

SENATE BILL No. 16

DIGEST OF INTRODUCED BILL

Citations Affected: IC 15-20-5; IC 34-30-2-59.7.

Synopsis: Adoption of retired research animals. Requires research facilities that use dogs or cats as research animals in experiments for education, research, science, or testing to offer retired research animals that do not have a substantial medical condition for adoption to animal care facilities or to individuals. Establishes immunity for the: (1) research facility's transfer of a retired research animal to an animal care facility; and (2) adoption of a retired research animal by an individual through the animal care facility. Provides the Indiana state board of animal health with rulemaking authority to implement the adoption of research animals.

Effective: July 1, 2018.

Ruckelshaus

January 3, 2018, read first time and referred to Committee on Agriculture.



Second Regular Session 120th General Assembly (2018)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

SENATE BILL No. 16

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 15-20-5 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2018]:

4 **Chapter 5. Adoption of Animals Used for Research**

5 **Sec. 1. As used in this chapter, "animal care facility" has the**
6 **meaning set forth in IC 15-20-4-1.**

7 **Sec. 2. As used in this chapter, "board" means the Indiana state**
8 **board of animal health established by IC 15-17-3-1.**

9 **Sec. 3. As used in this chapter, "research animal" means a dog**
10 **or cat that a research facility uses in experiments conducted for the**
11 **following purposes:**

- 12 (1) **Education**
- 13 (2) **Research.**
- 14 (3) **Science.**
- 15 (4) **Testing.**

16 **Sec. 4. As used in this chapter, "research facility" means a**
17 **facility (as defined by 7 U.S.C. 2132) that is registered with the**



1 **United States Department of Agriculture under the federal Animal**
 2 **Welfare Act (7 U.S.C. 2131 et seq.).**

3 **Sec. 5. As used in this chapter, "retired research animal" means**
 4 **a research animal that a research facility no longer needs for a**
 5 **purpose listed in section 3 of this chapter.**

6 **Sec. 6. As used in this chapter, "substantial medical condition"**
 7 **means a condition that prevents the research animal from**
 8 **successfully integrating into an adoptive home.**

9 **Sec. 7. (a) Except as provided in subsection (b), a research**
 10 **facility or an authorized employee of the research facility shall**
 11 **offer a retired research animal for adoption:**

12 **(1) through an animal care facility; or**

13 **(2) by an individual through an arrangement between the**
 14 **research facility and the individual.**

15 **(b) A research facility may not offer for adoption a research**
 16 **animal that has a substantial medical condition.**

17 **Sec. 8. Before offering any retired research animal to an animal**
 18 **care facility, a research facility must enter into a written**
 19 **agreement with the animal care facility addressing the transfer of**
 20 **the research facility's retired animals to the animal care facility.**

21 **Sec. 9. A research facility that in good faith and in compliance**
 22 **with this chapter provides a retired research animal to an animal**
 23 **care facility or individual is immune from civil liability with**
 24 **respect to a claim that is based on the following:**

25 **(1) The research facility's transfer of a retired research**
 26 **animal to the animal care facility or individual under this**
 27 **chapter.**

28 **(2) The adoption of a retired research animal by an individual**
 29 **through the animal care facility.**

30 **Sec. 10. The board may adopt rules under IC 4-22-2 to**
 31 **implement this chapter.**

32 **SECTION 2. IC 34-30-2-59.7 IS ADDED TO THE INDIANA**
 33 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
 34 **[EFFECTIVE JULY 1, 2018]: Sec. 59.7. IC 15-20-5-9 (Concerning**
 35 **research facilities that transfer research animals to animal care**
 36 **facilities or individuals for adoption and adoption of research**
 37 **animals by an individual through an animal care facility).**

