

SFA

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

(517) 373-5383

MAR 0 1988

Senate Bill 394 (as reported with amendment)**Sponsor: Senator Gilbert J. DiNello****Committee: Regulatory Affairs****Date Completed: 11-24-87*****RATIONALE***

For years small turtles sold as pets were frequently found to carry salmonellosis, sometimes infecting young children with the bacteria. The Michigan Department of Public Health estimated that these small turtles were responsible for 18% of salmonellosis occurring in children up to 10 years of age during the 1970s, before a 1975 Federal order limiting the sale of turtles was passed. Some feel that a loophole in the Federal order exists, allowing small turtles to be sold to households for "educational purposes". Some argue that additional measures are needed to close this legal loophole, to protect children from exposure to these potentially health threatening turtles in their home.

of the bacteria. The problem of preventing salmonella infection in children is one that can be solved in ways other than an outright ban of turtles, which would deprive households of a valuable educational tool that teaches responsibility and provides companionship.

Legislative Analyst: B. Baker

Fiscal Analyst: L. Burghardt

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 394 (11-24-87)

CONTENT

The bill would create a new act to prohibit the sale, distribution, or holding for sale of turtles with shells less than four inches in length, or "viable" turtle eggs. Violation of the bill's provisions would be a misdemeanor punishable by a fine of \$1,000, imprisonment up to 90 days, or both.

The bill would not prohibit the sale or distribution of turtles or turtle eggs to public or private educational institutions for scientific purposes or exhibitions.

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

ARGUMENTS***Supporting Argument***

Despite the Federal order limiting sales of turtles, there have been instances in the State of turtles being sold and children being infected with salmonella bacteria in recent years, causing severe illness. Small turtles that are sold to or owned by young children represent a serious health hazard, as no one yet has found a way to guarantee that turtles are free of salmonella bacteria. The bill would close a loophole in the current prohibition against sales of small turtles, by allowing sale of the turtles to public or private educational institutions but not merely for "educational purposes".

Opposing Argument

Further restricting turtle sales by passage of this bill is not the proper way to reduce salmonella infections from turtles in children. A better method would be simply to require an adult to purchase these turtles and require that knowledge of handling and caring safely for these turtles be conveyed to the buyer. Besides, salmonella is not necessarily inherent in turtles; poor water quality in the turtle's housing could also be a factor in the transmission