

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 423

(Senator Kramer)

Education, Energy, and the Environment

Environment and Transportation

Research Facilities and Testing Facilities That Use Animals - Prohibitions and Adoption Requirements (Animal Research Modernization and Best Practices Act of 2026)

This bill establishes provisions regarding devocalization surgery and euthanasia (with respect to dogs and cats) that are applicable to a “research facility” or “testing facility” in the State that uses live vertebrate animals. The bill also establishes provisions applicable to testing facilities in the State that use live vertebrate animals, regarding the use of traditional animal test methods and alternative test methods. In addition, the bill (1) establishes penalties and (2) requires specified reporting.

Fiscal Summary

State Effect: The bill is expected to be implemented with existing resources, as discussed below. The bill’s penalty provisions are not expected to materially affect State finances.

Local Effect: The bill is not expected to significantly affect local government finances.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary:

Research Facilities and Testing Facilities – Requirements and Prohibitions

“Research facility” means any facility in the State that uses live vertebrate animals for research, education, or experimentation. “Research facility” does not include a partnership,

a corporation, an association, an institution, an organization, or any other entity in the State that provides only beneficial services to an animal, such as spaying or neutering.

“Testing facility” means a public or private partnership, corporation, association, organization, or any other entity in the State – including one owned, leased, or operated by a public or private entity – that uses live vertebrate animals for the testing of (1) chemical substances; (2) ingredients; (3) products; or (4) product formulations. “Testing facility” does not include (1) a partnership, a corporation, an association, an institution, an organization, or any other entity in the State that provides only beneficial services to an animal, such as spaying or neutering, or (2) a school or an institution of higher education.

A research facility or testing facility (1) may not use a dog or cat that has undergone a devocalization surgery for research or testing purposes and (2) may not perform a devocalization surgery on a dog or cat.

A dog or cat at a research facility or testing facility may be euthanized only in accordance with the most current American Veterinary Medical Association Guidelines for the Euthanasia of Animals by a veterinarian licensed in the State or under the direct or indirect supervision of a licensed veterinarian.

Except for medical research, a testing facility may not use a traditional animal test method if the agency responsible for regulating the specific product or activity for which a test method is being used has (1) approved an appropriate alternative test method or (2) made available to or granted the testing facility a waiver from using a traditional animal test method. If there is no alternative test method available or waiver made available or granted, a testing facility may use a traditional animal test method if the testing facility uses the fewest number of animals possible and minimizes the level of pain, suffering, and stress of an animal used for testing.

A traditional animal test method may be used to comply with federal or State requirements if the appropriate federal or State agency has approved the use of an alternative test method but determined that the alternative test method does not ensure the health or safety of the public or the environment. Further, the bill does not prohibit the continued use of a traditional animal test method that (1) was initiated before October 1, 2026, or within 180 days after October 1, 2026, following agency approval of an alternative test method or strategy and (2) is used only to complete the test for which it was started.

Reporting Requirements

By December 1, 2028, and each December 1 thereafter, each testing facility must submit to the Secretary of Agriculture the following information regarding the immediately preceding fiscal year: (1) the number of each species of animals owned and used by the

testing facility; (2) the number of dogs or cats released to animal rescue organizations and the names of the organizations to which the dogs or cats were released; (3) the type and number of alternative test methods and traditional animal test methods used; (4) the number of traditional animal test method waivers used; and (5) the purpose of any tests conducted using alternative test methods or traditional animal test methods.

By December 1, 2028, and each December 1 thereafter, each research facility using or keeping dogs or cats must submit to the Secretary, for the immediately preceding fiscal year, (1) the number of dogs or cats released to animal rescue organizations and (2) the names of the animal rescue organizations to which the dogs or cats were released.

The Secretary must prepare an annual report aggregating the information submitted pursuant to the above requirements in an anonymized manner and post the annual report on the department's website. A report made to the Secretary pursuant to the above requirements is not subject to disclosure under the Maryland Public Information Act.

Adoption of Dogs or Cats No Longer Needed for Scientific Research Purposes – Applicability to Testing Facilities and Change in Definition of “Research Facilities”

The bill makes existing provisions – requiring a research facility located in the State in which dogs or cats are used for scientific research purposes to take specified reasonable steps to provide for the adoption of a dog or cat no longer needed for scientific research purposes – applicable to testing facilities as defined under the bill. Also, while these provisions still apply to “research facilities,” that term is modified by the bill.

Penalties

A research facility or testing facility that violates the provisions of the bill or the existing provisions relating to adoption of dogs or cats used for scientific research is subject to (1) for a first offense, a fine of up to \$1,000 and (2) for a second or subsequent offense, a fine of up to \$5,000.

Additional Definitions

“Alternative test method” means a test method, including a new or revised method, that (1) does not use live vertebrate animals; (2) produces information of equivalent or better scientific quality and relevance compared to traditional animal test methods; and (3) has been identified and accepted for use by the federal agency or program within the federal agency responsible for regulating the specific product or activity for which the test is being conducted.

“Medical research” means research related to (1) the causes, diagnosis, treatment, control, or prevention of physical or mental diseases or impairment in humans or animals or (2) the development of biomedical products, medical devices, or drugs as defined in specified federal law. The term does not include the testing of an ingredient that was formerly used as a drug and that is now proposed for use in a product other than a biomedical product, medical device, or drug.

“Traditional animal test method” means a process, an experiment, or a procedure that (1) uses live vertebrate animals to obtain information on the characteristics of a chemical substance, an ingredient, a product formulation, or a product and (2) generates information regarding the ability of the chemical substance, ingredient, product formulation, or product to produce a specific biological effect under specified conditions.

“Chemical substance” means any organic or inorganic substance, including a pesticide, a chemical substance, and a food additive, as those terms are defined in specified federal law.

Current Law:

Title 15 of the Agriculture Article – Research Facilities That Use Dogs or Cats

A research facility located in the State in which dogs or cats are used for scientific research purposes must take reasonable steps to provide for the adoption of a dog or cat that, in the determination of the research facility, is no longer needed for scientific research purposes by (1) establishing a private placement process to provide for the adoption of a dog or cat; (2) establishing a list of animal rescue organizations that are approved by the research facility and are willing to take a dog or cat from the research facility; and (3) offering the dog or cat to the animal rescue organizations identified in the list if the research facility is unable to place the dog or cat through its private placement process. “Research facility” includes (1) a higher education facility; (2) a scientific research facility; (3) a medical research facility; and (4) a product testing facility.

Federal Regulation

Under the federal Animal Welfare Act, the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) regulates commercial animal dealers, exhibitors (circuses, zoos, etc.), research facilities, and commercial businesses that transport animals. Research facilities that use or intend to use live animals in research, tests, or experiments must be registered with USDA and are inspected by APHIS. A facility must also appoint an Institutional Animal Care and Use Committee (IACUC) consisting of at least three members, including a veterinarian and one person who is not in any way affiliated with the facility. IACUC is responsible for, among other things, reviewing the

facility's program for humane care and use of animals and inspecting the research facility's animal facilities.

Research facilities must submit an annual report to APHIS providing information that includes the types and numbers of animals used for teaching, testing, experiments, research, or surgery, by specified categories, and the types and numbers of animals being bred, conditioned, or held for use in teaching, testing, experiments, research, or surgery, but not yet used for such purposes.

In addition, the Office of Laboratory Animal Welfare within the National Institutes of Health administers the Public Health Service [Policy on Humane Care and Use of Laboratory Animals](#).

State Expenditures: The bill is expected to be implemented with existing resources by the Maryland Department of Agriculture (MDA), assuming the bill's requirements and prohibitions are enforced only on the basis of any complaints received and information reported by the facilities pursuant to the bill. MDA may also be able to coordinate with APHIS, to at least a limited extent, to enforce the bill. The federal Animal Welfare Act authorizes the U.S. Secretary of Agriculture to cooperate with State or local officials to carry out the purposes of the Act and any state or local law on the same subject.

Small Business Effect: To the extent any small businesses fall under the definition of "research facility" or "testing facility," they may be meaningfully affected by costs to comply with the bill.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 536 of 2025.

Designated Cross File: HB 666 (Delegate Cullison) - Environment and Transportation.

Information Source(s): Kent and Worcester counties; Maryland Municipal League; Town of Bel Air; University System of Maryland; Morgan State University; Maryland Department of Agriculture; Maryland Department of Health; Anne Arundel County Public Schools; Wicomico County Public Schools; St. Mary's County Public Schools; National Institutes of Health; Department of Legislative Services

Fiscal Note History:
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