

AMENDED IN ASSEMBLY MARCH 16, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 147

Introduced by Assembly Member Dababneh
(Principal coauthor: Assembly Member Waldron)
(Coauthors: Assembly Members Bloom, Linder, Mullin, Wilk, and
Williams)
(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 amended, 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~~

Under existing law, the segments of postsecondary education in this state include 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 defined.~~

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 an 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 purposes, if the institution determines, after the completion of any testing or research, that an animal's destruction is not required and the animal is no longer needed and if the institution's existing procedures for adopting the animal do not result in an adoption, to first~~ offer the dog or cat to an animal adoption organization or animal rescue organization, ~~as defined: defined, prior to euthanizing the animal.~~ 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, *if the institution*
 7 *determines, after the completion of any testing or research, that*
 8 *an animal's destruction is not required and the animal is no longer*
 9 *needed, and if the institution's existing procedures for adopting*
 10 *the animal do not result in an adoption, shall offer the dogs or cats*
 11 *to an animal adoption organization or animal rescue organization*
 12 *for adoption prior to euthanizing those animals, after the*
 13 ~~completion of any testing or research where the animal's~~
 14 ~~destruction is not required and the animal is no longer needed.~~
 15 *animals.* A public postsecondary educational institution or
 16 independent institution of higher education that is required to offer
 17 dogs or cats to an animal adoption organization or animal rescue
 18 organization under this section may enter into an agreement with

1 an animal adoption organization or animal rescue organization for
2 the implementation of this section.

3 (b) For purposes of this section, the following definitions shall
4 apply:

5 (1) “Animal adoption organization” or “animal rescue
6 organization” means a not-for-profit entity that is exempt from
7 taxation pursuant to Section 501(c)(3) of the Internal Revenue
8 Code or a collaboration of individuals, with at least one of its
9 purposes being the sale or placement of animals that have been
10 removed from a public animal control agency or shelter, society
11 for the prevention of cruelty to animals shelter, or humane shelter,
12 or that have been previously owned by any person.

13 (2) “Independent institution of higher education” means a
14 nonpublic educational institution as defined in subdivision (b) of
15 Section 66010.

16 (3) “Public postsecondary educational institution” means any
17 campus of the University of California, the California State
18 University, or the California Community Colleges.

19 (c) This section does not apply to animals within the meaning
20 of Section 17006 of the Food and Agricultural Code.