

AMENDED IN SENATE JUNE 18, 2015

AMENDED IN SENATE MAY 12, 2015

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, Bonta, 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.

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.

This bill would require a 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, if the institution *assesses the health of an animal and* determines, after the completion of any testing or research, that ~~an~~ *the animal is suitable for adoption, the* animal’s destruction is not ~~required~~ *required*, and the animal is no longer ~~needed~~ *needed*, and if the institution’s existing procedures for adopting the animal do not result in an adoption, to offer the dog or cat to an animal adoption organization or animal rescue organization, as 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) A 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 *assesses the health of an animal and* determines, after the
 8 completion of any testing or research, that ~~an~~ *the animal is suitable*
 9 *for adoption, the* animal’s destruction is not ~~required~~ *required*,
 10 and the animal is no longer needed, and if the institution’s existing
 11 procedures for adopting the animal do not result in an adoption,
 12 shall offer the dogs or cats to an animal adoption organization or
 13 animal rescue organization for adoption prior to euthanizing those
 14 animals. A public postsecondary educational institution or
 15 independent institution of higher education that is required to offer
 16 dogs or cats to an animal adoption organization or animal rescue
 17 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. established for~~
13 *purposes of rescuing animals in need and finding permanent,*
14 *adoptive homes for those animals and that maintain records*
15 *pursuant to Section 32003 of the Food and Agriculture Code.*

16 (2) “Independent institution of higher education” means a
17 nonpublic educational institution as defined in subdivision (b) of
18 Section 66010.

19 (3) “Public postsecondary educational institution” means any
20 campus of the University of California, the California State
21 University, or the California Community Colleges.

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