

## Department of Planning and Budget 2018 Fiscal Impact Statement

**1. Bill Number:** HB1087

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

**2. Patron:** Boysko

**3. Committee:** Passed Both Houses.

**4. Title:** Animal research; alternative test methods; civil penalty.

**5. Summary:** This bill requires a manufacturer or contract testing facility to use an alternative test method when available. An alternative test method is defined as one which (i) provides information of equivalent or better scientific quality and relevance than animal test methods, (ii) has been identified by a validation body and adopted by the relevant federal agency or program within an agency responsible for regulating the specific product or activity for which the test is being conducted, and (iii) does not use animals, or, when there is no test method available that does not use animals, uses the fewest animals possible and reduces the level of suffering or stress, to the greatest extent possible, of an animal used for testing. Such provision does not apply to a manufacturer or contract testing facility using an animal test method for the purpose of medical research or related to the development of devices, drugs, or biomedical products, or to certain other products regulated by the U.S. Food and Drug Administration. The bill authorizes the Attorney General to bring a civil action to enforce such provision. Any person who violates such provision may be subject to a civil penalty of not more than \$5,000 and any court costs and attorney fees.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Final.

**8. Fiscal Implications:** This bill authorizes the Office of the Attorney General to bring a civil action to enforce the provisions of the bill. The Office of the Attorney General anticipates being able to handle any additional workload within current resources.

The bill provides for a civil penalty for a violation of the provisions of not more than \$5,000. Such civil penalties are to be paid into the state treasury. The additional revenue that may be collected as a result of these penalties is indeterminate.

It is anticipated that this bill will not result in a fiscal impact to the Department of Agriculture and Consumer Services.

This bill may impact Virginia institutions of higher education. To help maintain a competitive economy and enhance economic development, Virginia has provided research funding to incentivize its higher education institutions to explore more partnerships with

businesses related to research and work needed to commercialize this research. Institutions of higher education are also exploring public-private partnerships to give students real life experiences and diversify their research funding sources, given stagnant federal research funding. Thus, the provisions of this bill could prevent Virginia's public institutions of higher education from providing animal testing services to private industry partners for non-medical related research. If the private partner deems that the alternative testing methodology is not as effective, the higher education institutions could become less desirable for future partnerships.

**9. Specific Agency or Political Subdivisions Affected:** Office of the Attorney General; Department of Agriculture and Consumer Services; higher education institutions; localities.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.