

1 AN ACT relating to animal testing.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 258 IS CREATED TO
4 READ AS FOLLOWS:

5 *As used in Sections 1 to 3 of this Act:*

6 *(1) "Animal" means any warm-blooded living creature except a human being;*

7 *(2) "Animal shelter" has the same meaning as in KRS 258.095;*

8 *(3) "Animal testing facility" means a privately or publicly owned, leased, or operated*
9 *partnership, corporation, association, school, institution, or organization in*
10 *Kentucky that uses animals for experimentation or research or that tests chemical*
11 *substances, ingredients, drugs, medical devices, vaccines, products, or product*
12 *formulations on animals; and*

13 *(4) "Retired dog or cat" means a dog or cat:*

14 *(a) Confined at an animal testing facility;*

15 *(b) No longer required for testing, experimentation, or research purposes; and*

16 *(c) Determined by the animal testing facility's attending veterinarian to be*
17 *suitable for adoption.*

18 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 258 IS CREATED TO
19 READ AS FOLLOWS:

20 *(1) An animal testing facility, unless euthanizing the retired dog or cat is required for*
21 *health or safety reasons:*

22 *(a) Shall offer a retired dog or cat to an animal shelter to facilitate the transfer*
23 *of ownership and custody of the retired dog or cat to a person for placement*
24 *into the person's permanent home; or*

25 *(b) Shall transfer ownership and custody of the retired dog or cat to a person*
26 *for permanent placement in the person's home according to an*
27 *arrangement agreed upon by the animal testing facility and the person*

1 adopting the retired dog or cat.

2 (2) In order to effectuate subsection (1) of this section, an animal testing facility:

3 (a) Shall keep an offer to transfer ownership and custody of a retired dog or cat
4 to an animal shelter or person for private placement open for a minimum of
5 thirty (30) days;

6 (b) May enter into a collaborative agreement with one (1) or more animal
7 shelters for the purpose of carrying out the requirements of this section;
8 and

9 (c) Shall be immune from civil liability for acts carried out in good faith that
10 are related to or result from the transfer of a retired dog or cat.

11 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 258 IS CREATED TO
12 READ AS FOLLOWS:

13 (1) An animal testing facility:

14 (a) Shall not use state funds to perform research or testing on animals that
15 results in pain and distress that is classified as Category D or E by the
16 United States Department of Agriculture under the federal Animal Welfare
17 Act, 7 U.S.C. sec. 2131 et seq., and 9 C.F.R. sec. 230 et seq., as amended;
18 and

19 (b) May use state funds for:

- 20 1. The construction or maintenance of a research facility;
21 2. The purchase or maintenance of general-use equipment;
22 3. Overhead costs;
23 4. Capital improvements;
24 5. Faculty or employee salaries;
25 6. Administering a form of recognized veterinary treatment, including
26 services such as spaying and neutering, the purposes of which are to
27 improve the health, welfare, or safety of the animal; or

- 1 7. Research on a dog or cat with a naturally occurring disease or injury
2 that is conducted:
3 a. For the benefit of the animal; and
4 b. With the intention of studying the effect of a procedure, device,
5 or treatment protocol.
- 6 (2) On or before January 31, 2027, and each January 31 thereafter, each animal
7 testing facility that receives state funds shall post on its publicly accessible
8 internet website a written report for the preceding calendar year. The report shall
9 be posted in a conspicuous and easily accessible manner so that the public can
10 access a copy of the report electronically. The written report shall include the
11 following:
12 (a) The total number of animals, by species, that were held or used for research
13 or testing by the animal facility;
14 (b) A list of active animal research or testing projects, including project titles,
15 the stated purpose of each project, the species, and number of animals used
16 by each project;
17 (c) The total amount of funding spent on animal research or testing projects,
18 including federal, state, private, and other funding;
19 (d) A description of any programs used to transfer the ownership and custody
20 of retired dogs or cats following the end of their use in research, including
21 the total number of retired dogs or cats, by breed, released for adoption; and
22 (e) A detailed explanation of specific efforts by the institution to refine, reduce,
23 and replace the use of animals in research and testing during the preceding
24 calendar year.
- 25 (3) This section shall not apply to research or testing on livestock or poultry as
26 defined in KRS 246.010.