ASSEMBLY BILL No. 147

Introduced by Assembly Member Dababneh
(Principal coauthor: Assembly Member Waldron)
(Coauthor: Senator Leno)

January 15, 2015

An act to add Section 66017.7 to the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 147, as introduced, Dababneh. Postsecondary education: animal research.

Existing law establishes a state policy that no adoptable animal should be euthanized if it can be adopted into a suitable home.

Existing law authorizes the State Department of Public Health to prescribe rules under which approval shall be granted to persons who wish to keep or use animals for diagnostic purposes, education, or research. Existing law authorizes the State Department of Public Health to make, promulgate, modify, amend, or rescind reasonable rules and regulations relating to the use of animals in diagnostic procedures and medical research. A person who violates these provisions is guilty of a misdemeanor.

Existing law establishes the University of California, the California State University, the California Community Colleges, and independent institutions of higher education, as defined, as the 4 segments of postsecondary education in this state.

This bill would require any public postsecondary educational institution, as defined to include any campus of the University of California, the California State University, or the California Community

Colleges, or an independent institution of higher education, as defined, or employee or student thereof, that confines dogs or cats for science or research purposes and intends to destroy the dog or cat used for those purposes to first offer the dog or cat to an animal adoption organization or animal rescue organization, as defined. The bill would not apply to animals suffering from a serious illness or severe injury, or to newborn animals that need maternal care and have been impounded without their mothers.

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

The people of the State of California do enact as follows:

1   SECTION 1. Section 66017.7 is added to the Education Code,
2 to read:
3   66017.7. (a) Any public postsecondary educational institution
4 or independent institution of higher education, or employee or
5 student thereof, that confines dogs or cats for the purposes set forth
6 in Section 1650 of the Health and Safety Code, shall offer the dogs
7 or cats to an animal adoption organization or animal rescue
8 organization for adoption prior to euthanizing those animals, after
9 the completion of any testing or research where the animal's
10 destruction is not required and the animal is no longer needed. A
11 public postsecondary educational institution or independent
12 institution of higher education that is required to offer dogs or cats
13 to an animal adoption organization or animal rescue organization
14 under this section may enter into an agreement with an animal
15 adoption organization or animal rescue organization for the
16 implementation of this section.
17   (b) For purposes of this section, the following definitions shall
18 apply:
19   (1) "Animal adoption organization" or "animal rescue
20 organization" means a not-for-profit entity that is exempt from
21 taxation pursuant to Section 501(c)(3) of the Internal Revenue
22 Code or a collaboration of individuals, with at least one of its
23 purposes being the sale or placement of animals that have been
24 removed from a public animal control agency or shelter, society
25 for the prevention of cruelty to animals shelter, or humane shelter,
26 or that have been previously owned by any person.

1   (2) "Independent institution of higher education" means a
2 nonpublic educational institution as defined in subdivision (b) of
3 Section 66010.
4   (3) "Public postsecondary educational institution" means any
5 campus of the University of California, the California State
6 University, or the California Community Colleges.
7   (c) This section does not apply to animals within the meaning
8 of Section 17006 of the Food and Agricultural Code.

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