

By: Minjarez

H.B. No. 121

A BILL TO BE ENTITLED

AN ACT

relating to the adoption of cats and dogs previously used for research.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act shall be known as the Research Animal Retirement Act.

SECTION 2. Title 10, Health and Safety Code, is amended by adding Chapter 830 to read as follows:

CHAPTER 830. ADOPTION OF CERTAIN RETIRED RESEARCH ANIMALS

Sec. 830.0001. DEFINITIONS. In this chapter:

(1) "Animal rehoming organization" means a nonprofit charitable organization established primarily to find adoptive homes for animals.

(2) "Animal shelter" means a facility operated by a nonprofit charitable organization established primarily to shelter and care for stray, homeless, abandoned, or unwanted animals and find adoptive homes for those animals.

(3) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

(4) "Research facility" means a research facility as defined by the Animal Welfare Act (7 U.S.C. Section 2132(e)) that is licensed by or registered with the United States Department of Agriculture under that Act to conduct experiments on dogs or cats for education, research, science, or testing purposes.

1 (5) "Retired animal" means a dog or cat previously
2 used by a research facility in experiments conducted for education,
3 research, science, or testing purposes that is no longer needed for
4 those purposes.

5 Sec. 830.0002. LIMITATION. This chapter does not apply to a
6 retired animal identified by a research facility's attending
7 veterinarian as:

8 (1) not suitable for rehoming; or

9 (2) having a substantial medical condition that
10 prevents the animal from successfully integrating into an adoptive
11 home.

12 Sec. 830.0003. ADOPTION OF RETIRED ANIMALS. (a) A research
13 facility, or its authorized employee or an authorized student of an
14 institution of higher education associated with the facility, on
15 retirement of a retired animal shall offer the animal for adoption:

16 (1) through an animal rehoming organization or animal
17 shelter; or

18 (2) by an individual through an arrangement between
19 the facility and individual.

20 (b) A research facility may not offer any retired animal to
21 an animal rehoming organization or animal shelter unless the
22 facility has a written agreement with the organization or shelter
23 addressing the transfer of the facility's retired animals to the
24 organization or shelter.

25 (c) A research facility may establish guidelines for
26 determining whether:

27 (1) a retired animal is suitable for adoption; and

1 (2) an animal rehoming organization, animal shelter,
2 or individual is qualified to accept a retired animal for adoption.

3 (d) A research facility must post on the facility's Internet
4 website any guidelines adopted under Subsection (c).

5 Sec. 830.0004. IMMUNITY FROM CIVIL LIABILITY. A research
6 facility that in good faith and in compliance with this chapter and
7 rules adopted under this chapter provides a research animal to an
8 animal rehoming organization, animal shelter, or individual is
9 immune from civil liability with respect to a claim based on:

10 (1) the facility's transfer of a retired animal to the
11 organization, shelter, or individual under this chapter; or

12 (2) the adoption of a retired animal by an individual
13 through the organization or shelter.

14 Sec. 830.0005. RULES. The executive commissioner may adopt
15 rules necessary to implement this chapter.

16 SECTION 3. This Act takes effect September 1, 2021.