

STATE OF NEW YORK

3457--A

2025-2026 Regular Sessions

IN SENATE

January 27, 2025

Introduced by Sens. GIANARIS, MURRAY -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

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1 (i) revenue distributed to the fund;
2 (ii) money in the state budget appropriated to the fund in accordance
3 with the provisions of the state budget for each fiscal year;
4 (iii) all interest earnings of the fund; and
5 (iv) any other monies from any other source accepted for the benefit
6 of the fund.

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

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

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

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

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

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

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

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

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

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

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

40 (b) based on the rankings and ratings awarded to the research
41 proposals, make recommendations for the award and disbursement of grants
42 and loans.

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

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

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

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

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

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

4 7. (a) On or before January fifteenth of each year, each laboratory or
5 institution that is located in the state shall pay to the department a
6 contribution, which shall be based on the laboratory or institution's
7 annual disclosure of the number of vertebrates used in research, test-
8 ing, or experimentation pursuant to rules and regulations to be imple-
9 mented by the commissioner, as follows:

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

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

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

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

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

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

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

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

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

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

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

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

37 § 3. The state finance law is amended by adding a new section 99-uu to
38 read as follows:

39 § 99-uu. Promoting ethical testing solutions fund. 1. There is hereby
40 established in the joint custody of the state comptroller and the
41 commissioner of taxation and finance, a fund to be known as the promot-
42 ing ethical testing solutions fund.

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

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

54 § 4. This act shall take effect January 1, 2027.