

SENATE BILL 761

M4
SB 495/23 – EEE

4lr2055

By: **Senators Kramer, Lam, Lewis Young, and Waldstreicher**

Introduced and read first time: February 1, 2024

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Testing Facilities That Use Animals – Licensing and Regulation**

3 FOR the purpose of requiring each testing facility in the State to be licensed by the
4 Department of Agriculture to use animals in research, education, or testing;
5 establishing requirements for the use and treatment of dogs or cats by a testing
6 facility; prohibiting a testing facility from using certain dogs and cats for research or
7 testing purposes and performing certain procedures on dogs or cats; prohibiting a
8 testing facility from using traditional animal test methods under certain
9 circumstances; prohibiting a testing facility from conducting a canine or feline
10 toxicological experiment under certain circumstances; applying certain provisions of
11 law regarding the adoption of dogs and cats used for scientific research purposes to
12 testing facilities; establishing a State Inspector of Animal Welfare in the Department
13 to inspect certain testing facilities; requiring a testing facility to notify the State
14 Inspector of certain violations; requiring a school or an institution of higher
15 education that uses animals for certain purposes to submit a report on the results of
16 certain inspections to the General Assembly on or before a certain date each year;
17 establishing the Animals in Research Fund as a special, nonlapsing fund; requiring
18 interest earnings of the Fund to be credited to the Fund; and generally relating to
19 testing facilities that use animals in research, education, or testing.

20 BY adding to

21 Article – Agriculture

22 Section 15–101 through 15–104 and 15–106 through 15–111 to be under the
23 amended title “Title 15. Research Facilities and Testing Facilities That Use
24 Animals”

25 Annotated Code of Maryland

26 (2016 Replacement Volume and 2023 Supplement)

27 BY repealing and reenacting, with amendments,

28 Article – Agriculture

29 Section 15–101

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2016 Replacement Volume and 2023 Supplement)

3 BY repealing and reenacting, without amendments,
4 Article – State Finance and Procurement
5 Section 6–226(a)(2)(i)
6 Annotated Code of Maryland
7 (2021 Replacement Volume and 2023 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – State Finance and Procurement
10 Section 6–226(a)(2)(ii)189. and 190.
11 Annotated Code of Maryland
12 (2021 Replacement Volume and 2023 Supplement)

13 BY adding to
14 Article – State Finance and Procurement
15 Section 6–226(a)(2)(ii)191.
16 Annotated Code of Maryland
17 (2021 Replacement Volume and 2023 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Agriculture**

21 Title 15. Research Facilities [that] AND TESTING FACILITIES THAT Use [Dogs or Cats]
22 ANIMALS.

23 **15–101.**

24 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

26 (B) (1) “ALTERNATIVE TEST METHOD” MEANS A TEST METHOD,
27 INCLUDING A NEW OR REVISED METHOD, THAT:

28 (I) DOES NOT USE ANIMALS;

29 (II) PRODUCES INFORMATION OF EQUIVALENT OR BETTER
30 SCIENTIFIC QUALITY AND RELEVANCE COMPARED TO TRADITIONAL ANIMAL TEST
31 METHODS; AND

1 (III) HAS BEEN IDENTIFIED AND ACCEPTED FOR USE BY THE
2 FEDERAL AGENCY OR PROGRAM WITHIN THE FEDERAL AGENCY RESPONSIBLE FOR
3 REGULATING THE SPECIFIC PRODUCT OR ACTIVITY FOR WHICH THE TEST IS BEING
4 CONDUCTED.

5 (2) "ALTERNATIVE TEST METHOD" INCLUDES:

6 (I) COMPUTATIONAL TOXICOLOGY AND BIOINFORMATICS;

7 (II) HIGH-THROUGHPUT SCREENING METHODS;

8 (III) TESTING CATEGORIES OF CHEMICAL SUBSTANCES;

9 (IV) TIERED TESTING METHODS;

10 (V) IN VITRO STUDIES; AND

11 (VI) SYSTEMS BIOLOGY.

12 (C) (1) "BIOMEDICAL RESEARCH" MEANS:

13 (I) THE INVESTIGATION OF THE BIOLOGICAL PROCESSES AND
14 CAUSES OF DISEASE; OR

15 (II) RESEARCH CONDUCTED TO INCREASE FUNDAMENTAL
16 SCIENTIFIC KNOWLEDGE AND EXPAND THE UNDERSTANDING OF HOW PROCESSES IN
17 LIVING ORGANISMS DEVELOP AND FUNCTION.

18 (2) "BIOMEDICAL RESEARCH" DOES NOT INCLUDE TESTING DONE TO
19 ASSESS THE SAFETY OR EFFICACY OF:

20 (I) CHEMICAL SUBSTANCES;

21 (II) INGREDIENTS;

22 (III) DRUGS;

23 (IV) VACCINES;

24 (V) PRODUCTS; OR

25 (VI) PRODUCT FORMULATIONS.

1 (D) “CANINE OR FELINE TOXICOLOGICAL EXPERIMENT” MEANS A TEST OR
2 STUDY USED TO DETERMINE THE EFFECT OF THE APPLICATION OR EXPOSURE,
3 WHETHER INTERNAL OR EXTERNAL AND INCLUDING ORAL INGESTION, SKIN OR EYE
4 CONTACT, AND INHALATION, OF ANY AMOUNT OF A CHEMICAL SUBSTANCE ON A DOG
5 OR CAT.

6 (E) “CHEMICAL SUBSTANCE” MEANS ANY ORGANIC OR INORGANIC
7 SUBSTANCE, INCLUDING:

8 (1) A DRUG, AS DEFINED IN 21 U.S.C. § 321(G);

9 (2) A PESTICIDE, AS DEFINED IN 7 U.S.C. § 136(U);

10 (3) A CHEMICAL SUBSTANCE, AS DEFINED IN 15 U.S.C. § 2602(2);
11 AND

12 (4) A FOOD ADDITIVE, AS DEFINED IN 21 U.S.C. § 321(S).

13 (F) (1) “RESEARCH FACILITY” MEANS ANY FACILITY IN THE STATE THAT
14 USES LIVE VERTEBRATES FOR RESEARCH, EDUCATION, OR EXPERIMENTATION.

15 (2) “RESEARCH FACILITY” DOES NOT INCLUDE:

16 (I) A PARTNERSHIP, A CORPORATION, AN ASSOCIATION, AN
17 INSTITUTION, AN ORGANIZATION, OR ANY OTHER ENTITY IN THE STATE THAT
18 PROVIDES ONLY BENEFICIAL SERVICES TO AN ANIMAL, SUCH AS SPAYING AND
19 NEUTERING; OR

20 (II) A SCHOOL OR AN INSTITUTION OF HIGHER EDUCATION.

21 (G) “STATE INSPECTOR” MEANS THE STATE INSPECTOR OF ANIMAL
22 WELFARE ESTABLISHED UNDER § 15–107 OF THIS TITLE.

23 (H) (1) “TESTING FACILITY” MEANS A PUBLIC OR PRIVATE
24 PARTNERSHIP, CORPORATION, ASSOCIATION, ORGANIZATION, OR OTHER ENTITY IN
25 THE STATE THAT USES ANIMALS FOR THE TESTING OF:

26 (I) CHEMICAL SUBSTANCES;

27 (II) INGREDIENTS;

28 (III) DRUGS;

1 (IV) VACCINES;

2 (V) PRODUCTS; OR

3 (VI) PRODUCT FORMULATIONS.

4 (2) "TESTING FACILITY" INCLUDES A PARTNERSHIP, A
5 CORPORATION, AN ASSOCIATION, AN ORGANIZATION, OR ANY OTHER ENTITY IN THE
6 STATE THAT IS OWNED, LEASED, OR OPERATED BY A PUBLIC OR PRIVATE ENTITY.

7 (3) "TESTING FACILITY" DOES NOT INCLUDE:

8 (I) A PARTNERSHIP, A CORPORATION, AN ASSOCIATION, AN
9 INSTITUTION, AN ORGANIZATION, OR ANY OTHER ENTITY IN THE STATE THAT
10 PROVIDES ONLY BENEFICIAL SERVICES TO AN ANIMAL, SUCH AS SPAYING AND
11 NEUTERING; OR

12 (II) A SCHOOL OR AN INSTITUTION OF HIGHER EDUCATION.

13 (I) "TRADITIONAL ANIMAL TEST METHOD" MEANS A PROCESS, AN
14 EXPERIMENT, OR A PROCEDURE THAT:

15 (1) USES ANIMALS TO OBTAIN INFORMATION ON THE
16 CHARACTERISTICS OF A CHEMICAL SUBSTANCE, AN INGREDIENT, A DRUG, A
17 VACCINE, A PRODUCT FORMULATION, OR A PRODUCT; AND

18 (2) GENERATES INFORMATION REGARDING THE ABILITY OF THE
19 CHEMICAL SUBSTANCE, INGREDIENT, DRUG, VACCINE, PRODUCT FORMULATION, OR
20 PRODUCT TO PRODUCE A SPECIFIC BIOLOGICAL EFFECT UNDER SPECIFIED
21 CONDITIONS.

22 15-102.

23 (A) EACH TESTING FACILITY MUST BE LICENSED BY THE DEPARTMENT TO
24 USE ANIMALS IN RESEARCH, EDUCATION, OR TESTING.

25 (B) THE DEPARTMENT SHALL ISSUE A LICENSE TO A TESTING FACILITY
26 THAT:

27 (1) PASSES AN INSPECTION CONDUCTED BY THE STATE INSPECTOR
28 UNDER § 15-107 OF THIS TITLE; AND

1 **(2) AGREES TO COMPLY WITH THE INSPECTION AND REPORTING**
2 **REQUIREMENTS OF THIS TITLE.**

3 **(C) THE DEPARTMENT SHALL CHARGE A LICENSING FEE TO:**

4 **(1) A TESTING FACILITY THAT USES VERTEBRATES NOT COVERED**
5 **UNDER THE FEDERAL ANIMAL WELFARE ACT; AND**

6 **(2) COVER THE COSTS OF IMPLEMENTING THIS TITLE.**

7 **15-103.**

8 **(A) EACH TESTING FACILITY SHALL ENSURE THAT THE NUMBER OF DOGS**
9 **AND CATS USED FOR RESEARCH OR TESTING PURPOSES NOT OTHERWISE**
10 **PROHIBITED UNDER THIS TITLE IS REDUCED TO THE SMALLEST NUMBER POSSIBLE**
11 **BY USING SCIENTIFICALLY RELIABLE AND RELEVANT METHODS THAT DO NOT**
12 **INVOLVE THE USE OF DOGS OR CATS.**

13 **(B) A TESTING FACILITY MAY NOT USE FOR RESEARCH OR TESTING**
14 **PURPOSES:**

15 **(1) A DOG SOLD BY A CLASS B DEALER LICENSED UNDER THE**
16 **FEDERAL ANIMAL WELFARE ACT;**

17 **(2) A DOG OR A CAT OBTAINED FROM A PERSON THAT DID NOT BREED**
18 **AND RAISE THE DOG OR CAT, INCLUDING A DOG OR CAT OBTAINED FROM AN**
19 **AUCTION, A FLEA MARKET, OR AN ANIMAL SHELTER; OR**

20 **(3) A DOG OR A CAT THAT HAS UNDERGONE A DEVOCALIZATION**
21 **SURGERY.**

22 **(C) A TESTING FACILITY MAY NOT PERFORM A DEVOCALIZATION SURGERY**
23 **ON A DOG OR A CAT.**

24 **(D) A DOG OR A CAT AT A TESTING FACILITY MAY BE EUTHANIZED ONLY BY**
25 **A LETHAL INJECTION OF SODIUM PENTOBARBITAL ADMINISTERED:**

26 **(1) BY A VETERINARIAN LICENSED IN THE STATE; OR**

27 **(2) UNDER THE DIRECT SUPERVISION OF A VETERINARIAN LICENSED**
28 **IN THE STATE.**

29 **15-104.**

1 **(A) (1) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A TESTING**
2 **FACILITY MAY NOT USE A TRADITIONAL ANIMAL TEST METHOD IF THE AGENCY**
3 **RESPONSIBLE FOR REGULATING THE SPECIFIC PRODUCT OR ACTIVITY FOR WHICH**
4 **A TEST METHOD IS BEING USED HAS:**

5 **(I) APPROVED AN ALTERNATIVE TEST METHOD; OR**

6 **(II) GRANTED THE TESTING FACILITY A WAIVER FROM USING A**
7 **TRADITIONAL ANIMAL TEST METHOD.**

8 **(2) IF THERE IS NO ALTERNATIVE TEST METHOD AVAILABLE OR**
9 **WAIVER GRANTED, A TESTING FACILITY MAY USE A TRADITIONAL ANIMAL TEST**
10 **METHOD IF THE TESTING FACILITY USES THE FEWEST NUMBER OF ANIMALS**
11 **POSSIBLE AND MINIMIZES THE LEVEL OF PAIN, SUFFERING, AND STRESS OF AN**
12 **ANIMAL USED FOR TESTING.**

13 **(3) NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO PROHIBIT**
14 **THE USE OF A TRADITIONAL ANIMAL TEST METHOD TO COMPLY WITH FEDERAL OR**
15 **STATE REQUIREMENTS IF THE APPROPRIATE FEDERAL OR STATE AGENCY HAS**
16 **APPROVED THE USE OF AN ALTERNATIVE TEST METHOD BUT DETERMINED THAT**
17 **THE ALTERNATIVE TEST METHOD DOES NOT ENSURE THE HEALTH OR SAFETY OF**
18 **THE PUBLIC OR THE ENVIRONMENT.**

19 **(B) (1) THIS SUBSECTION DOES NOT APPLY TO BIOMEDICAL RESEARCH.**

20 **(2) A TESTING FACILITY MAY NOT CONDUCT A CANINE OR FELINE**
21 **TOXICOLOGICAL EXPERIMENT IN THE STATE FOR DISCOVERY, APPROVAL,**
22 **MAINTENANCE OF APPROVAL, NOTIFICATION, REGISTRATION, OR MAINTENANCE OF**
23 **A CHEMICAL SUBSTANCE UNLESS THE CANINE OR FELINE TOXICOLOGICAL**
24 **EXPERIMENT IS CONDUCTED TO:**

25 **(I) SATISFY AN EXPRESS REQUIREMENT IMPOSED BY THE U.S.**
26 **ENVIRONMENTAL PROTECTION AGENCY UNDER THE AUTHORITY OF THE FEDERAL**
27 **INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT OR THE FEDERAL TOXIC**
28 **SUBSTANCES CONTROL ACT;**

29 **(II) SATISFY AN EXPRESS REQUIREMENT IMPOSED BY THE U.S.**
30 **FOOD AND DRUG ADMINISTRATION UNDER THE AUTHORITY OF THE FEDERAL**
31 **FOOD, DRUG, AND COSMETIC ACT IF THE TESTING FACILITY:**

32 **1. SUBMITS A PRE-INVESTIGATIONAL NEW DRUG**
33 **APPLICATION MEETING REQUEST TO THE U.S. FOOD AND DRUG ADMINISTRATION**

1 TO RECEIVE GUIDANCE ON WHETHER ALL PROPOSED CANINE OR FELINE
2 TOXICOLOGICAL EXPERIMENTS ARE NECESSARY TO SUPPORT THE TESTING
3 FACILITY'S PLANNED CLINICAL TRIALS; AND

4 2. IS NOT EXPRESSLY DIRECTED BY THE U.S. FOOD AND
5 DRUG ADMINISTRATION TO USE AN ALTERNATIVE TEST METHOD;

6 (III) SUPPORT AN APPLICATION TO THE U.S. ENVIRONMENTAL
7 PROTECTION AGENCY FOR A WAIVER FROM THE USE OF A CANINE OR FELINE
8 TOXICOLOGICAL EXPERIMENT IF THE EXPERIMENT IS CONDUCTED SOLELY FOR THE
9 PURPOSE OF REDUCING THE TOTAL NUMBER OF ANIMALS NEEDED FOR
10 EXPERIMENTS TO ACHIEVE DISCOVERY, APPROVAL, MAINTENANCE OF APPROVAL,
11 NOTIFICATION, REGISTRATION, OR MAINTENANCE OF A PESTICIDE OR CHEMICAL
12 SUBSTANCE; OR

13 (IV) DEVELOP, MANUFACTURE, OR MARKET A PRODUCT
14 INTENDED FOR THE BENEFICIAL USE OF DOGS OR CATS.

15 [15-101.] 15-105.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) “Animal rescue organization” includes:

18 (i) A nonprofit organization incorporated for the purpose of rescuing
19 animals in need and finding permanent adoptive homes for the animals; and

20 (ii) A government-operated animal control unit that provides
21 animals for adoption.

22 (3) [“Research facility” includes:

23 (i) A higher education research facility;

24 (ii) A scientific research facility;

25 (iii) A medical research facility; and

26 (iv) A product testing facility.

27 (4)] “Scientific research purposes” includes:

28 (i) Investigation;

29 (ii) Experimentation;

1 (iii) Instruction; and

2 (iv) Testing.

3 (b) This section applies to a dog or cat that, in the determination of an attending
4 veterinarian, is suitable for adoption.

5 (c) A research facility **OR TESTING FACILITY** located in the State in which dogs
6 or cats are used for scientific research purposes shall take reasonable steps to provide for
7 the adoption of a dog or cat that, in the determination of the research facility, is no longer
8 needed for scientific research purposes by:

9 (1) Establishing a private placement process to provide for the adoption of
10 a dog or cat;

11 (2) Establishing a list of animal rescue organizations that are approved by
12 the research facility **OR TESTING FACILITY** and are willing to take a dog or cat from the
13 research facility; and

14 (3) Offering the dog or cat to the animal rescue organizations identified in
15 the list established under item (2) of this subsection if the research facility **OR TESTING**
16 **FACILITY** is unable to place the dog or cat through its private placement process.

17 (d) A research facility **OR TESTING FACILITY** may enter into a collaborative
18 agreement with an animal rescue organization for the purpose of carrying out the
19 provisions of this section.

20 **15–106.**

21 (A) **ON OR BEFORE JANUARY 31 EACH YEAR, EACH TESTING FACILITY THAT**
22 **USES LIVE ANIMALS FOR RESEARCH, EDUCATION, OR TESTING SHALL SUBMIT TO**
23 **THE SECRETARY THE FOLLOWING INFORMATION REGARDING THE IMMEDIATELY**
24 **PRECEDING 12–MONTH PERIOD:**

25 (1) **THE NUMBER OF EACH SPECIES OF VERTEBRATE ANIMALS**
26 **OWNED AND USED BY THE TESTING FACILITY;**

27 (2) **THE NUMBER OF DOGS OR CATS RELEASED TO ANIMAL RESCUE**
28 **ORGANIZATIONS UNDER § 15–105 OF THIS TITLE AND THE NAMES OF THE ANIMAL**
29 **RESCUE ORGANIZATIONS TO WHICH THE DOGS OR CATS WERE RELEASED;**

30 (3) **THE TYPE AND NUMBER OF ALTERNATIVE TEST METHODS AND**
31 **TRADITIONAL ANIMAL TEST METHODS USED;**

1 **(4) THE NUMBER OF TRADITIONAL ANIMAL TEST METHOD WAIVERS**
2 **AND CANINE OR FELINE TOXICOLOGICAL EXPERIMENT WAIVERS USED; AND**

3 **(5) THE PURPOSE OF ANY TESTS CONDUCTED USING ALTERNATIVE**
4 **TEST METHODS OR TRADITIONAL ANIMAL TEST METHODS.**

5 **(B) THE SECRETARY SHALL:**

6 **(1) PREPARE AN ANNUAL REPORT AGGREGATING THE INFORMATION**
7 **SUBMITTED UNDER SUBSECTION (A) OF THIS SECTION; AND**

8 **(2) POST THE ANNUAL REPORT ON THE DEPARTMENT'S WEBSITE.**

9 **15-107.**

10 **(A) THERE IS A STATE INSPECTOR OF ANIMAL WELFARE IN THE**
11 **DEPARTMENT.**

12 **(B) (1) THE STATE INSPECTOR SHALL:**

13 **(I) INSPECT EACH TESTING FACILITY APPLYING FOR A**
14 **LICENSE UNDER THIS TITLE;**

15 **(II) INSPECT AT LEAST ONCE EVERY YEAR EACH TESTING**
16 **FACILITY THAT:**

17 1. **HAS AN ACTIVE LICENSE ISSUED UNDER THIS TITLE;**
18 **BUT**

19 2. **IS NOT REGISTERED BY THE U.S. DEPARTMENT OF**
20 **AGRICULTURE UNDER THE FEDERAL ANIMAL WELFARE ACT; AND**

21 **(III) INSPECT AT LEAST ONCE EVERY OTHER YEAR EACH**
22 **TESTING FACILITY:**

23 1. **FOR WHICH A LICENSE HAS BEEN ISSUED UNDER THIS**
24 **TITLE; AND**

25 2. **REGISTERED BY THE U.S. DEPARTMENT OF**
26 **AGRICULTURE UNDER THE FEDERAL ANIMAL WELFARE ACT.**

27 **(2) THE DEPARTMENT MAY ENTER INTO AN AGREEMENT WITH AN**
28 **ANIMAL WELFARE ORGANIZATION, A LOCAL ANIMAL CONTROL AGENCY, OR**

1 ANOTHER SIMILAR ENTITY TO CONDUCT THE INSPECTIONS REQUIRED UNDER THIS
2 SUBSECTION.

3 (C) (1) A TESTING FACILITY SHALL NOTIFY THE STATE INSPECTOR
4 WITHIN 30 DAYS AFTER RECEIPT OF ANY VIOLATION NOTIFICATION THE TESTING
5 FACILITY RECEIVES FOR A VIOLATION OF THE FEDERAL ANIMAL WELFARE ACT OR
6 THE REGULATIONS ADOPTED UNDER THE ACT.

7 (2) THE STATE INSPECTOR SHALL INSPECT A TESTING FACILITY
8 WITHIN 30 DAYS AFTER RECEIVING NOTIFICATION FROM THE TESTING FACILITY
9 THAT IT IS IN VIOLATION OF THE FEDERAL ANIMAL WELFARE ACT OR THE
10 REGULATIONS ADOPTED UNDER THE ACT.

11 15-108.

12 (A) ON OR BEFORE DECEMBER 31 EACH YEAR, A SCHOOL OR AN
13 INSTITUTION OF HIGHER EDUCATION THAT USES ANIMALS FOR THE SAME PURPOSE
14 AS A RESEARCH FACILITY OR TESTING FACILITY SHALL REPORT TO THE GENERAL
15 ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE,
16 ON THE RESULTS OF ANY INSPECTION OF THE SCHOOL OR THE INSTITUTION OF
17 HIGHER EDUCATION PERFORMED BY THE AGENCY THAT REGULATES THE USE OF
18 ANIMALS BY THE SCHOOL OR THE INSTITUTION OF HIGHER EDUCATION.

19 (B) THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION
20 SHALL INCLUDE ANY VIOLATIONS FOUND DURING AN INSPECTION.

21 15-109.

22 (A) IN THIS SECTION, "FUND" MEANS THE ANIMALS IN RESEARCH FUND.

23 (B) THERE IS AN ANIMALS IN RESEARCH FUND.

24 (C) THE PURPOSE OF THE FUND IS TO COVER THE COSTS ASSOCIATED WITH
25 THE STATUTORY AND REGULATORY DUTIES OF THE STATE INSPECTOR.

26 (D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

27 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
28 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

29 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
30 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

1 (F) THE FUND CONSISTS OF:

2 (1) LICENSING FEES CHARGED BY THE DEPARTMENT UNDER §
3 15-102 OF THIS TITLE;

4 (2) PENALTIES COLLECTED UNDER § 15-110 OF THIS TITLE;

5 (3) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

6 (4) INTEREST EARNINGS; AND

7 (5) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
8 THE BENEFIT OF THE FUND.

9 (G) THE FUND MAY BE USED ONLY TO COVER THE COSTS ASSOCIATED WITH
10 THE STATUTORY AND REGULATORY DUTIES OF THE STATE INSPECTOR.

11 (H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
12 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

13 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
14 THE FUND.

15 (I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
16 WITH THE STATE BUDGET.

17 (J) MONEY EXPENDED FROM THE FUND FOR THE COSTS ASSOCIATED WITH
18 THE STATUTORY AND REGULATORY DUTIES OF THE STATE INSPECTOR IS
19 SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT
20 OTHERWISE WOULD BE APPROPRIATED FOR THESE COSTS.

21 15-110.

22 A TESTING FACILITY THAT VIOLATES THIS TITLE IS SUBJECT TO:

23 (1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$1,000; AND

24 (2) FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE NOT
25 EXCEEDING \$5,000.

26 15-111.

27 THE DEPARTMENT SHALL ADOPT REGULATIONS TO:

1 **(1) CARRY OUT THIS TITLE; AND**

2 **(2) ENSURE THE HUMANE TREATMENT AND CARE OF DOGS AND CATS**
3 **THAT ARE USED FOR RESEARCH, EDUCATION, OR TESTING CONSISTENT WITH THE**
4 **FEDERAL ANIMAL WELFARE ACT AND CORRESPONDING REGULATIONS.**

5 **Article – State Finance and Procurement**

6 6–226.

7 (a) (2) (i) Notwithstanding any other provision of law, and unless
8 inconsistent with a federal law, grant agreement, or other federal requirement or with the
9 terms of a gift or settlement agreement, net interest on all State money allocated by the
10 State Treasurer under this section to special funds or accounts, and otherwise entitled to
11 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
12 Fund of the State.

13 (ii) The provisions of subparagraph (i) of this paragraph do not apply
14 to the following funds:

15 189. the Teacher Retention and Development Fund; [and]

16 190. the Protecting Against Hate Crimes Grant Fund; **AND**

17 **191. THE ANIMALS IN RESEARCH FUND.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2024.