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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 658 Session of  
2023

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INTRODUCED BY MASTRIANO, PHILLIPS-HILL, COLEMAN AND BROOKS,  
MAY 11, 2023

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REFERRED TO AGRICULTURE AND RURAL AFFAIRS, MAY 11, 2023

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AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, in public safety, prohibiting certain  
3 animal experimentation.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 35 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 59

9 ANIMAL EXPERIMENTATION

10 Sec.

11 5901. Definitions.

12 5902. Prohibiting Commonwealth funding for painful animal  
13 subject experimentation.

14 5903. Prohibiting Commonwealth funding for animal subject  
15 devocalization.

16 5904. Animal testing facilities and adoption of animal  
17 subjects.

18 5905. Disclosure requirements.

1 5906. Penalty.

2 5907. Annual report by State Treasurer.

3 5908. Annual report by recipients of Commonwealth funds.

4 § 5901. Definitions.

5 The following words and phrases when used in this chapter  
6 shall have the meanings given to them in this section unless the  
7 context clearly indicates otherwise:

8 "Animal subject." A dog or a cat.

9 "Animal testing facility." A facility, including a private  
10 entity, State agency or institution of higher education, that  
11 confines and uses animal subjects for research, education,  
12 testing or other scientific or medical purposes.

13 "Commonwealth funds." Money of a fund or account in the  
14 State Treasury of the Commonwealth.

15 "Devocalization." The process of performing a surgical  
16 procedure to cut, notch, punch, abrade, laser, suture or  
17 otherwise physically alter the vocal apparatus of an animal  
18 subject with the intent of altering, reducing or eliminating  
19 vocal sounds produced by the animal subject.

20 "Devocalize." The term includes debarking, devoicing,  
21 silencing, ventriculocordectomy, vocal cordectomy, bark  
22 reduction and bark softening.

23 "Medically unnecessary." Not carried out solely for the  
24 better health, welfare or safety of an animal subject.

25 "Recipient of Commonwealth funds." A person, including a  
26 public or private entity, to whom Commonwealth funds are paid.

27 § 5902. Prohibiting Commonwealth funding for painful animal  
28 subject experimentation.

29 (a) General rule.--A recipient of Commonwealth funds is  
30 prohibited from using the Commonwealth funds to directly support

1 medically unnecessary research on animal subjects that is  
2 classified under pain and distress categories "D" or "E" by the  
3 United States Department of Agriculture.

4 (b) Applicability.--Subsection (a) does not apply to the  
5 direct funding of research for the construction or maintenance  
6 of facilities, the purchase or maintenance of general-use  
7 equipment, overhead costs, capital improvements or faculty or  
8 employee salaries.

9 § 5903. Prohibiting Commonwealth funding for animal subject  
10 devocalization.

11 A recipient of Commonwealth funds is prohibited from using  
12 Commonwealth funds to devocalize an animal subject, to procure  
13 for use an animal subject that has undergone devocalization or  
14 to conduct research on animal subjects that have undergone  
15 devocalization.

16 § 5904. Animal testing facilities and adoption of animal  
17 subjects.

18 (a) General rule.--An animal testing facility that receives  
19 Commonwealth funds and no longer has need of an animal subject  
20 in its possession shall, provided that doing so does not pose a  
21 risk to the health or safety of the public or the welfare of the  
22 animal subject:

23 (1) offer the animal subject for release to a releasing  
24 agency for eventual adoption or for adoption through a  
25 private placement; or

26 (2) if the testing facility is operated by an agency or  
27 institution of higher education, develop its own adoption  
28 program, provided that the program maintains records that  
29 comply with 3 Pa.C.S. § 2349 (relating to records and  
30 inspections).

1 (b) Manner of release.--

2 (1) The animal testing facility shall keep an offer for  
3 release open for a reasonable length of time, but not less  
4 than two weeks, prior to euthanizing an animal subject.

5 (2) The animal testing facility may enter into an  
6 agreement with a releasing agency for compliance with this  
7 section.

8 (c) Immunity.--An animal testing facility shall not be  
9 liable for harm caused by or a defect suffered by an animal  
10 subject placed, in good faith, for adoption in compliance with  
11 this section.

12 § 5905. Disclosure requirements.

13 (a) General rule.--A person that submits to a Commonwealth  
14 agency a proposal in response to a request for proposal or bid  
15 in response to an invitation for bids relating to a project or  
16 program that involves animal subjects and is to be financed by  
17 Commonwealth funds, shall clearly state in the proposal or bid:

18 (1) The percentage of the total costs of the program or  
19 project to be financed with Commonwealth funds.

20 (2) The dollar amount of Commonwealth funds for the  
21 project or program.

22 (3) The percentage and dollar amount of the total costs  
23 of the project or program that will be financed by  
24 nongovernmental sources.

25 (b) Disclosure in other records.--The duty in subsection (a)  
26 shall include a press release or other record of the person that  
27 identifies the project or program.

28 § 5906. Penalty.

29 A person that has a duty under this chapter and fails to  
30 comply with the duty may not receive Commonwealth funds for a

1 period of one year from the date of the noncompliance.

2 § 5907. Annual report by State Treasurer.

3 (a) Duty of State Treasurer.--Not later than December 1,  
4 2023, and annually thereafter, the State Treasurer shall submit  
5 a report to the President pro tempore of the Senate and the  
6 Speaker of the House of Representatives and shall post the  
7 report on the Treasury Department's publicly accessible Internet  
8 website. The report shall cover the prior calendar year. The  
9 report shall include the following information:

10 (1) The total amount of Commonwealth funds expended to  
11 support animal research during the calendar year.

12 (2) A list of active animal research projects for which  
13 Commonwealth funds were expended, including project titles,  
14 animal species, number of animals, calendar year cost, the  
15 total cost to date and the start and end date of the  
16 expenditure.

17 (3) A list of the names and business addresses of the  
18 recipients of Commonwealth funding for the animal research  
19 projects.

20 (b) Duty of Commonwealth agencies to cooperate.--The State  
21 Treasurer may request that a Commonwealth agency provide  
22 information deemed necessary by the State Treasurer to carry out  
23 the duty under subsection (a), and the Commonwealth agency shall  
24 cooperate with the State Treasurer by providing the information  
25 requested.

26 § 5908. Annual report by recipients of Commonwealth funds.

27 An institution of higher education, whether public or  
28 private, in this Commonwealth that is a recipient of  
29 Commonwealth funds and uses animal subjects or other animals in  
30 research shall post on its publicly accessible Internet website,

1 not later than the first day of April, a written report on  
2 animal research conducted on the animal subjects and other  
3 animals during the course of the prior calendar year. The report  
4 shall be posted in a conspicuous and easily accessible manner so  
5 that the public can access a copy of the report electronically.

6 The written report shall contain the following:

7 (1) The total amount of money expended for animal  
8 research by the institution during the preceding calendar  
9 year, itemized by Federal, State, private and other revenue  
10 sources.

11 (2) A list of active animal research projects, including  
12 project titles, the department of the institution conducting  
13 the research, species of animals, number of animals, calendar  
14 year cost, total cost to date, funding source and the start  
15 and end date of the project.

16 (3) A review of compliance with 7 U.S.C. § 2131 et seq.  
17 (Animal Welfare Act), the United States Public Health Policy  
18 on Humane Care and Use of Laboratory Animals and other  
19 applicable Federal, State and local law, regulations and  
20 policies governing animal research. The review shall include  
21 an explanation of any animal research noncompliance  
22 documented during the preceding calendar year and corrective  
23 actions taken in each case.

24 (4) The number of animals by species adopted out from  
25 research laboratories during the preceding calendar year to  
26 animal shelters or to animal rescue organizations, and the  
27 number of animal euthanized by the institution.

28 (5) Current roster for any institutional animal care and  
29 use committee within the institution.

30 (6) A detailed explanation of specific efforts by the

1 institution to refine, reduce and replace the use of animals  
2 in research during the preceding calendar year. The  
3 explanation shall include the number of animals by species  
4 used in research each year for the past three calendar years  
5 and anticipated numbers in the next calendar year. The use of  
6 animals in research shall include animals used in scientific  
7 research, in testing and for experimentation purposes.

8 Section 2. This act shall take effect in 60 days.