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:

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

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

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

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

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

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

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

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

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

(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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(i) revenue distributed to the fund;
(ii) money in the state budget appropriated to the fund in accordance with the provisions of the state budget for each fiscal year;
(iii) all interest earnings of the fund; and
(iv) any other monies from any other source accepted for the benefit of the fund.
(d) Monies in the fund shall be used only for the purposes of:
(i) awarding grants and loans for state-funded, human-relevant animal testing alternatives research; and
(ii) paying necessary costs to administer the fund.
(e) Notwithstanding any other provision of law to the contrary, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all state money allocated by the state comptroller to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the state comptroller, shall accrue to the fund.
3. (a) The corporation shall establish a grant and loan program to provide grants and loans for state-funded, human-relevant animal testing alternatives research.
(b) A grant or loan awarded under this subdivision shall be contingent on the recipient entering into a memorandum of understanding with the corporation which shall:
(i) establish the scope of the state's ownership or other financial interest in the commercialization and other benefits of the results, products, inventions, and discoveries resulting from state-funded, human-relevant research; and
(ii) to the extent consistent with federal and state law, reflect the intellectual property policies of the corporation.
(c) The corporation may not disburse grant or loan money to a recipient until such recipient meets the requirements of paragraph (b) of this subdivision.
4. The corporation shall, pursuant to rules and regulations to be adopted by the department:
(a) review, evaluate, rank, and rate research proposals for state-funded, human-relevant animal testing alternatives research based on the procedures and guidelines established by the corporation, and in a manner that gives due consideration to the scientific, medical, and ethical implications of the research; and
(b) based on the rankings and ratings awarded to the research proposals, make recommendations for the award and disbursement of grants and loans.
5. The corporation shall adopt rules and regulations to establish procedures for awarding and making the disbursement of a grant or loan from the fund.
6. (a) On or before January first of each year, the corporation shall file a report with the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate, and the minority leader of the assembly on the human-relevant animal testing alternatives research conducted with money from grants or loans awarded under this section.
(b) The report shall identify, but not be limited to:
(i) each recipient of money from the fund;
(ii) the amount of money awarded to each recipient; and

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

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

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

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

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

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

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

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

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

(d) The department shall distribute all monies collected pursuant to this subdivision to the fund in a manner described by the state comptroller and the corporation.

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

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

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

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

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

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

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

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

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