

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

216



FROM: Executive Office

SUBMITTAL DATE:
March 31, 2016

SUBJECT: A.B. 2269 – Animal Shelters: Research Animals: Prohibitions

RECOMMENDED MOTION: That the Board of Supervisors:
Support Bill A.B. 2269 (Waldron)

BACKGROUND:

Summary

A.B. 2269: The bill would prohibit an animal shelter that accepts animals from the public or takes in stray or unwanted animals from selling, giving, or otherwise transferring a living animal to a research facility or animal dealer. The bill would also prohibit a research facility from using a living animal for any type of experimentation, Veterinarians are exempt.

Departmental Concurrence

Brian Nestande
Deputy County Executive Officer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

SOURCE OF FUNDS:

Budget Adjustment:

For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

BY:

George A. Johnson

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- Positions Added
- Change Order

- A-30
- 4/5 Vote

Prev. Agn. Ref.:

District: All

Agenda Number:

3-2

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

FORM 11: A.B. 2269 – Animal Shelters: Research Animals: Prohibitions

DATE: March 31, 2016

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

Existing law requires a pound or animal regulation department of a public or private agency where animals are turned over dead or alive to a biological supply facility or a research facility to post a statement to this effect, as specified, and requires that this statement and other information also be included on owner surrender forms.

This bill would repeal these provisions and would prohibit a person or animal shelter entity that accepts animals from the public or takes in stray or unwanted animals from selling, giving, or otherwise transferring a living animal to a research facility or animal dealer, as specified. The bill would also prohibit a research facility from procuring, purchasing, receiving, accepting, or using a living animal for the purpose of medical or biological teaching, research, or study, or any other kind of experimentation, if that animal is transferred from, or received from, an animal shelter. The bill would except from these prohibitions specified procedures performed by, or under the direct supervision of, a licensed veterinarian, subject to certain conditions. A violation of these provisions would be subject to a civil penalty of \$1,000. By creating new conditions affecting the operations of local, public animal service entities, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Impact on Residents and Businesses

The action presented would affect residents of Riverside County who violate the law as would be prescribed through this bill.

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

BILL NUMBER: AB 2269 INTRODUCED
BILL TEXT

INTRODUCED BY Assembly Member Waldron

FEBRUARY 18, 2016

An act to repeal and add Section 1834.7 of the Civil Code, relating to animal shelters.

LEGISLATIVE COUNSEL'S DIGEST

AB 2269, as introduced, Waldron. Animal shelters: research animals: prohibitions.

(1) Existing law requires a pound or animal regulation department of a public or private agency where animals are turned over dead or alive to a biological supply facility or a research facility to post a statement to this effect, as specified, and requires that this statement and other information also be included on owner surrender forms.

This bill would repeal these provisions. The bill would prohibit a person or animal shelter entity that accepts animals from the public or takes in stray or unwanted animals from selling, giving, or otherwise transferring a living animal to a research facility or animal dealer, as specified. The bill would also prohibit a research facility from procuring, purchasing, receiving, accepting, or using a living animal for the purpose of medical or biological teaching, research, or study, or any other kind of experimentation, if that animal is transferred from, or received from, an animal shelter. The bill would except from these prohibitions specified procedures performed by, or under the direct supervision of, a licensed veterinarian, subject to certain conditions. A violation of these provisions would be subject to a civil penalty of \$1,000. By creating new conditions affecting the operations of local, public animal service entities, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1834.7 of the Civil Code is repealed.
~~1834.7. (a) In any pound or animal regulation department of a public or private agency where animals are turned over dead or alive to a biological supply facility or a research facility, a sign (measuring a minimum of 28 x 21 cm -- 11 x 8 1/2 inches -- with lettering of a minimum of 3.2 cm high and 1.2 cm wide -- 1 1/4 x 1/2~~

3-2

~~inch -- (91 point) -- stating:~~

~~"Animals Turned In To This Shelter May Be Used For Research Purposes
or to Supply Blood, Tissue, or Other Biological Products"~~

~~shall be posted in a place where it will be clearly visible to a
majority of persons when turning animals over to the shelter. This
statement shall also be included on owner surrender forms. The owner
surrender forms shall also include the definition of "biological
supply facility" contained in subdivision (c).~~

~~— (b) For purposes of this section, "animal research facility"
includes any laboratory, firm, association, corporation,
copartnership, and educational institution.~~

~~— (c) For purposes of this section, "biological supply facility"
includes any blood bank, laboratory, firm, association, corporation,
copartnership, or educational institution that sells biological
materials such as blood or animals, either alive or dead, to research
facilities, educational institutions, or veterinarians.~~

SEC. 2. Section 1834.7 is added to the Civil Code, to read:

1834.7. (a) For purposes of this section:

(1) "Animal dealer" means a dealer as defined by Section 2132 of
Title 7 of the United States Code, effective February 7, 2014.

(2) "Animal shelter entity" includes, but is not limited to, an
animal regulation agency, humane society, society for the prevention
of cruelty to animals, rescue group, or other private or public
animal shelter.

(3) "Research facility" means a research facility as defined by
Section 2132 of Title 7 of the United States Code, effective February
7, 2014.

(b) (1) A person or animal shelter entity that accepts animals
from the public or takes in stray or unwanted animals shall not sell,
give, or otherwise transfer a living animal to a research facility,
or to an animal dealer if the dealer will transfer the animal to a
research facility.

(2) A research facility shall not procure, purchase, receive,
accept, or use a living animal for the purpose of medical or
biological teaching, research, or study, or any other kind of
experimentation, if that animal is transferred from, or received
from, an animal shelter entity.

(c) This section does not prohibit a procedure by a licensed
veterinarian to correct the animal's preexisting medical condition,
nor does it prohibit a procedure to spay or neuter the animal if the
procedure is performed by, or under the direct supervision of, a
licensed veterinarian, and if the animal is returned to the person or
animal shelter entity after the procedure, unless the animal is
found to be suffering from a medical condition that requires the
animal's humane euthanasia to avoid imminent and prolonged pain and
suffering.

(d) A violation of this section is subject to a civil penalty of
one thousand dollars (\$1,000) in an action to be brought by the
district attorney or city attorney of the county or city where the
violation occurred. When collected, the civil penalty shall be
payable to the general fund of the governmental entity that brought
the action to assess the penalty.

SEC. 3. If the Commission on State Mandates determines that this
act contains costs mandated by the state, reimbursement to local
agencies and school districts for those costs shall be made pursuant
to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of
the Government Code.