

S.B. 261



SENATE BILL NO. 261—SENATORS MANENDO, DENIS, PARKS,
SPEARMAN, ATKINSON; FARLEY, FORD, GOICOECHEA,
GUSTAVSON, HARRIS, KIECKHEFER, KIHUEN, LIPPARELLI,
ROBERSON, SEGERBLOM, SETTELMAYER, 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.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

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:

1 This bill requires research facilities and product testing facilities that are
2 engaged in scientific, medical or educational research to offer dogs and cats that are
3 appropriate for adoption to an animal shelter or rescue organization before
4 euthanizing **or destroying** the dog or cat. This bill also limits the length of time that

EXHIBIT C Senate Committee on Natural Resources	
Date: 3-24-2015	Total pages: 4
Exhibit begins with: C1	thru: C5

Deletions: highlighted in yellow

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5 a research facility or product testing facility is authorized to conduct research on a
6 dog or cat to 2 years.

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

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

3 **1. Except as otherwise provided in subsection 2, a research**
4 **facility or product testing facility that intends to euthanize or**
5 **destroy a dog or cat for any purpose other than scientific, medical**
6 **or educational research shall, before euthanizing or destroying the**
7 **dog or cat, offer make the dog or cat available to an employee of the facility, or a local**
8 **to an animal shelter or rescue**

9 **organization for adoption. A research facility or product testing**
10 **facility may enter into a collaborative agreement with an animal**
11 **shelter or rescue organization for the purpose of carrying out the**
12 **provisions of this subsection.**

13 **2. A research facility or product testing facility is not required**
14 **to offer a dog or cat to an animal shelter or rescue organization**
15 **pursuant to subsection 1 if the dog or cat:**

16 **(a) Manifests a behavioral or temperamental defect that poses**
17 **a risk to the health and safety of the public;**

18 **(b) Manifests symptoms of a disease, injury or congenital or**
19 **hereditary condition that adversely affects, or is likely to adversely**
20 **affect, the health of the dog or cat; or**

21 **(c) Is a newborn dog or cat in need of maternal care and has**
22 **been impounded by the research facility or product testing facility**
23 **without its mother.**

24 **3. A research facility or product testing facility shall not**
25 **conduct research on any dog or cat for a period of more than 2**
26 **years., unless a medical device has been surgically implanted into the animal's body**
27 **which requires long-term monitoring, or continued testing is necessary in order to reach**
28 **a conclusion.**

29 **4. As used in this section:**

30 **(a) "Animal shelter or rescue organization" means a nonprofit**
31 **organization established for the purpose of rescuing animals in**
32 **need and finding permanent, adoptive homes for such animals.**

33 **(b) "Institution of higher education" has the meaning ascribed**
34 **to it in NRS 385.102.**

35 **(c) "Product testing facility" means a facility that:**

33 *(1) Is privately owned or funded; or*
34 *(2) Receives public funding, including, without limitation,*
35 *any subsidy, grant or tax exemption, either directly or indirectly,*
36 *through collaboration with an institution of higher education,*

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1 *that is engaged in animal research for the purpose of testing a*
2 *product's performance, safety, quality and compliance with*
3 *established standards.*

4 *(d) "Research facility" means:*

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

7 *(2) A facility that receives public funding, including,*
8 *without limitation, any subsidy, grant or tax exemption, either*
9 *directly or indirectly, through collaboration with an institution of*
10 *higher education,*

11 *that is engaged in animal research for scientific, medical or*
12 *educational purposes.*

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

14 574.050 As used in NRS 574.050 to 574.200, inclusive [:],

15 **and section 1 of this act:**

16 1. "Animal" does not include the human race, but includes
17 every other living creature.

18 2. "First responder" means a person who has successfully
19 completed the national standard course for first responders.

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

23 4. "Torture" or "cruelty" includes every act, omission or
24 neglect, whereby unjustifiable physical pain, suffering or death is
25 caused or permitted.

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

27 574.200 The provisions of NRS 574.050 to 574.510, inclusive,
28 **and section 1 of this act** do not:

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

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

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

35 4. Prohibit or interfere with any properly conducted scientific
36 experiments or investigations which are performed under the
37 authority of the faculty of some regularly incorporated medical

38 college or university of this State.
39 5. Interfere with any scientific or physiological experiments
40 conducted or prosecuted for the advancement of science or
41 medicine.

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1 6. Prohibit or interfere with established methods of animal
2 husbandry, including the raising, handling, feeding, housing and
3 transporting of livestock or farm animals.