

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 533

An Act to amend the Code of Virginia by adding in Article 13 of Chapter 65 of Title 3.2 a section numbered 3.2-6593.2, relating to animal testing facilities; public notification.

[S 1271]

Approved March 26, 2023

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 13 of Chapter 65 of Title 3.2 a section numbered 3.2-6593.2 as follows:

§ 3.2-6593.2. *Animal testing facilities; public notification.*

A. For the purposes of this section:

"Animal" means any live vertebrate nonhuman species except fish.

"Animal testing facility" means any facility of a state agency or institution of higher education that confines and uses animals for research, education, testing, or other experimental, scientific, or medical purposes. "Animal testing facility" does not include any agricultural operation, as that term is defined in § 3.2-300, or any agricultural education event.

"Animal test method" means a process or procedure that uses animals for research, education, testing, or experimental, scientific, or biomedical purposes.

"Animal Welfare Act" means the federal Animal Welfare Act (7 U.S.C. § 2131 et seq.).

"APHIS" means the U.S. Department of Agriculture Animal and Plant Health Inspection Service.

"Contract testing facility" means any partnership, corporation, association, or other legal relationship that conducts research, education, testing, or experimental, scientific, or biomedical studies on behalf of another entity.

"Critical noncompliance" means an instance of noncompliance that resulted in a serious or adverse effect on the health and well-being of one or more animals, as determined by the U.S. Department of Agriculture Animal and Plant Health Inspection Service.

"Federal facility" means any building or infrastructure used or to be used by the federal government, including any building or infrastructure located on lands owned by the federal government.

"Inspection report" means any report issued by the U.S. Department of Agriculture Animal and Plant Health Inspection Service to an animal testing facility.

B. Any animal testing facility, contract testing facility, or manufacturer that uses an animal test method shall display a link to its annual report (APHIS Form 7023), as submitted to the U.S. Department of Agriculture pursuant to the Animal Welfare Act, on the homepage or landing page of the facility's or manufacturer's website on or before December 1 for the preceding federal fiscal year.

C. Any animal testing facility shall, within 30 days of receiving an inspection report, make such inspection report publicly available along with any other relevant U.S. Department of Agriculture incident reports and relevant documents generated from internal reviews by either (i) displaying a link to access such information on the homepage or landing page of the animal testing facility's website or (ii) if such animal testing facility does not have a website, issuing a press release or other similar publication.

D. If an animal testing facility operated by an institution of higher education in the Commonwealth receives a citation for critical noncompliance under the Animal Welfare Act or regulations adopted thereunder, such animal testing facility shall notify the leadership of such institution of higher education, including the president, dean, and board of visitors or board of trustees.

E. The provisions of this section shall not apply to any federal facility or privately owned licensed veterinary practice.