SENATE BILL NO. 261—SENATORS MANENDO, DENIS, PARKS, SPEARMAN, ATKINSON; FARLEY, FORD, GOICOECHEA, GUSTAVSON, HARRIS, KIECKHEFER, KIHUEN, LIPPAPELLI, ROBERSON, SEGERBLOM, SETTLEMeyer, SMITH AND WOODHOUSE

MARCH 12, 2015

JOINT SPONSORS: ASSEMBLYMEN SILBERKRAUS, CARLTON, ELLIOT ANDERSON, SWANK, CARRILLO; BUSTAMANTE ADAMS, DICKMAN, DOOLING, EDWARDS, FIORE, FLORES, GARDNER, HAMBRICK, Hickey, MOORE, MUNFORD, Neal, OHRENSCHALL, OSCARSON, SEAMAN, SPIEGEL, STEWART, THOMPSON, TROWBRIDGE AND WHEELER

Referred to Committee on Natural Resources

SUMMARY—Makes various changes relating to certain facilities that are engaged in scientific, medical or educational research. (BDR 50-56)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

AN ACT relating to animals; requiring research facilities and product testing facilities to offer certain dogs and cats to an animal shelter or rescue organization for adoption before euthanizing or destroying the dog or cat; limiting the length of time that a research facility or product testing facility may conduct research on a dog or cat; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

This bill requires research facilities and product testing facilities that are engaged in scientific, medical or educational research to offer dogs and cats that are appropriate for adoption to an animal shelter or rescue organization before euthanizing or destroying the dog or cat. This bill also limits the length of time that
a research facility or product testing facility is authorized to conduct research on a
dog or cat to 2 years.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 574 of NRS is hereby amended by adding
thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, a research
facility or product testing facility that intends to euthanize or
destroy a dog or cat for any purpose other than scientific, medical
or educational research shall, before euthanizing or destroying the
dog or cat, offer the dog or cat to an animal shelter or rescue
organization for adoption. A research facility or product testing
facility may enter into a collaborative agreement with an animal
shelter or rescue organization for the purpose of carrying out the
provisions of this subsection.

2. A research facility or product testing facility is not required
to offer a dog or cat to an animal shelter or rescue organization
pursuant to subsection 1 if the dog or cat:
   (a) Manifests a behavioral or temperamental defect that poses
   a risk to the health and safety of the public;
   (b) Manifests symptoms of a disease, injury or congenital or
   hereditary condition that adversely affects, or is likely to adversely
   affect, the health of the dog or cat; or
   (c) Is a newborn dog or cat in need of maternal care and has
   been impounded by the research facility or product testing facility
   without its mother.

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

4. As used in this section:
   (a) “Animal shelter or rescue organization” means a nonprofit
   organization established for the purpose of rescuing animals in
   need and finding permanent, adoptive homes for such animals.
   (b) “Institution of higher education” has the meaning ascribed
   to it in NRS 385.102.
   (c) “Product testing facility” means a facility that:
      (1) Is privately owned or funded; or
      (2) Receives public funding, including, without limitation,
      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 the purpose of testing a
product's performance, safety, quality and compliance with
established standards.

(d) “Research facility” means:

(1) A department, branch or other subsidiary of an
institution of higher education; or

(2) A facility that receives public funding, including,
without limitation, 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.

Sec. 2. NRS 574.050 is hereby amended to read as follows:

574.050 As used in NRS 574.050 to 574.200, inclusive
and section 1 of this act:

1. “Animal” does not include the human race, but includes
every other living creature.

2. “First responder” means a person who has successfully
completed the national standard course for first responders.

3. “Police animal” means an animal which is owned or used by
a state or local governmental agency and which is used by a peace
officer in performing his or her duties as a peace officer.

4. “Torture” or “cruelty” includes every act, omission or
neglect, whereby unjustifiable physical pain, suffering or death is
caused or permitted.

Sec. 3. NRS 574.200 is hereby amended to read as follows:

574.200 The provisions of NRS 574.050 to 574.510, inclusive,
and section 1 of this act do not:

1. Interfere with any of the fish and game laws contained in
title 45 of NRS or any laws for the destruction of certain birds.

2. Interfere with the right to destroy any venomous reptiles or
animals, or any animal known as dangerous to life, limb or property.

3. Interfere with the right to kill all animals and fowl used for
food.

4. Prohibit or interfere with any properly conducted scientific
experiments or investigations which are performed under the
authority of the faculty of some regularly incorporated medical
college or university of this State.

5. Interfere with any scientific or physiological experiments
conducted or prosecuted for the advancement of science or
medicine.
6. Prohibit or interfere with established methods of animal husbandry, including the raising, handling, feeding, housing and transporting of livestock or farm animals.