

HOUSE BILL NO. 1267

Introduced by

Representatives Dobervich, O'Brien, Schneider

Senator Mathern

1 A BILL for an Act to create and enact a new section to chapter 36-21.2 of the North Dakota
2 Century Code, relating to the humane treatment of former research animals.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 36-21.2 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Former research animals - Humane treatment.**

7 1. As used in this section:

8 a. "Animal rescue organization" means any nonprofit organization that has
9 tax-exempt status under Section 501(c)(3) of the United States Internal Revenue
10 Code, and the mission and practice of which is rescuing animals and finding
11 permanent, adoptive homes for the animals.

12 b. "Animal shelter" means any nonprofit organization that provides housing and
13 care for animals directly, or through agreements with third parties, and the
14 purpose of which is finding permanent homes for animals through adoption.

15 c. "Private placement" means an arrangement between a research facility and an
16 individual seeking to adopt a retired animal.

17 d. "Research facility" means a higher education institution research facility that
18 receives public funding or is tax-exempt, a facility that provides research in
19 collaboration with a higher education facility, or any other facility that conducts
20 experiments on dogs or cats for scientific, testing, educational, or research
21 purposes.

22 e. "Retired animal" means a dog or cat that was previously used or held for
23 scientific, testing, educational, or research purposes and is no longer needed by

- 1 the research facility, and has no substantial medical conditions preventing the
2 safe adoption of the animal.
- 3 2. A research facility, or an employee or student of a research facility, which confines and
4 uses dogs or cats for scientific, testing, educational, or research purposes, upon
5 retiring the animal shall:
- 6 a. Offer the animal to an animal rescue organization or animal shelter for adoption
7 before euthanizing the animal; or
- 8 b. Offer the animal for adoption through private placement before euthanizing the
9 animal.
- 10 3. If an animal rescue organization or animal shelter agrees to accept a retired animal
11 from a research facility under subsection 2, the research facility and the animal rescue
12 organization or animal shelter shall enter a written agreement to transfer the animal
13 and implement the requirements of this section.