or employee salaries.
- 4       **Sec. 2. A research facility shall not do the following:**
- 5           (1) Devocalize an animal.
- 6           (2) Procure for use an animal that has undergone
- 7           devocalization.
- 8           (3) Conduct research on animal subjects that have undergone
- 9           devocalization.
- 10       **Chapter 3. Offering for Adoption Dogs or Cats That Are No**
- 11       **Longer Required for Research**
- 12       **Sec. 1. (a) Before euthanizing a dog or cat that is no longer**
- 13       **required for research purposes, a research facility located in**
- 14       **Indiana shall offer the dog or cat for adoption to an animal**
- 15       **protection shelter or association for the prevention of cruelty to**
- 16       **animals, unless euthanizing the dog or cat is required for health or**
- 17       **safety reasons.**
- 18       **(b) A research facility may enter into a collaborative agreement**
- 19       **with an animal protection shelter or association for the prevention**
- 20       **of cruelty to animals for the purpose of carrying out the provisions**
- 21       **of subsection (a).**
- 22       **(c) A research facility that provides a dog or cat to an animal**
- 23       **protection shelter or association for the prevention of cruelty to**
- 24       **animals under subsection (a) is immune from civil liability for**
- 25       **injury or damage resulting from the transfer of the dog or cat if**
- 26       **the facility acted in good faith concerning the health and physical**
- 27       **condition of the dog or cat.**
- 28       **Sec. 2. A research facility that uses dogs and cats for research**
- 29       **or testing shall, not later than January 31 of each year, submit to**
- 30       **the state board of animal health a report that includes the**
- 31       **following information for the preceding year:**
- 32           (1) The total number of dogs and cats owned by a facility.
- 33           (2) The total number of dogs and cats that are used for
- 34           research conducted at a facility.
- 35           (3) The total number of dogs and cats released by a facility to
- 36           an animal protection shelter or association for the prevention
- 37           of cruelty to animals for the purpose of adoption.
- 38           (4) The name and address of each animal protection shelter or
- 39           association for the prevention of cruelty to animals to which
- 40           a dog or cat was released by a facility for the purpose of
- 41           adoption.
- 42       **Chapter 4. Reporting on the Use of Animals for Research and**





1       **Testing**

2       **Sec. 1. Not later than January 31 of each year, a research**  
 3 **facility that uses live animals for research, education, or testing**  
 4 **shall submit to the state board of animal health, on forms approved**  
 5 **by the board, the following information for the previous calendar**  
 6 **year:**

7           **(1) The species of animals owned or maintained and used by**  
 8 **the research facility.**

9           **(2) The total number of animals per species in each of the**  
 10 **following categories of pain and distress:**

11           **(A) Animals upon which teaching, experiments, research,**  
 12 **or tests were conducted involving no pain, distress, or use**  
 13 **of pain relieving drugs, including routine procedures such**  
 14 **as injections, tattooing, or blood sampling.**

15           **(B) Animals upon which teaching, experiments, research,**  
 16 **surgery, or tests were conducted involving accompanying**  
 17 **pain or distress to the animals and for which appropriate**  
 18 **anesthetic, analgesic, or tranquilizing drugs were used.**

19           **(C) Animals upon which teaching, experiments, research,**  
 20 **surgery, or tests were conducted involving accompanying**  
 21 **pain or distress to the animals and for which the use of**  
 22 **appropriate anesthetic, analgesic, or tranquilizing drugs**  
 23 **would have adversely affected the procedures, results, or**  
 24 **interpretation of the teaching, experiments, research**  
 25 **surgery, or tests.**

26           **(D) Animals that were bred, conditioned, or held for use in**  
 27 **teaching, experiments, research, surgery, or testing but not**  
 28 **yet used for such purposes.**

29           **(3) The total number of animals per species used for each of**  
 30 **the following purposes:**

31           **(A) Studies of a fundamental nature in science relating to**  
 32 **essential structures, functions, or disease processes.**

33           **(B) Research, development, and efficacy testing of**  
 34 **treatments, products, or devices for human medicine and**  
 35 **dentistry, and for veterinary medicine, excluding**  
 36 **toxicological and other safety evaluations described in**  
 37 **clause (C).**

38           **(C) Toxicological and other safety evaluations, including**  
 39 **safety evaluations of chemicals, pesticides, food additives**  
 40 **and products, and devices for human medicine, human**  
 41 **dentistry, and veterinary medicine.**

42           **(D) Quality control of products and devices for human**



- 1                   **medicine or veterinary medicine.**  
 2                   **(E) Education and training of scientists or health care**  
 3                   **providers.**  
 4                   **(4) The following information on the use and purpose of**  
 5                   **alternative test methods and strategies:**  
 6                   **(A) The type and number of alternative test methods or**  
 7                   **strategies used.**  
 8                   **(B) The number of waivers used.**  
 9                   **(C) The purpose of the alternative test methods or**  
 10                   **strategies and waivers.**  
 11                   **(D) The percentage of funds expended by the research**  
 12                   **facility on research and testing that:**  
 13                   **(i) involved the use of animals; and**  
 14                   **(ii) did not involve the use of animals.**  
 15                   **(E) A plan outlining how the research facility will reduce**  
 16                   **the use of animals in research and testing that includes an**  
 17                   **estimate of the percentage reduction of such use over the**  
 18                   **next ten (10) years.**  
 19                   **(5) The state board of animal health may request additional**  
 20                   **information from a research facility that the board**  
 21                   **determines necessary.**  
 22                   SECTION 3. IC 34-30-2.1-195.2 IS ADDED TO THE INDIANA  
 23                   CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 24                   [EFFECTIVE JULY 1, 2024]: **Sec. 195.2. IC 15-22-3-1(c)**  
 25                   **(Concerning a research facility providing a dog or cat to an animal**  
 26                   **protection shelter or association for the prevention of cruelty to**  
 27                   **animals).**

