

Senate Bill No. 261—Senators Manendo, Denis, Parks, Spearman, Atkinson; Farley, Ford, Goicoechea, Gustavson, Harris, Kieckhefer, Kihuen, Lipparelli, Roberson, Segerblom, Settlemeyer, Smith and Woodhouse

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

## CHAPTER.....

AN ACT relating to animals; requiring certain research facilities to offer certain dogs and cats to an animal shelter or rescue organization for adoption before euthanizing or destroying such a dog or cat; and providing other matters properly relating thereto.

### Legislative Counsel's Digest:

This bill requires certain research facilities to offer dogs and cats that are appropriate for adoption to an animal shelter or rescue organization before euthanizing or destroying such a dog or cat. This bill also provides that such a research facility and its officers, directors, employees and agents are immune from civil liability for any act or omission relating to such an adoption.

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

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

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

*1. A research facility that intends to euthanize a dog or cat for any purpose other than scientific, medical or educational research shall, before euthanizing the dog or cat, offer the dog or cat for adoption if the dog or cat is appropriate for adoption. A research facility may offer the dog or cat for adoption through a program of the research facility or enter into a collaborative agreement with an animal shelter that performs the work of an animal rescue organization or an animal rescue organization for the purpose of carrying out the provisions of this subsection. Any such animal shelter or animal rescue organization must be domiciled in Nevada and exempt from taxation pursuant to 26 U.S.C. § 501(c)(3).*



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

**3. As used in this section, “animal rescue organization” means a nonprofit organization established for the purpose of rescuing animals in need and finding permanent, adoptive homes for such animals.**

**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:

~~H~~ **(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.

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

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

~~K~~ **(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.



~~15.1~~ (e) Interfere with any scientific or physiological experiments conducted or prosecuted for the advancement of science or medicine.

~~16.1~~ (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.***

