

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A bill to be entitled
 An act relating to the adoption of retired research animals; creating s. 828.52, F.S.; providing definitions; requiring specified research facilities to offer retired research animals for adoption; providing requirements for such adoption; providing immunity from civil liability for such facilities; providing applicability; directing the Department of Agriculture and Consumer Services to adopt rules; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 828.52, Florida Statutes, is created to read:

828.52 Adoption of research animals.-

(1) As used in this section, the term:

(a) "Animal rescue organization" means a nonprofit charitable organization established primarily to rescue animals and find adoptive homes for the animals.

(b) "Animal shelter" means a facility operated by a nonprofit charitable organization established primarily to shelter and care for stray, homeless, abandoned, or unwanted animals and find adoptive homes for the animals.

(c) "Department" means the Department of Agriculture and

26 Consumer Services.

27 (d) "Research facility" means a facility as defined in the
28 Animal Welfare Act, 7 U.S.C. s. 2132, that is licensed by or
29 registered with the United States Department of Agriculture to
30 conduct experiments on cats or dogs for education, research,
31 science, or testing purposes.

32 (e) "Retired animal" means a cat or dog used by a research
33 facility in experiments conducted for education, research,
34 science, or testing purposes that is no longer needed for such
35 purposes.

36 (2) (a) A research facility or its authorized employee or
37 an authorized student of an institution of higher education
38 associated with the research facility shall offer a retired
39 animal for adoption through an animal rescue organization or
40 animal shelter or to an individual through an arrangement
41 between the facility and the individual.

42 (b) A research facility may not offer a retired animal for
43 adoption through an animal rescue organization or animal shelter
44 unless the facility has a written agreement with the
45 organization or shelter for the transfer of the facility's
46 retired animals to the organization or shelter.

47 (c) A research facility that offers a retired animal for
48 adoption through an animal rescue organization or animal shelter
49 or to an individual in good faith and in compliance with this
50 section and rules adopted pursuant to this section is held

51 harmless from civil liability for the transfer of the retired
52 animal to the organization, shelter, or individual or for the
53 adoption of the retired animal by an individual through the
54 organization or shelter.

55 (3) This section does not apply to a retired animal with a
56 substantial medical condition that prevents the animal from
57 successfully integrating into an adoptive home.

58 (4) The department shall adopt rules to administer this
59 section.

60 Section 2. This act shall take effect July 1, 2020.