

SENATE No. 489

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act protecting research animals.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>	<i>1/27/2017</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>1/31/2017</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	<i>2/2/2017</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/2/2017</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	<i>2/3/2017</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>	<i>2/3/2017</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>2/3/2017</i>

SENATE No. 489

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 489) of Bruce E. Tarr, Lori A. Ehrlich, Daniel J. Ryan, William N. Brownsberger and other members of the General Court for legislation to protect research animals. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act protecting research animals.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 140 of the General Laws is hereby amended by inserting after
2 Section 174D, the following new section:-

3 Section 174D1/2. Responsibilities of research institutions; adoption of certain dogs and
4 cats

5 (a) Except as otherwise provided in subsection (b), a research institution or product
6 testing facility that intends to euthanize or destroy a dog or cat for any purpose other than
7 scientific, medical or educational research shall, before euthanizing or destroying the dog or cat,
8 offer the dog or cat to an animal shelter or rescue organization for adoption. A research
9 institution or product testing facility may enter into a collaborative agreement with an animal
10 shelter or rescue organization for the purpose of carrying out the provisions of this subsection.

11 (b) A research institution or product testing facility is not required to offer a dog or cat to
12 an animal shelter or rescue organization pursuant to subsection 1 if the dog or cat: (1) manifests a

behavioral or temperamental defect that poses a risk to the health and safety of the public; (2) manifests symptoms of a disease, injury, congenital or hereditary condition that adversely affects, or is likely to adversely affect, the health of the dog or cat; or (3) is a newborn dog or cat in need of maternal care and has been impounded by the research institution or product testing facility without its mother.

(c) A facility that is required to offer dogs and cats for adoption under this section shall owe no duty of care to any animal shelter or rescue organization that accepts the animal or to any person or entity that may adopt such animals, whether through such organizations or through private placement. No assumption of responsibility or liability for injuries, property damage, or other damages or losses shall be incurred by such research facility on account of the adoption or placement of any dog or cat pursuant to the provisions of this act.

(d) A research institution or product testing facility shall not conduct research on any dog or cat for a period of more than 2 years.

SECTION 2. Section 136A of Chapter 140 of the General Laws is hereby amended by inserting the following:-

“Product testing facility”, a facility that is privately owned or funded; or receives public funding, including, but not limited to, any subsidy, grant or tax exemption, either directly or indirectly, through collaboration with an institution of higher education, that is engaged in animal research for scientific, medical, or educational purposes.

“Rescue organization”, a nonprofit organization established for the purpose of rescuing animals in need and finding permanent, adoptive homes for such animals.