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**SENATE BILL NO. 411**

Offered January 10, 2024

Prefiled January 9, 2024

*A BILL to amend and reenact § 3.2-6593.2 of the Code of Virginia, relating to animal testing facilities; public notification.*

Patrons—Boysko and Stanley

Referred to Committee on Agriculture, Conservation and Natural Resources

**Be it enacted by the General Assembly of Virginia:****1. That § 3.2-6593.2 of the Code of Virginia is amended and reenacted 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. *When records that pertain to or are generated as a result of a violation or violations of federal animal welfare regulations, policies, or guidelines are the subject of a request for information pursuant to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), an animal testing facility shall not charge more than \$25 to produce such records regarding any one incident or any one animal testing facility.*

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. *Any animal testing facility, contract testing facility, or manufacturer that uses an animal test method shall make publicly available on or before December 1 for the preceding federal fiscal year the following information: (i) the total number of animals used for research, education, testing, or experimental, scientific, or biomedical purposes with such animals identified and grouped according to species; (ii) a detailed methodology for obtaining such a count of animals; and (iii) the percentage of funds expended by such facility or manufacturer on the activities listed in clause (i) that involved the use of animals compared with the percentage of funds spent on such activities that did not involve the use of animals. Such information shall be made publicly available by displaying a link to access such*

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**59** *information on the home page or landing page of such facility's or manufacturer's website or, if such*  
**60** *facility or manufacturer does not have a website, by making such information available by means of a*  
**61** *press release or other similar publication.*

**62** *F.* The provisions of this section shall not apply to any federal facility or privately owned licensed  
**63** veterinary practice.