

**Amendment No. 418**

Senate Amendment to Senate Bill No. 261	(BDR 50-56)
<b>Proposed by:</b> Senate Committee on Natural Resources	
<b>Amends:</b> Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date		SENATE ACTION		Initial and Date			
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

DPR/JWP



Date: 4/15/2015

S.B. No. 261—Makes various changes relating to certain facilities that are engaged in scientific, medical or educational research. (BDR 50-56)



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 **research 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}~~ **authorizing certain** 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}~~ **such a** 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}~~ **authorizes certain** research facilities ~~{and product testing facilities}~~  
2 ~~{that are 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 euthanizing or  
4 destroying ~~{the}~~ **such a** dog or cat. This bill also ~~{limits the length of time that a research}~~  
5 ~~{facility or product testing facility is authorized to conduct research on a dog or cat to 2 years.}~~  
6 **provides that such a research facility and its officers, directors, employees and agents**  
7 **are immune from civil liability for any act or omission relating to such an adoption.**

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 thereto a new  
2 section to read as follows:

3       1. ~~Except as otherwise provided in subsection 2, a~~ A research facility for  
4 ~~product testing facility~~ that intends to euthanize for destroy a dog or cat for any  
5 purpose other than scientific, medical or educational research ~~shall~~ may,  
6 ~~before euthanizing for destroying~~ the dog or cat, offer the dog or cat ~~to an~~  
7 ~~animal shelter or rescue organization~~ for adoption ~~if~~ if the dog or cat is  
8 appropriate for adoption. A research facility for product testing facility may offer  
9 the dog or cat for adoption through a program of the research facility or enter  
10 into a collaborative agreement with an animal shelter for that performs the work  
11 of an animal rescue organization or an animal rescue organization for the  
12 purpose of carrying out the provisions of this subsection. Any such animal shelter  
13 or animal rescue organization must be domiciled in Nevada and exempt from  
14 taxation pursuant to 26 U.S.C. § 501(c)(3).

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

18       ~~(a) Manifests a behavioral or temperamental defect that poses a risk to the~~  
19 ~~health and safety of the public;~~

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

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

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

27       ~~4. A research facility and any officer, director, employee or agent of the~~  
28 ~~research facility is immune from civil liability for any act or omission relating to~~  
29 ~~the adoption of a dog or cat pursuant to subsection 1.~~

30       ~~3. As used in this section:~~

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

34       ~~(b) "Institution of higher education" has the meaning ascribed to it in NRS~~  
35 ~~385.102.~~

36       ~~(c) "Product testing facility" means a facility that:~~

37       ~~(1) Is privately owned or funded; or~~

38       ~~(2) Receives public funding, including, without limitation, any subsidy,~~  
39 ~~grant or tax exemption, either directly or indirectly, through collaboration with~~  
40 ~~an institution of higher education,~~

41       ~~that is engaged in animal research for the purpose of testing a product's~~  
42 ~~performance, safety, quality and compliance with established standards.~~

43       ~~(d) "Research facility" means:~~

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

46       ~~(2) A facility that receives public funding, including, without limitation,~~  
47 ~~any subsidy, grant or tax exemption, either directly or indirectly, through~~  
48 ~~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 ~~H~~, **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. **"Research facility" means an organization that is engaged in:**  
**(a) Animal research for the purpose of testing the performance, safety or quality of a product; or**

**(b) Scientific research for scientific, medical or educational purposes.**

5. "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 **1.** The provisions of NRS 574.050 to 574.510, inclusive, **and section 1 of this act** do not:

~~1-1~~ **(a)** Interfere with any of the fish and game laws contained in title 45 of NRS or any laws for the destruction of certain birds.

~~2-1~~ **(b)** Interfere with the right to destroy any venomous reptiles or animals, or any animal known as dangerous to life, limb or property.

~~3-1~~ **(c)** Interfere with the right to kill all animals and fowl used for food.

~~4-1~~ **(d)** 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.

~~5-1~~ **(e)** Interfere with any scientific or physiological experiments conducted or prosecuted for the advancement of science or medicine.

~~6-1~~ **(f)** Prohibit or interfere with established methods of animal husbandry, including the raising, handling, feeding, housing and transporting of livestock or farm animals.

**2. Nothing contained in subsection 1 shall be deemed to exclude a research facility from the provisions of section 1 of this act.**