HOUSE BILL 594

By: Delegates Kramer, Barkley, B. Barnes, Brooks, Cullison, Fraser-Hidalgo, Frush, Krimm, Luedtke, McComas, and Waldstreicher

Introduced and read first time: February 3, 2016
Assigned to: Environment and Transportation

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 16, 2016

CHAPTER ______

AN ACT concerning

Humane Adoption of Companion Animals Used in Research Act of 2016

FOR the purpose of limiting the period of time for which dogs or cats may be used in certain research facilities for certain scientific research purposes; requiring certain research facilities using dogs or cats for certain scientific research purposes to take certain steps to provide for the adoption of a dog or cat under certain circumstances; authorizing certain research facilities to enter into certain agreements with certain animal rescue organizations for certain purposes; requiring certain research facilities to submit certain information to the Secretary of Agriculture beginning on a certain date and each year thereafter; defining certain terms; and generally relating to regulation of research facilities that use dogs or cats.

BY adding to

Article – Agriculture
Section 15–101 to be under the new title “Title 15. Regulation of Research Facilities That Use Dogs or Cats”
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

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.
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Agriculture

TITLE 15. REGULATION OF 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) A RESEARCH FACILITY LOCATED IN THE STATE MAY NOT USE A DOG OR CAT FOR SCIENTIFIC RESEARCH PURPOSES FOR MORE THAN 2 YEARS.
(C) (B) 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 is no longer needed for scientific research purposes by:

1. Establishing an animal rescue database identifying 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 animal rescue organizations identified in the database list established under item (1) of this subsection.

(D) (C) A research facility may enter into a collaborative agreement with an animal rescue organization for the purpose of carrying out the provisions of this section.

(D) Beginning December 1, 2017, and each year thereafter, a research facility shall submit to the Secretary the following information regarding the preceding 12–month period:

1. The number of dogs or cats owned by the research facility;
2. The number of dogs or cats used for purposes of research by the research facility;
3. The number of dogs or cats released to an animal rescue organization;
4. The name of the animal rescue organization to which a dog or cat was released; and
5. The list of animal rescue organizations established by the research facility under subsection (B)(1) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.