

By: Minjarez, et al.

H.B. No. 2490

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

CHAPTER 830. ADOPTION OF RETIRED RESEARCH ANIMALS

Sec. 830.001. DEFINITIONS. In this chapter:

(1) "Animal rescue organization" means a nonprofit charitable organization established primarily to rescue animals and offer the animals for adoption.

(2) "Animal shelter" means a facility operated by a nonprofit charitable organization established primarily to shelter and care for stray or abandoned animals and offer those animals for adoption.

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

(4) "Research facility" means a facility as defined by Section 2(e), Animal Welfare Act (7 U.S.C. Section 2132), that is licensed by the secretary of agriculture of the United States under that Act and that conducts experiments on dogs or cats for education, research, science, or testing purposes.

(5) "Retired animal" means a cat or dog that a research facility used in experiments conducted for education, research,

1 science, or testing purposes and no longer needs for those
2 purposes.

3 Sec. 830.002. APPLICABILITY. This chapter applies only to
4 a retired research animal that does not have a substantial medical
5 condition that prevents the animal from successfully integrating
6 into an adoptive home.

7 Sec. 830.003. ADOPTION OF RETIRED ANIMALS. (a) A research
8 facility, or its authorized employee or an authorized student of an
9 institution of higher education associated with the facility, shall
10 offer on its retirement a retired animal for adoption:

11 (1) through an animal rescue organization or animal
12 shelter; or

13 (2) by an individual through an arrangement between
14 the facility and individual.

15 (b) Before offering any retired animal to an animal rescue
16 organization or animal shelter, a research facility must enter into
17 a written agreement with the organization or shelter addressing the
18 transfer of the facility's retired animals to the organization or
19 shelter.

20 Sec. 830.004. IMMUNITY FROM CIVIL LIABILITY. A research
21 facility that in good faith and in compliance with this chapter
22 provides a research animal to an animal rescue organization, animal
23 shelter, or individual is immune from civil liability with respect
24 to a claim that is based on:

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

27 (2) the adoption of a retired animal by an individual

1 through the organization or shelter.

2 Sec. 830.005. RULES. The executive commissioner may adopt
3 rules necessary to implement this chapter.

4 SECTION 2. This Act takes effect September 1, 2017.