

CONFERENCE COMMITTEE REPORT

HB 454

2019 Regular Session

Zeringue

June 6, 2019

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 454 by Representative Zeringue, recommend the following concerning the Engrossed bill:

1. That Senate Committee Amendments No. 1 through 4 by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development (#2609) be adopted.
2. That Senate Committee Amendments Nos. 5, 6, and 7 by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development (#2609) be rejected.
3. That Senate Floor Amendments Nos. 1, 3, 4, and 5 by Senator Peacock (#2930) be rejected.
4. That Senate Floor Amendment No. 2 by Senator Peacock (#2930) be adopted.
5. That the following amendments to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 2, line 27, after "over" and before "animals" insert "euthanized"

AMENDMENT NO. 2

On page 3, line 6, after "person" insert "that accepts animals from the public or takes in stray or unwanted animals"

AMENDMENT NO. 3

On page 3, delete lines 9 through 14 and insert the following:

"C. No animal shelter or other person that accepts animals from the public or takes in stray or unwanted animals shall sell a living animal to a research facility, biological supply facility, animal dealer, or other person for the purpose of research or experimentation.

D. An animal shelter or other person that accepts animals from the public or takes in stray or unwanted animals may give or transfer a living animal for the purpose of research or instruction only if:

(1) Reasonable efforts to place the animal in a suitable environment outside of the shelter have been exhausted.

(2) The animal is being given or transferred for one of the following reasons:

(a) Instructional purposes, including necessary spay or neuter surgeries.

(b) Research as part of a clinical trial using drugs or treatments already approved by the United States Department of Agriculture or United States Food and Drug Administration.

(c) Research determined by the Institutional Animal Care and Use Committee to be deemed non-invasive.

(3) When possible, the living animal is returned to its originating facility at the conclusion of the research or instruction.

(4) Every precaution has been taken to minimize pain to the animal."

AMENDMENT NO. 4

On page 3, line 15, change "D." to "E."

AMENDMENT NO. 5

On page 3, line 18, change "E." to "F."

Respectfully submitted,

Representative Jerome Zeringue

Senator Barrow Peacock

Representative Clay Schexnayder

Senator Francis Thompson

Representative Tanner Magee

Senator R.L. Bret Allain, II

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)]

CONFERENCE COMMITTEE REPORT DIGEST

HB 454

2019 Regular Session

Zeringue

Keyword and oneliner of the instrument as it left the House

ANIMALS: Provides relative to animal shelters

Report adopts Senate amendments to:

1. Modify the definition of "research facility" to remove the word "live".
2. Make technical changes.

Report rejects Senate amendments which would have:

1. Allowed turning over live animals for certain instructional and research purposes.
2. Required reasonable efforts to be made to place living animals in a suitable environment outside of the shelter prior to giving or transferring them for the specified instructional or research purposes.
3. Required efforts to be made to return living animals to the originating facility at the conclusion of research or instruction and to minimize pain of the animals.
4. Made technical changes.

Report amends the bill to:

1. Clarify that the notification requirement only applies to animal shelters that turn over euthanized animals.
2. Modify the prohibition on euthanizing animals for the sole purpose of transferring the carcass for research to clarify the prohibition only applies to animal shelters or other persons that accept animals from the public or take in stray or unwanted animals.
3. Restructure the rejected Senate amendments to provide clarity.

Digest of the bill as proposed by the Conference Committee

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

Proposed law adds definitions for "animal dealer", "biological supply facility", and "research facility".

Proposed law adds a requirement for animal shelters that turn over euthanized animals to facilities for educational or 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 a living animal to a research facility, biological supply facility, animal dealer, or other person that accepts animals from the public or takes in stray or unwanted animals for the purpose of research or experimentation.

Proposed law allows an animal shelter or other person to give or transfer a living animal for instruction or research only if the following criteria are met:

- (1) Reasonable efforts to place the animal in a suitable environment outside of the shelter have been exhausted.
- (2) The animal is being given or transferred for instructional purposes, including necessary spay and neuter surgeries, research as part of clinical trials using drugs or treatments approved by the U.S. Dept. of Agriculture or the U.S. Food and Drug Administration, or research deemed non-invasive by the Institutional Animal Care and Use Committee.
- (3) When possible, the living animal is returned to its originating facility at the conclusion of research or instruction.
- (4) Every precaution has been taken to minimize pain to the animal.

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. 3:3462; Adds R.S. 3:2466)