

# STATE OF NEW YORK

3457

2025-2026 Regular Sessions

## IN SENATE

January 27, 2025

Introduced by Sen. GIANARIS -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to human-relevant research funding for scientific testing on animals; and to amend the state finance law, in relation to establishing the promoting ethical testing solutions fund

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "promoting  
2 ethical testing solutions (P.E.T.S) act".

3 § 2. The public health law is amended by adding a new section 504-a to  
4 read as follows:

5 § 504-a. Human-relevant research funding for scientific testing on  
6 animals. 1. For the purposes of this section, the following terms shall  
7 have the following meanings:

8 (a) "Animal" shall mean any living creature other than a human.

9 (b) "Animal testing" shall mean the use of live animals in scientific  
10 tests, experiments or investigations.

11 (c) "Corporation" shall mean the empire state development corporation.

12 (d) "Fund" shall mean the promoting ethical testing solutions fund.

13 2. (a) The corporation and the state comptroller shall establish and  
14 administer a nonlapsing revolving fund which shall be known as the  
15 promoting ethical testing solutions fund.

16 (b) The purpose of the fund shall be to promote state-funded research  
17 intended to develop human-relevant alternatives to using non-human  
18 animals in scientific medical and product testing and research through  
19 grants and loans to public and private entities in the state.

20 (c) Monies in the fund shall consist of:

21 (i) revenue distributed to the fund;

22 (ii) money in the state budget appropriated to the fund in accordance  
23 with the provisions of the state budget for each fiscal year;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 (iii) all interest earnings of the fund; and  
2 (iv) any other monies from any other source accepted for the benefit  
3 of the fund.

4 (d) Monies in the fund shall be used only for the purposes of:

5 (i) awarding grants and loans for state-funded, human-relevant animal  
6 testing alternatives research; and

7 (ii) paying necessary costs to administer the fund.

8 (e) Notwithstanding any other provision of law to the contrary, and  
9 unless inconsistent with a federal law, grant agreement, or other feder-  
10 al requirement or with the terms of a gift or settlement agreement, net  
11 interest on all state money allocated by the state comptroller to  
12 special funds or accounts, and otherwise entitled to receive interest  
13 earnings, as accounted for by the state comptroller, shall accrue to the  
14 fund.

15 3. (a) The corporation shall establish a grant and loan program to  
16 provide grants and loans for state-funded, human-relevant animal testing  
17 alternatives research.

18 (b) A grant or loan awarded under this subdivision shall be contingent  
19 on the recipient entering into a memorandum of understanding with the  
20 corporation which shall:

21 (i) establish the scope of the state's ownership or other financial  
22 interest in the commercialization and other benefits of the results,  
23 products, inventions, and discoveries resulting from state-funded,  
24 human-relevant research; and

25 (ii) to the extent consistent with federal and state law, reflect the  
26 intellectual property policies of the corporation.

27 (c) The corporation may not disburse grant or loan money to a recipi-  
28 ent until such recipient meets the requirements of paragraph (b) of this  
29 subdivision.

30 4. The corporation shall, pursuant to rules and regulations to be  
31 adopted by the department:

32 (a) review, evaluate, rank, and rate research proposals for state-  
33 funded, human-relevant animal testing alternatives research based on the  
34 procedures and guidelines established by the corporation, and in a  
35 manner that gives due consideration to the scientific, medical, and  
36 ethical implications of the research; and

37 (b) based on the rankings and ratings awarded to the research  
38 proposals, make recommendations for the award and disbursement of grants  
39 and loans.

40 5. The corporation shall adopt rules and regulations to establish  
41 procedures for awarding and making the disbursement of a grant or loan  
42 from the fund.

43 6. (a) On or before January first of each year, the corporation shall  
44 file a report with the governor, the temporary president of the senate,  
45 the speaker of the assembly, the minority leader of the senate, and the  
46 minority leader of the assembly on the human-relevant animal testing  
47 alternatives research conducted with money from grants or loans awarded  
48 under this section.

49 (b) The report shall identify, but not be limited to:

50 (i) each recipient of money from the fund;

51 (ii) the amount of money awarded to each recipient; and

52 (iii) a description of the type of state-funded, human-relevant  
53 research performed by the recipient, including the animal tests the  
54 research is intended to replace.

55 7. (a) On or before January fifteenth of each year, each laboratory or  
56 institution that is located in the state shall pay to the department a

1 contribution, which shall be based on the laboratory or institution's  
2 annual disclosure of the number of vertebrates used in research, test-  
3 ing, or experimentation pursuant to rules and regulations to be imple-  
4 mented by the commissioner, as follows:

5 (i) five thousand dollars for up to five hundred vertebrates;

6 (ii) ten thousand dollars for more than five hundred but not more than  
7 one thousand vertebrates;

8 (iii) twenty-five thousand dollars for more than one thousand but not  
9 more than five thousand vertebrates;

10 (iv) thirty-five thousand dollars for more than five thousand but less  
11 than ten thousand vertebrates; and

12 (v) fifty thousand dollars for more than ten thousand vertebrates.

13 (b) The amount of the contribution to be paid under paragraph (a) of  
14 this subdivision shall be based on annual disclosures to be submitted to  
15 the department by each laboratory and institution located in the state.

16 (c) A laboratory or institution that fails to pay the contribution  
17 required may be subject to a civil penalty which shall not exceed one  
18 thousand dollars per day.

19 (d) The department shall distribute all monies collected pursuant to  
20 this subdivision to the fund in a manner described by the state comp-  
21 troller and the corporation.

22 8. This section shall not apply to a federal research facility, as  
23 defined in Title 7, Section 2132 of the United States Code.

24 9. The department shall promulgate rules and regulations to implement,  
25 administer, and enforce the requirements of this section, including:

26 (a) to effectuate the disclosure by laboratories and institutions of  
27 the number of vertebrates used in research, testing, or experimentation  
28 as required by this section; and

29 (b) to identify experts in non-animal research to be consulted by the  
30 corporation in awarding and disbursement of grants and loans pursuant to  
31 this section.

32 § 3. The state finance law is amended by adding a new section 99-ss to  
33 read as follows:

34 § 99-ss. Promoting ethical testing solutions fund. 1. There is hereby  
35 established in the joint custody of the state comptroller and the  
36 commissioner of taxation and finance, a fund to be known as the promot-  
37 ing ethical testing solutions fund.

38 2. Such fund shall consist of all monies collected pursuant to section  
39 five hundred four-a of the public health law, and all other monies cred-  
40 ited or transferred thereto from any other fund or source pursuant to  
41 law.

42 3. Monies of the fund shall be expended solely for the purposes of  
43 carrying out the provisions of section five hundred four-a of the public  
44 health law. Monies shall be paid out of the fund on the audit and  
45 warrant of the state comptroller on vouchers approved by the empire  
46 state development corporation. Any interest received by the comptroller  
47 on monies on deposit in the promoting ethical testing solutions fund  
48 shall be retained in and become part of such fund.

49 § 4. This act shall take effect January 1, 2026.