

## **Chapter 26 Experimental Animals**

### **26-26-1 "Institution" defined.**

As used in this chapter, "institution" means any school or college of agriculture, veterinary medicine, medicine, pharmacy, dentistry or other educational, hospital or scientific establishment properly concerned with the investigation of or instruction concerning the structure or functions of living organisms, the cause, prevention, control or cure of diseases or abnormal condition of human beings or animals.

Enacted by Chapter 126, 1981 General Session

### **26-26-2 Authorization for institutions to obtain impounded animals.**

Institutions may apply to the department for authorization to obtain animals from establishments maintained for the impounding, care and disposal of animals seized by lawful authority. If, after investigation, the department finds that the institution meets the requirements of this chapter and its rules and that the public interest will be served thereby, it may authorize the institution to obtain animals under this chapter.

Enacted by Chapter 126, 1981 General Session

### **26-26-3 Minimum period of impoundment -- Efforts required to contact owner and to make animal available -- Prerogative of person voluntarily providing animal.**

- (1) Subject to Subsection (2), the governing body of the county or municipality in which an establishment is located may make available to an authorized institution as many impounded animals in that establishment as the institution may request.
- (2) A governing body described in Subsection (1) may not make an impounded animal available to an institution, unless:
  - (a) the animal has been legally impounded for the longer of:
    - (i) at least five days; or
    - (ii) the minimum period provided for by local ordinance;
  - (b) the animal has not been claimed or redeemed by:
    - (i) the animal's owner; or
    - (ii) any other person entitled to claim or redeem the animal; and
  - (c) the establishment has made a reasonable effort to:
    - (i) find the rightful owner of the animal, including checking if the animal has a tag or microchip; and
    - (ii) if the owner is not found, make the animal available to others during the impound period.

Owners of animals who voluntarily provide their animals to an establishment may, by signature, determine whether or not the animal may be provided to an institution or used for research or educational purposes.

Amended by Chapter 241, 2010 General Session

### **26-26-4 Institution to pay transportation expense -- Restrictions on use of animals -- Fee.**

The authorized institution shall provide, at its own expense, for the transportation of such animals from the establishment to the institution and shall use them only in the conduct of

scientific and educational activities and for no other purpose. The institution shall reimburse the establishment for animals received. The fee shall be, at a minimum, \$15 for cats and \$20 for dogs. That fee shall be increased as determined by the department, based on fluctuations or changes in the Consumer Price Index.

Amended by Chapter 80, 1989 General Session

**26-26-5 Records of animals required.**

Each establishment referred to in Section 26-26-2 shall keep a public record of all animals received and disposed of.

Enacted by Chapter 126, 1981 General Session

**26-26-6 Revocation of authorization.**

The department upon 15 days written notice and an opportunity to be heard, may revoke an institution's authorization if the institution has violated any provision of this chapter, or has failed to comply with the conditions required by the department in respect to the issuance of authorization.

Enacted by Chapter 126, 1981 General Session

**26-26-7 Adoption of rules by department -- Inspection and investigation of institutions.**

(1) In carrying out the provisions of this chapter, the department may adopt rules for:

- (a) controlling the humane use of animals;
- (b) diagnosis and treatment of human and animal diseases;
- (c) advancement of veterinary, dental, medical, and biological sciences; and
- (d) testing, improvement, and standardization of laboratory specimens, biologic projects, pharmaceuticals, and drugs.

(2) The department may inspect or investigate any institution that applies for or is authorized to obtain animals.

Amended by Chapter 80, 1989 General Session