

# SENATE BILL 495

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By: **Senators Kramer, Lewis Young, and Waldstreicher**

Introduced and read first time: February 3, 2023

Assigned to: Education, Energy, and the Environment

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## A BILL ENTITLED

1 AN ACT concerning

2 **Research Facilities and Testing Facilities That Use Animals – Licensing and**  
3 **Regulation**

4 FOR the purpose of requiring each research facility and testing facility in the State to be  
5 licensed by the Department of Agriculture to use animals in research, education, or  
6 testing; establishing requirements for the use and treatment of dogs or cats by a  
7 research facility or a testing facility; prohibiting a research facility and a testing  
8 facility from using certain dogs and cats for research or testing purposes and  
9 performing certain procedures on dogs or cats; requiring a testing facility to use  
10 alternative test methods under certain circumstances; prohibiting a testing facility  
11 from conducting a canine or feline toxicological experiment under certain  
12 circumstances; applying certain provisions of law regarding the adoption of dogs and  
13 cats used for scientific research purposes to testing facilities; establishing a State  
14 Inspector of Animal Welfare in the Department to inspect certain research facilities  
15 and testing facilities; requiring a research facility or testing facility to notify the  
16 State Inspector of certain violations; establishing the Animals in Research Fund as  
17 a special, nonlapsing fund; requiring interest earnings of the Fund to be credited to  
18 the Fund; and generally relating to research facilities and testing facilities that use  
19 animals in research, education, or testing.

20 BY adding to

21 Article – Agriculture

22 Section 15–101 through 15–104 and 15–106 through 15–110 to be under the  
23 amended title “Title 15. Research Facilities and Testing Facilities that Use  
24 Animals”

25 Annotated Code of Maryland

26 (2016 Replacement Volume and 2022 Supplement)

27 BY repealing and reenacting, with amendments,

28 Article – Agriculture

29 Section 15–101

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2016 Replacement Volume and 2022 Supplement)

3 BY repealing and reenacting, without amendments,  
4 Article – State Finance and Procurement  
5 Section 6–226(a)(2)(i)  
6 Annotated Code of Maryland  
7 (2021 Replacement Volume and 2022 Supplement)

8 BY repealing and reenacting, with amendments,  
9 Article – State Finance and Procurement  
10 Section 6–226(a)(2)(ii)170. and 171.  
11 Annotated Code of Maryland  
12 (2021 Replacement Volume and 2022 Supplement)

13 BY adding to  
14 Article – State Finance and Procurement  
15 Section 6–226(a)(2)(ii)172.  
16 Annotated Code of Maryland  
17 (2021 Replacement Volume and 2022 Supplement)

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

20 **Article – Agriculture**

21 Title 15. Research Facilities AND TESTING FACILITIES that Use [Dogs or Cats]  
22 ANIMALS.

23 **15–101.**

24 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
25 INDICATED.

26 (B) (1) “ALTERNATIVE TEST METHOD” MEANS A TEST METHOD THAT:

27 (I) PRODUCES INFORMATION OF EQUIVALENT OR BETTER  
28 SCIENTIFIC QUALITY AND RELEVANCE THAN INFORMATION PRODUCED FROM TEST  
29 METHODS PERFORMED ON ANIMALS; AND

30 (II) 1. DOES NOT USE ANIMALS; OR

31 2. FOR INSTANCES IN WHICH A TEST METHOD THAT  
32 DOES NOT USE ANIMALS IS NOT AVAILABLE, USES THE FEWEST NUMBER OF ANIMALS

1 POSSIBLE AND REDUCES, TO THE GREATEST EXTENT POSSIBLE, THE LEVEL OF  
2 SUFFERING AND STRESS CAUSED TO THE ANIMAL BEING USED FOR TESTING.

3 (2) "ALTERNATIVE TEST METHOD" INCLUDES:

4 (I) COMPUTATIONAL TOXICOLOGY AND BIOINFORMATICS;

5 (II) HIGH-THROUGHPUT SCREENING METHODS;

6 (III) TESTING CATEGORIES OF CHEMICAL SUBSTANCES;

7 (IV) TIERED TESTING METHODS;

8 (V) IN VITRO STUDIES; AND

9 (VI) SYSTEMS BIOLOGY.

10 (c) (1) "BIOMEDICAL RESEARCH" MEANS:

11 (I) THE INVESTIGATION OF THE BIOLOGICAL PROCESSES AND  
12 CAUSES OF DISEASE; OR

13 (II) RESEARCH CONDUCTED TO INCREASE FUNDAMENTAL  
14 SCIENTIFIC KNOWLEDGE AND EXPAND THE UNDERSTANDING OF HOW PROCESSES IN  
15 LIVING ORGANISMS DEVELOP AND FUNCTION.

16 (2) "BIOMEDICAL RESEARCH" DOES NOT INCLUDE TESTING DONE TO  
17 ASSESS THE SAFETY OR EFFICACY OF:

18 (I) CHEMICAL SUBSTANCES;

19 (II) INGREDIENTS;

20 (III) DRUGS;

21 (IV) MEDICAL DEVICES;

22 (V) VACCINES;

23 (VI) PRODUCTS; OR

24 (VII) PRODUCT FORMULATIONS.

1           (D) “CANINE OR FELINE TOXICOLOGICAL EXPERIMENT” MEANS A TEST OR  
2 STUDY USED TO DETERMINE THE EFFECT OF THE APPLICATION OF EXPOSURE,  
3 WHETHER INTERNAL OR EXTERNAL AND INCLUDING ORAL INGESTION, SKIN OR EYE  
4 CONTACT, AND INHALATION, OF ANY AMOUNT OF A CHEMICAL SUBSTANCE ON A DOG  
5 OR CAT.

6           (E) (1) “CHEMICAL SUBSTANCE” HAS THE MEANING STATED IN 15 U.S.C.  
7 § 2602.

8                   (2) “CHEMICAL SUBSTANCE” INCLUDES:

9                           (I) PESTICIDES, AS DEFINED IN 7 U.S.C. § 136; AND

10                           (II) FOOD ADDITIVES, AS DEFINED IN 21 U.S.C. § 321.

11           (F) (1) “RESEARCH FACILITY” MEANS A PUBLIC OR PRIVATE  
12 PARTNERSHIP, CORPORATION, ASSOCIATION, SCHOOL, INSTITUTION,  
13 ORGANIZATION, OR OTHER ENTITY IN THE STATE THAT USES ANIMALS FOR:

14                           (I) RESEARCH, INCLUDING BIOMEDICAL RESEARCH; OR

15                           (II) EDUCATION.

16                   (2) “RESEARCH FACILITY” INCLUDES A PARTNERSHIP, A  
17 CORPORATION, AN ASSOCIATION, A SCHOOL, AN INSTITUTION, AN ORGANIZATION,  
18 OR ANY OTHER ENTITY IN THE STATE THAT IS OWNED, LEASED, OR OPERATED BY A  
19 PUBLIC OR PRIVATE ENTITY.

20                   (3) “RESEARCH FACILITY” DOES NOT INCLUDE A PARTNERSHIP, A  
21 CORPORATION, AN ASSOCIATION, A SCHOOL, AN INSTITUTION, AN ORGANIZATION,  
22 OR ANY OTHER ENTITY IN THE STATE THAT PROVIDES ONLY BENEFICIAL SERVICES  
23 TO AN ANIMAL, SUCH AS SPAYING AND NEUTERING.

24           (G) “STATE INSPECTOR” MEANS THE STATE INSPECTOR OF ANIMAL  
25 WELFARE ESTABLISHED UNDER § 15–107 OF THIS TITLE.

26           (H) (1) “TESTING FACILITY” MEANS A PUBLIC OR PRIVATE  
27 PARTNERSHIP, CORPORATION, ASSOCIATION, SCHOOL, INSTITUTION,  
28 ORGANIZATION, OR OTHER ENTITY IN THE STATE THAT USES ANIMALS FOR THE  
29 TESTING OF:

30                           (I) CHEMICAL SUBSTANCES;

- 1                   **(II) INGREDIENTS;**  
2                   **(III) DRUGS;**  
3                   **(IV) MEDICAL DEVICES;**  
4                   **(V) VACCINES;**  
5                   **(VI) PRODUCTS; OR**  
6                   **(VII) PRODUCT FORMULATIONS.**

7                   **(2) “TESTING FACILITY” INCLUDES A PARTNERSHIP, A**  
8 **CORPORATION, AN ASSOCIATION, A SCHOOL, AN INSTITUTION, AN ORGANIZATION,**  
9 **OR ANY OTHER ENTITY IN THE STATE THAT IS OWNED, LEASED, OR OPERATED BY A**  
10 **PUBLIC OR PRIVATE ENTITY.**

11                   **(3) “TESTING FACILITY” DOES NOT INCLUDE A PARTNERSHIP, A**  
12 **CORPORATION, AN ASSOCIATION, A SCHOOL, AN INSTITUTION, AN ORGANIZATION,**  
13 **OR ANY OTHER ENTITY IN THE STATE THAT PROVIDES ONLY BENEFICIAL SERVICES**  
14 **TO AN ANIMAL, SUCH AS SPAYING AND NEUTERING.**

15                   **(I) “TRADITIONAL ANIMAL TEST METHOD” MEANS A PROCESS OR**  
16 **PROCEDURE THAT:**

17                   **(1) USES ANIMALS TO OBTAIN INFORMATION ON THE**  
18 **CHARACTERISTICS OF A CHEMICAL SUBSTANCE OR AGENT; AND**

19                   **(2) GENERATES INFORMATION REGARDING THE ABILITY OF THE**  
20 **CHEMICAL SUBSTANCE OR AGENT TO PRODUCE A SPECIFIC BIOLOGICAL EFFECT**  
21 **UNDER SPECIFIED CONDITIONS.**

22 **15-102.**

23                   **(A) EACH RESEARCH FACILITY AND TESTING FACILITY MUST BE LICENSED**  
24 **BY THE DEPARTMENT TO USE ANIMALS IN RESEARCH, EDUCATION, OR TESTING.**

25                   **(B) THE DEPARTMENT SHALL ISSUE A LICENSE TO A RESEARCH FACILITY**  
26 **OR TESTING FACILITY THAT:**

27                   **(1) PASSES AN INSPECTION CONDUCTED BY THE STATE INSPECTOR**  
28 **UNDER § 15-107 OF THIS TITLE; AND**

1           **(2) AGREES TO COMPLY WITH THE INSPECTION AND REPORTING**  
2 **REQUIREMENTS OF THIS TITLE.**

3           **(C) THE DEPARTMENT SHALL CHARGE A LICENSING FEE TO COVER THE**  
4 **COSTS OF IMPLEMENTING THIS TITLE.**

5 **15-103.**

6           **(A) EACH RESEARCH FACILITY AND TESTING FACILITY SHALL ENSURE THAT**  
7 **THE NUMBER OF DOGS AND CATS USED FOR RESEARCH OR TESTING PURPOSES IS**  
8 **REDUCED TO THE SMALLEST NUMBER POSSIBLE BY USING SCIENTIFICALLY**  
9 **RELIABLE AND RELEVANT METHODS THAT DO NOT INVOLVE THE USE OF DOGS OR**  
10 **CATS.**

11           **(B) A RESEARCH FACILITY OR TESTING FACILITY MAY NOT USE FOR**  
12 **RESEARCH OR TESTING PURPOSES:**

13                   **(1) A DOG SOLD BY A CLASS B DEALER LICENSED UNDER THE**  
14 **FEDERAL ANIMAL WELFARE ACT;**

15                   **(2) A DOG OR A CAT OBTAINED FROM A PERSON THAT DID NOT BREED**  
16 **AND RAISE THE DOG OR CAT, INCLUDING A DOG OR CAT OBTAINED FROM AN**  
17 **AUCTION, A FLEA MARKET, OR AN ANIMAL SHELTER; OR**

18                   **(3) A DOG OR A CAT THAT HAS UNDERGONE A DEVOCALIZATION**  
19 **SURGERY.**

20           **(C) A RESEARCH FACILITY OR TESTING FACILITY MAY NOT PERFORM A**  
21 **DEVOCALIZATION SURGERY ON A DOG OR A CAT.**

22           **(D) A DOG OR A CAT AT A RESEARCH FACILITY OR TESTING FACILITY MAY**  
23 **BE EUTHANIZED ONLY BY A LETHAL INJECTION OF SODIUM PENTOBARBITAL**  
24 **ADMINISTERED:**

25                   **(1) BY A VETERINARIAN LICENSED IN THE STATE; OR**

26                   **(2) UNDER THE DIRECT SUPERVISION OF A VETERINARIAN LICENSED**  
27 **IN THE STATE.**

28 **15-104.**

1           **(A) (1) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A TESTING**  
2 **FACILITY SHALL USE AN ALTERNATIVE TEST METHOD INSTEAD OF A TRADITIONAL**  
3 **ANIMAL TEST METHOD IF THE ALTERNATIVE TEST METHOD HAS BEEN:**

4                           **(I) APPROVED BY:**

5                                   **1. THE INTERAGENCY COORDINATING COMMITTEE ON**  
6 **THE VALIDATION OF ALTERNATIVE METHODS;**

7                                   **2. THE ORGANIZATION FOR ECONOMIC CO-OPERATION**  
8 **AND DEVELOPMENT; OR**

9                                   **3. ANOTHER SIMILAR VALIDATION AND**  
10 **STANDARD-SETTING ORGANIZATION; OR**

11                                   **(II) ADOPTED BY A FEDERAL AGENCY, OR A PROGRAM WITHIN A**  
12 **FEDERAL AGENCY, THAT IS RESPONSIBLE FOR REGULATING THE SPECIFIC**  
13 **PRODUCT OR ACTIVITY FOR WHICH THE TEST IS BEING CONDUCTED.**

14                   **(2) (I) THIS PARAGRAPH DOES NOT APPLY TO BIOMEDICAL**  
15 **RESEARCH.**

16                                   **(II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A**  
17 **TESTING FACILITY MAY NOT USE A TRADITIONAL ANIMAL TEST METHOD IF:**

18                                   **1. AN APPROPRIATE ALTERNATIVE TEST METHOD IS**  
19 **AVAILABLE; OR**

20                                   **2. THE APPROPRIATE FEDERAL AGENCY HAS WAIVED**  
21 **THE REQUIREMENT TO USE THE TRADITIONAL ANIMAL TEST METHOD.**

22                                   **(3) NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO PROHIBIT**  
23 **THE USE OF A TRADITIONAL ANIMAL TEST METHOD TO COMPLY WITH FEDERAL OR**  
24 **STATE REQUIREMENTS IF THE APPROPRIATE FEDERAL OR STATE AGENCY HAS**  
25 **APPROVED THE USE OF AN ALTERNATIVE TEST METHOD BUT DETERMINED THAT**  
26 **THE ALTERNATIVE TEST METHOD DOES NOT ENSURE THE HEALTH OR SAFETY OF**  
27 **THE PUBLIC OR THE ENVIRONMENT.**

28           **(B) (1) THIS SUBSECTION DOES NOT APPLY TO BIOMEDICAL RESEARCH.**

29                                   **(2) A TESTING FACILITY MAY NOT CONDUCT A CANINE OR FELINE**  
30 **TOXICOLOGICAL EXPERIMENT IN THE STATE FOR DISCOVERY, APPROVAL,**  
31 **MAINTENANCE OF APPROVAL, NOTIFICATION, REGISTRATION, OR MAINTENANCE OF**

1 A PESTICIDE OR CHEMICAL SUBSTANCE UNLESS THE CANINE OR FELINE  
2 TOXICOLOGICAL EXPERIMENT IS CONDUCTED TO:

3 (I) SATISFY AN EXPRESS REQUIREMENT IMPOSED BY THE U.S.  
4 ENVIRONMENTAL PROTECTION AGENCY UNDER THE AUTHORITY OF THE FEDERAL  
5 INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT OR THE FEDERAL TOXIC  
6 SUBSTANCES CONTROL ACT;

7 (II) SATISFY AN EXPRESS REQUIREMENT IMPOSED BY THE U.S.  
8 FOOD AND DRUG ADMINISTRATION UNDER THE AUTHORITY OF THE FEDERAL  
9 FOOD, DRUG, AND COSMETIC ACT IF THE TESTING FACILITY:

10 1. SUBMITS A PRE-INVESTIGATIONAL NEW DRUG  
11 APPLICATION MEETING REQUEST TO THE U.S. FOOD AND DRUG ADMINISTRATION  
12 TO RECEIVE GUIDANCE ON WHETHER ALL PROPOSED CANINE OR FELINE  
13 TOXICOLOGICAL EXPERIMENTS ARE NECESSARY TO SUPPORT THE TESTING  
14 FACILITY'S PLANNED CLINICAL TRIALS; AND

15 2. IS NOT EXPRESSLY DIRECTED BY THE U.S. FOOD AND  
16 DRUG ADMINISTRATION TO USE AN ALTERNATIVE TEST METHOD;

17 (III) SUPPORT AN APPLICATION TO THE U.S. ENVIRONMENTAL  
18 PROTECTION AGENCY FOR A WAIVER FROM THE USE OF A CANINE OR FELINE  
19 TOXICOLOGICAL EXPERIMENT IF THE EXPERIMENT IS CONDUCTED SOLELY FOR THE  
20 PURPOSE OF REDUCING THE TOTAL NUMBER OF ANIMALS NEEDED FOR  
21 EXPERIMENTS TO ACHIEVE DISCOVERY, APPROVAL, MAINTENANCE OF APPROVAL,  
22 NOTIFICATION, REGISTRATION, OR MAINTENANCE OF A PESTICIDE OR CHEMICAL  
23 SUBSTANCE; OR

24 (IV) DEVELOP, MANUFACTURE, OR MARKET A PRODUCT  
25 INTENDED FOR THE BENEFICIAL USE OF DOGS OR CATS.

26 [15-101.] 15-105.

27 (a) (1) In this section the following words have the meanings indicated.

28 (2) "Animal rescue organization" includes:

29 (i) A nonprofit organization incorporated for the purpose of rescuing  
30 animals in need and finding permanent adoptive homes for the animals; and

31 (ii) A government-operated animal control unit that provides  
32 animals for adoption.

1           (3)    ["Research facility" includes:

2                   (i)    A higher education research facility;

3                   (ii)   A scientific research facility;

4                   (iii)  A medical research facility; and

5                   (iv)   A product testing facility.

6           (4)]  "Scientific research purposes" includes:

7                   (i)    Investigation;

8                   (ii)   Experimentation;

9                   (iii)  Instruction; and

10                  (iv)   Testing.

11           (b)    This section applies to a dog or cat that, in the determination of an attending  
12 veterinarian, is suitable for adoption.

13           (c)    A research facility **OR TESTING FACILITY** located in the State in which dogs  
14 or cats are used for scientific research purposes shall take reasonable steps to provide for  
15 the adoption of a dog or cat that, in the determination of the research facility, is no longer  
16 needed for scientific research purposes by:

17                   (1)    Establishing a private placement process to provide for the adoption of  
18 a dog or cat;

19                   (2)    Establishing a list of animal rescue organizations that are approved by  
20 the research facility **OR TESTING FACILITY** and are willing to take a dog or cat from the  
21 research facility; and

22                   (3)    Offering the dog or cat to the animal rescue organizations identified in  
23 the list established under item (2) of this subsection if the research facility **OR TESTING**  
24 **FACILITY** is unable to place the dog or cat through its private placement process.

25           (d)    A research facility **OR TESTING FACILITY** may enter into a collaborative  
26 agreement with an animal rescue organization for the purpose of carrying out the  
27 provisions of this section.

28   **15-106.**

1           **(A) EACH RESEARCH FACILITY CONDUCTING BIOMEDICAL RESEARCH**  
2 **SHALL:**

3                   **(1) REPORT TO THE STATE INSPECTOR ON HOW THE ANIMALS WILL**  
4 **BE USED IN THE RESEARCH; AND**

5                   **(2) PROVIDE TO THE STATE INSPECTOR A JUSTIFICATION FOR THE**  
6 **USE OF ANIMALS IN THE RESEARCH FACILITY'S RESEARCH THAT ADDRESSES THE**  
7 **FOLLOWING CRITERIA:**

8                           **(I) WHETHER ANOTHER SUITABLE MODEL IS AVAILABLE, SUCH**  
9 **AS IN VITRO, NONHUMAN IN VITRO, OR OTHER MODELS;**

10                           **(II) WHETHER THE RESEARCH, EDUCATION, OR TESTING CAN**  
11 **BE PERFORMED ETHICALLY ON HUMAN SUBJECTS; AND**

12                           **(III) WHETHER ANIMALS ARE NECESSARY TO ACCELERATE**  
13 **PREVENTION, CONTROL, OR TREATMENT OF POTENTIALLY LIFE-THREATENING OR**  
14 **DEBILITATING CONDITIONS.**

15           **(B) (1) ON OR BEFORE JANUARY 31 EACH YEAR, EACH RESEARCH**  
16 **FACILITY OR TESTING FACILITY THAT USES LIVE ANIMALS FOR RESEARCH,**  
17 **EDUCATION, OR TESTING SHALL SUBMIT TO THE SECRETARY THE FOLLOWING**  
18 **INFORMATION REGARDING THE IMMEDIATELY PRECEDING 12-MONTH PERIOD:**

19                           **(I) THE NUMBER OF EACH SPECIES OF VERTEBRATE ANIMALS**  
20 **OWNED AND USED BY THE RESEARCH FACILITY OR TESTING FACILITY; AND**

21                           **(II) THE NUMBER OF DOGS OR CATS RELEASED TO ANIMAL**  
22 **RESCUE ORGANIZATIONS UNDER § 15-105 OF THIS TITLE AND THE NAMES OF THE**  
23 **ANIMAL RESCUE ORGANIZATIONS TO WHICH THE DOGS OR CATS WERE RELEASED.**

24                   **(2) ON OR BEFORE JANUARY 31 EACH YEAR, EACH TESTING FACILITY**  
25 **THAT USES LIVE ANIMALS FOR RESEARCH, EDUCATION, OR TESTING SHALL SUBMIT**  
26 **TO THE SECRETARY THE FOLLOWING INFORMATION REGARDING THE IMMEDIATELY**  
27 **PRECEDING 12-MONTH PERIOD:**

28                           **(I) THE TYPE AND NUMBER OF ALTERNATIVE TEST METHODS**  
29 **AND TRADITIONAL ANIMAL TEST METHODS USED;**

30                           **(II) THE NUMBER OF TRADITIONAL ANIMAL TEST METHOD**  
31 **WAIVERS AND CANINE OR FELINE TOXICOLOGICAL EXPERIMENT WAIVERS USED;**  
32 **AND**

1 (III) THE PURPOSE OF ANY TESTS CONDUCTED USING  
2 ALTERNATIVE TEST METHODS OR TRADITIONAL ANIMAL TEST METHODS.

3 (3) THE SECRETARY SHALL:

4 (I) PREPARE AN ANNUAL REPORT AGGREGATING THE  
5 INFORMATION SUBMITTED UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION;  
6 AND

7 (II) POST THE ANNUAL REPORT ON THE DEPARTMENT'S  
8 WEBSITE.

9 15-107.

10 (A) THERE IS A STATE INSPECTOR OF ANIMAL WELFARE IN THE  
11 DEPARTMENT.

12 (B) (1) THE STATE INSPECTOR SHALL:

13 (I) INSPECT EACH RESEARCH FACILITY AND TESTING FACILITY  
14 APPLYING FOR A LICENSE UNDER THIS TITLE;

15 (II) INSPECT AT LEAST ONCE EVERY YEAR EACH RESEARCH  
16 FACILITY AND TESTING FACILITY WITH AN ACTIVE LICENSE ISSUED UNDER THIS  
17 TITLE; AND

18 (III) INSPECT AT LEAST ONCE EVERY OTHER YEAR EACH  
19 RESEARCH FACILITY AND TESTING FACILITY:

20 1. FOR WHICH A LICENSE HAS BEEN ISSUED UNDER THIS  
21 TITLE; AND

22 2. REGISTERED BY THE U.S. DEPARTMENT OF  
23 AGRICULTURE UNDER THE FEDERAL ANIMAL WELFARE ACT.

24 (2) THE DEPARTMENT MAY ENTER INTO AN AGREEMENT WITH AN  
25 ANIMAL WELFARE ORGANIZATION, A LOCAL ANIMAL CONTROL AGENCY, OR  
26 ANOTHER SIMILAR ENTITY TO CONDUCT THE INSPECTIONS REQUIRED UNDER THIS  
27 SUBSECTION.

28 (C) (1) A RESEARCH FACILITY OR TESTING FACILITY SHALL NOTIFY THE  
29 STATE INSPECTOR WITHIN 30 DAYS AFTER RECEIPT OF ANY VIOLATION

1 NOTIFICATION THE RESEARCH FACILITY RECEIVES FOR A VIOLATION OF THE  
2 FEDERAL ANIMAL WELFARE ACT OR THE REGULATIONS ADOPTED UNDER THE ACT.

3 (2) THE STATE INSPECTOR SHALL INSPECT A RESEARCH FACILITY  
4 OR TESTING FACILITY WITHIN 30 DAYS AFTER RECEIVING NOTIFICATION FROM THE  
5 RESEARCH FACILITY OR TESTING FACILITY THAT IT IS IN VIOLATION OF THE  
6 FEDERAL ANIMAL WELFARE ACT OR THE REGULATIONS ADOPTED UNDER THE ACT.

7 15-108.

8 (A) IN THIS SECTION, "FUND" MEANS THE ANIMALS IN RESEARCH FUND.

9 (B) THERE IS AN ANIMALS IN RESEARCH FUND.

10 (C) THE PURPOSE OF THE FUND IS TO COVER THE COSTS ASSOCIATED WITH  
11 THE STATUTORY AND REGULATORY DUTIES OF THE STATE INSPECTOR.

12 (D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

13 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT  
14 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

15 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,  
16 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

17 (F) THE FUND CONSISTS OF:

18 (1) LICENSING FEES CHARGED BY THE DEPARTMENT UNDER §  
19 15-102 OF THIS TITLE;

20 (2) PENALTIES COLLECTED UNDER § 15-109 OF THIS TITLE;

21 (3) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

22 (4) INTEREST EARNINGS; AND

23 (5) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR  
24 THE BENEFIT OF THE FUND.

25 (G) THE FUND MAY BE USED ONLY TO COVER THE COSTS ASSOCIATED WITH  
26 THE STATUTORY AND REGULATORY DUTIES OF THE STATE INSPECTOR.

1           **(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**  
2 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

3           **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**  
4 **THE FUND.**

5           **(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**  
6 **WITH THE STATE BUDGET.**

7           **(J) MONEY EXPENDED FROM THE FUND FOR THE COSTS ASSOCIATED WITH**  
8 **THE STATUTORY AND REGULATORY DUTIES OF THE STATE INSPECTOR IS**  
9 **SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT**  
10 **OTHERWISE WOULD BE APPROPRIATED FOR THESE COSTS.**

11 **15-109.**

12           **AN OWNER, AN OPERATOR, AN EMPLOYEE, OR AN AGENT OF A RESEARCH**  
13 **FACILITY OR TESTING FACILITY THAT VIOLATES THIS SECTION IS GUILTY OF A**  
14 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:**

15           **(1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$1,000 OR**  
16 **IMPRISONMENT NOT EXCEEDING 90 DAYS OR BOTH; AND**

17           **(2) FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE NOT**  
18 **EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 180 DAYS OR BOTH.**

19 **15-110.**

20           **THE DEPARTMENT SHALL ADOPT REGULATIONS TO:**

21           **(1) CARRY OUT THIS TITLE; AND**

22           **(2) ENSURE THE HUMANE TREATMENT AND CARE OF DOGS AND CATS**  
23 **THAT ARE USED FOR RESEARCH, EDUCATIONAL, AND TESTING PURPOSES.**

24           **Article – State Finance and Procurement**

25 **6-226.**

26           **(a) (2) (i) Notwithstanding any other provision of law, and unless**  
27 **inconsistent with a federal law, grant agreement, or other federal requirement or with the**  
28 **terms of a gift or settlement agreement, net interest on all State money allocated by the**  
29 **State Treasurer under this section to special funds or accounts, and otherwise entitled to**

1 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General  
2 Fund of the State.

3 (ii) The provisions of subparagraph (i) of this paragraph do not apply  
4 to the following funds:

5 170. the Cannabis Public Health Fund; [and]

6 171. the Community Reinvestment and Repair Fund; AND

7 **172. THE ANIMALS IN RESEARCH FUND.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2023.