

2019 Regular Session

HOUSE BILL NO. 454

BY REPRESENTATIVE ZERINGUE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ANIMALS: Provides relative to animal shelters

1 AN ACT

2 To amend and reenact R.S. 3:2462 and to enact R.S. 3:2466, relative to euthanasia of
3 animals for research or biological supply; to provide for definitions; to require
4 notification to owners surrendering animals; to prohibit animal shelters from
5 euthanizing animals for research purposes only; to prohibit shelters from transferring
6 live animals for the purpose of research or experiments; to provide for penalties; and
7 to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 3:2462 is hereby amended and reenacted and R.S. 3:2466 is hereby
10 enacted to read as follows:

11 §2462. Definitions

12 As used in this Part, the following words shall have the following meanings
13 ascribed to them:

14 (1) "Animal dealer" means a person who receives payment for the
15 transportation or delivery for transportation of any living or dead animal or who
16 buys, sells, or negotiates the purchase or sale of any living or dead animal for
17 research, teaching, exhibition, or biological supply.

18 ~~(1)~~(2) "Animal shelter" means any building, structure, site, enclosure, or
19 other facility used or operated for the housing or keeping of any stray, homeless,

1 abandoned, or unwanted animals including any facility designated by the parish
2 governing authority; for the keeping or housing of any impounded animals.

3 (3) "Biological supply facility" means any blood bank, laboratory, firm,
4 association, corporation, copartnership, or educational institution that sells biological
5 materials, including blood or living or dead animals, to research facilities,
6 educational institutions, or veterinarians.

7 ~~(2)~~(4) "Cruelty" means every act or failure to act whereby unjustifiable
8 physical pain or suffering is caused or permitted.

9 ~~(3)~~(5) "Euthanasia" or "euthanize" means the act of inducing a painless death
10 upon an animal in a humane manner.

11 ~~(4)~~(6) "Person" means an individual, corporation, or association.

12 ~~(5)~~(7) "Primary enclosure" means any structure used to immediately restrict
13 an animal or animals to a limited amount of space, such as a room, pen, run, cage,
14 compartment, or hutch.

15 (8) "Research facility" means any school, institution, organization, or person
16 that uses or intends to use live animals in research or experiments.

17 ~~(6)~~(9) "Social media account" means an internet-based service that allows
18 individuals to do the following:

19 (a) Construct a public or semi-public profile within a bounded system
20 created by the service.

21 (b) Create a list of other users with whom they share a connection within the
22 system.

23 (c) View and navigate their list of connections and those made by others
24 within the system.

25 * * *

26 §2466. Euthanasia of animals for research or biological supply

27 A.(1) An animal shelter that turns over dead animals to a research facility or
28 biological supply facility shall post and maintain a sign in a place where it is clearly
29 visible to all persons turning animals over to the shelter. The sign shall contain the

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 following statement: "Animals Euthanized at This Shelter May Be Used for
2 Educational or Research Purposes or to Supply Blood, Tissue, or Other Biological
3 Products".

4 (2) The statement shall also be included on owner surrender forms in a size
5 and style of font designed to be clearly visible to the owner.

6 B. No animal shelter or other person shall euthanize an animal for the sole
7 purpose of transferring the carcass to a research facility, biological supply facility,
8 or animal dealer.

9 C.(1) No animal shelter or other person that accepts animals from the public
10 or takes in stray or unwanted animals shall sell, give, or otherwise transfer a living
11 animal to a research facility, biological supply facility, animal dealer, or other person
12 for the purpose of research or experimentation, except for instructional purposes.

13 (2) The provisions of this Subsection shall not include necessary spay or
14 neuter surgeries.

15 D. Nothing in this Section shall prohibit a research facility from working in
16 collaboration with an animal shelter to investigate problems and provide services to
17 shelter animals.

18 E. Whoever violates the provisions of this Section shall be fined not more
19 than one thousand dollars for each separate act of violation.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 454 Engrossed

2019 Regular Session

Zeringue

Abstract: Establishes notification requirements for animal shelters selling dead animals for research and prohibits the shelters from selling or giving live animals to facilities for research.

Present law establishes minimum requirements for animal shelters, including restrictions on euthanasia.

Proposed law defines "animal dealer", "biological supply facility", and "research facility".

Proposed law adds additional requirements for animal shelters that sell dead animals to facilities for research purposes to notify persons turning over animals by posting a conspicuous sign in the shelter and including the notification on owner surrender forms.

Proposed law prohibits an animal shelter from euthanizing an animal for the sole purpose of transferring the carcass for research.

Proposed law prohibits an animal shelter or other person that accepts animals from the public or takes in stray or unwanted animals from selling, giving, or transferring a living animal to a research facility, biological supply facility, animal dealer, or other person for the purpose of research or experimentation, except for instructional purposes.

Proposed law allows living animals to be transferred for the purpose of necessary spay and neuter surgeries.

Proposed law authorizes a research facility to work with an animal shelter to investigate problems and provide services to shelter animals.

Proposed law specifies that any person who violates proposed law will be fined not more than \$1,000 for each separate act of violation.

(Amends R.S. 3:2462; Adds R.S. 3:2466)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to the original bill:

1. Modify the definition of "research facility" to remove the reference to tests.
2. Modify the required notification statement to indicate that euthanized animals may be used for educational purposes.
3. Clarify that an animal shelter or other person can transfer a living animal for instructional purposes.