

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 518
Judiciary II Committee Substitute Adopted 5/1/91

Short Title: Animal Research Interference.

(Public)

Sponsors:

Referred to:

April 10, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO DEFINE AND MAKE CRIMINAL INTERFERENCE WITH ANIMAL
3 RESEARCH.

4 The General Assembly of North Carolina enacts:

5 Section 1. Article 22 of Chapter 14 of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 14-159.2. Interference with animal research.**

8 (a) It is unlawful for a person willfully to commit any of the following acts:

9 (1) The unauthorized entry into any research facility where animals are
10 kept within the facility for research in the advancement of medical,
11 veterinary, dental, or biological sciences, with the intent to (i) disrupt
12 the normal operation of the research facility, or (ii) damage the
13 research facility or any personal property located thereon, or (iii)
14 release from any enclosure or restraining device any animal kept
15 within the research facility, or (iv) interfere with the care of any animal
16 kept within the research facility;

17 (2) The damaging of any such research facility or any personal property
18 located thereon;

19 (3) The unauthorized release from any enclosure or restraining device of
20 any animal kept within any research facility; or

21 (4) The interference with the care of any animal kept within any research
22 facility.

1 **(b)** Any person who commits an offense under subsection (a) of this section shall
2 be guilty of a misdemeanor.

3 **(c)** Any person who commits an offense under subsection (a) of this section that
4 involves the release from any enclosure or restraining device of any animal having an
5 infectious disease shall be guilty of a Class J felony.

6 **(d)** As a condition of probation, the court may order a person convicted under
7 this section to make restitution to the owner of the animal for damages, including the
8 cost of restoring the animal to confinement and of restoring the animal to its health
9 condition prior to any release, and for damages to personal property, including
10 materials, equipment, data, and records, and real property caused by the interference. If
11 the interference causes the failure of an experiment, the restitution may include all costs
12 of repeating the experiment, including replacement of the animals, labor, and materials.

13 **(e)** Nothing in this section shall be construed to affect any rights or causes of
14 action of a person damaged through interference with animal research."

15 Sec. 2. This act becomes effective October 1, 1991, and applies to offenses
16 committed on or after that date.