

SB 444-FN - AS AMENDED BY THE SENATE

03/05/2026 0877s

2026 SESSION

26-2010

08/06

SENATE BILL **444-FN**

AN ACT prohibiting the use of animal testing when other comparable methods are available.

SPONSORS: Sen. Innis, Dist 7; Rep. C. Harvey, Ches. 6; Rep. Long, Hills. 26

COMMITTEE: Commerce

ANALYSIS

This bill prohibits the use of animals in certain cosmetic product testing.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~in brackets and struck through.~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT prohibiting the use of animal testing when other comparable methods are available.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Chapter; Use of Animals in Product Testing. Amend RSA by inserting after chapter 359-
2 U the following new chapter:

3 CHAPTER 359-V

4 USE OF ANIMALS IN PRODUCT TESTING

5 359-V:1 Definitions. In this chapter:

6 I. "Alternative test method or strategy" means a test method, including a new or revised
7 method, that:

8 (a) Does not use animals;

9 (b) Provides information of equivalent or better scientific quality and relevance
10 compared to traditional animal test methods; and

11 (c) Includes, but is not limited to, computational toxicology and bioinformatics, high-
12 throughput screening methods, testing of categories of chemical substances, tiered testing methods,
13 in vitro studies, and microphysiological systems.

14 II. "Animal" means any living vertebrate other than humans.

15 III. "Biomedical research" means the investigation of the biological processes and causes of
16 disease or research conducted to increase fundamental scientific knowledge or to expand the
17 understanding about how processes in living organisms develop and function. "Biomedical research"
18 shall not include testing done to assess the safety or efficacy of chemicals, ingredients, drugs,
19 vaccines, product formulations, or products.

20 IV. "Testing facility" means any institution, business, partnership, corporation, association,
21 or other entity that conducts research, studies, tests, or experiments to assess chemicals,
22 ingredients, drugs, vaccines, product formulations, or products in the state. Testing facility does not
23 include an institution of higher education as defined in RSA 188-H:1.

24 V. "Traditional animal test method" means a process, procedure, or experiment using
25 animals to obtain information on the characteristics of a chemical, ingredient, drug, vaccine, product
26 formulation, or product and that generates information regarding the ability of the chemical,
27 ingredient, drug, vaccine, product formulation or product to produce a specific biological effect under
28 specified conditions.

29 359-V:2 Animal Testing Prohibited Under Certain Circumstances.

1 I.(a) No testing facility in the state shall use a traditional animal test method in this state if
2 an agency responsible for regulating the specific product or activity for which the test method is
3 being used has either:

4 (1) Approved an alternative test method or strategy; or

5 (2) Made available or granted a waiver from using a traditional animal test method.

6 (b) Where there is no alternative test method or strategy and no waiver available, a
7 testing facility that employs a traditional animal test method shall employ a method involving the
8 fewest possible number of animals and that reduces the level of pain, suffering, and stress of each
9 animal subjected to testing.

10 (c) No provision of this section shall be construed to apply to any animal research
11 conducted for the purposes of biomedical research.

12 (d) This chapter shall not prohibit the use of any nonanimal test method or strategy that
13 is not defined in RSA 359-V:1.

14 (e) This chapter shall not prohibit the use of traditional animal test methods to comply
15 with requirements of state or federal agencies.

16 (f) This chapter shall not prohibit the use of traditional animal test methods, if needed to
17 comply with a written request from a state or federal agency in circumstances where the agency has
18 approved an alternative test method or strategy but has also expressly concluded that a traditional
19 animal test method is needed to fully assess the impacts on the health or safety of consumers.

20 II. Each testing facility in the state shall report annually to the governor's commission on
21 the humane treatment of animals regarding any traditional animal test method or alternative test
22 method or strategy conducted in the prior calendar year. Such report shall include the number and
23 species of animal used, the type and number of alternative test methods or strategies used, the
24 number of waivers used, and the reason for using any traditional animal test methods, alternative
25 test methods or strategies, and waivers, including an explanation for why a traditional animal test
26 method was required. The governor's commission on the humane treatment of animals shall make
27 the results of this data collection publicly available no later than 90 days after receiving the report.
28 Testing facilities shall submit the report no later than January 20, or the next business day
29 following, beginning on January 20, 2028.

30 359-V:3 Severability. If any provision of this chapter is held invalid, or if its application to any
31 person or circumstance is held invalid, such invalidity does not affect other provisions or applications
32 of this chapter which can be given effect without the invalid provision or application.

33 2 Effective Date. This act shall take effect January 1, 2027.

LBA
26-2010
3/10/26

SB 444-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2026-0877s)

AN ACT prohibiting the use of animal testing when other comparable methods are available.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2026 through 2029.

AGENCIES CONTACTED:

Department of Justice and Governor's Office