REPORT ON LEGISLATION BY THE
ANIMAL LAW COMMITTEE

A.8261-A       M. of A. Rosenthal
S.98-A       Sen. Boyle

AN ACT to amend the education law in relation to requiring research dogs and cats at certain facilities to be offered for adoption through private placement or a non-profit animal rescue and shelter organizations.

Research Animal Retirement Act

THIS LEGISLATION IS APPROVED

STATUS: Passed Assembly (142-0); Passed Senate (61-0)

SUMMARY OF PROPOSED LAW

The proposed legislation would add a new section to the Education Law (239-b) to require certain research facilities to offer dogs and cats held at such research facilities for adoption, either through private placement or placement by non-profit animal rescue and shelter organizations, prior to the facilities' euthanizing such animals after the completion of any testing or research.

The research facilities that would be subject to the requirements of the proposed legislation are (i) higher education research facilities that receive public money (including through enjoyment of tax-exempt status) and (ii) facilities that provide research in collaboration with a higher education facility.

The proposed legislation would not require research facilities to assume additional costs associated with adopting out its animals (transportation, veterinary care, or screening of adoption applicants).

THE COMMITTEE SUPPORTS THE PROPOSED LEGISLATION

Existing federal and state laws that address the care and use of animals in research (e.g., the Animal Welfare Act (7 USC 2131 et seq.), Health Research Extension Act of 1985 (Public
Law 99-158)) do not address the adoption of dogs and cats following the conclusion of research on such animals. Consequently, upon completion of research, the majority of research animals are euthanized, regardless of whether such euthanasia was required by the research or the animal’s health. The proposed legislation would address this issue by providing a mechanism under which dogs and cats in research facilities in New York may be “retired” from experimentation when their use is no longer required by the facility.

The proposed legislation would significantly benefit a large number of dogs and cats in research facilities in New York by providing them with an opportunity to live as companion animals at the conclusion of their research involvement and would have a minimal impact on research facilities because the adoption requirement would be imposed only at such time that the research or testing on such animals is complete and would not impose additional costs to the research facilities in connection with the adoption of such animals.

CONCLUSION

For the aforementioned reasons, the Committee supports the proposed legislation.

Animal Law Committee
Lori Barrett, Chair

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1 In May 2014, Minnesota became the first state to pass a law mandating that dogs and cats used in research be offered for adoption upon the completion of research. MN Session Law Chapter 346.47.