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SENATE BILL NO. 1271

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources
on February 15, 2023)

(Patron Prior to Substitute—Senator Boysko)

A BILL 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.

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

"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 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 (i) by displaying a link to access such information on the home page or landing page of the animal testing facility's website or (ii) if such animal testing facility does not have a website, make such information available by means of a press release or other similar publication.

C. 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.

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