

BILL ANALYSIS

H.B. 2490
By: Minjarez
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that more work can be done to improve the welfare of cats or dogs used by research facilities in experiments, such as providing for the adoption of those animals on their retirement. H.B. 2490 seeks to address this issue by requiring certain cats and dogs used in experiments to be offered for adoption through an animal rescue organization or animal shelter or by an individual through a certain arrangement.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

ANALYSIS

H.B. 2490 amends the Health and Safety Code to require a research facility, or its authorized employee or an authorized student of an institution of higher education associated with the facility, to offer on its retirement a retired animal for adoption through an animal rescue organization or animal shelter or by an individual through an arrangement between the facility and individual. The bill limits this requirement to a cat or dog that a research facility used in experiments conducted for education, research, science, or testing purposes and no longer needs for those purposes and that does not have a substantial medical condition that prevents the animal from successfully integrating into an adoptive home.

H.B. 2490 requires a research facility, before offering any retired animal to an animal rescue organization or animal shelter, to enter into a written agreement with the organization or shelter addressing the transfer of the facility's retired animals to the organization or shelter. The bill grants a research facility that in good faith and in compliance with the bill's provisions provides a research animal to an animal rescue organization, animal shelter, or individual immunity from civil liability with respect to a claim that is based on the facility's transfer of a retired animal to the organization, shelter, or individual under the bill's provisions or the adoption of a retired animal by an individual through the organization or shelter. The bill authorizes the executive commissioner of the Health and Human Services Commission to adopt rules necessary to implement the bill's provisions.

EFFECTIVE DATE

September 1, 2017.