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DOM. FERRETS KEPT AS PETS

House Bill 4495

Sponsor: Rep. Lynn Owen

Committee: Conservation, Environment,
and Great Lakes

Complete to 5-2-94

A SUMMARY OF HOUSE BILL 4495 AS INTRODUCED 3-11-93

The bill would create a new act to regulate the possession of domestic ferrets and to permit local governments to require owners of these animals to have them licensed. Under the bill, a person could not own or harbor a ferret over 12 weeks old unless the ferret was currently vaccinated against rabies with an approved vaccine administered by an accredited veterinarian. (This would not apply to ferrets used for research purposes, as allowed under the Public Health Code.) A domestic ferret owner would have to show proof of a valid rabies certificate for the pet upon request of a law enforcement agent, animal control officer, conservation officer or the director of the Department of Agriculture. Also, the county board of commissioners for a county could establish laws providing licensing requirements for ferrets, which would have to provide for proof of rabies vaccination, license tags, forms and procedures as described for dogs in the Dog Law Act.

Requirements for Owning Ferrets. The agriculture department director could require that a ferret be identified pursuant to Public Act 309 of 1939 (which allows dog owners to have their pets tattooed for identification purposes) at the owner's expense if this was necessary to protect the health, safety and welfare of humans and other animals. A person who owned or harbored a ferret that may have exposed a person or another animal to rabies by biting, scratching or similar activity would have to report the incident within 48 hours to the county public health department and to the agriculture department, and would have to comply with the compendium of animal rabies control animal control methods issued by the National Association of State Public Health Veterinarians, Inc.

A ferret owner could not allow a ferret to leave the owner's property unless it was confined or held and under the direct control of the owner or a "responsible" person designated by the owner. A person would be prohibited from releasing a ferret into the wild; also, ferrets could not be imported into the state unless a person had an official interstate health certificate or interstate certificate of veterinarian inspection and a current approved vaccine for rabies signed by a veterinarian for each ferret over 12 weeks of age, and a current vaccination certificate for distemper for each ferret over six weeks of age. In addition, a person who sold or transferred a ferret would have to furnish a health information sheet that was specifically for ferrets. A ferret under six weeks of age could not be imported into the state without its mother.

Quarantined Ferrets. The agriculture department director could declare a quarantine on ferrets in any district or region of the state in order to control or prevent the spread of an infectious, contagious or toxicological disease. Ferrets could not be moved while under

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quarantine unless authorized by the director. A person could not allow quarantined ferrets to mingle or have contact with non-quarantined ferrets without the director's permission. The director could prescribe procedures for the identification, inventory, separation, mode of handling, treatment, feeding and caring for quarantined ferrets to prevent these from infecting other ferrets. A person could not import into the state a ferret from another state or jurisdiction if it was under quarantine by that state or jurisdiction unless the person obtained prior permission from the director.

A ferret found running free in violation of a quarantine could be killed by a law enforcement agent or animal control officer, and the director could ask for cooperation of a law enforcement agency or animal control agency to enforce a quarantine. A law enforcement agent or animal control officer who killed a quarantined ferret as provided in the bill would not be subject to liability for the ferret.

The director could promulgate rules for implementing and enforcing the bill's provisions pursuant to the Administrative Procedures Act.

Penalties. A person who intentionally violated a condition of quarantine established in the bill would be guilty of a felony and could be imprisoned for up to five years or fined not less than \$1,000 or more than \$50,000, or both. For other violations under the bill or a rule promulgated under the bill, a person would be guilty of misdemeanor and could be imprisoned for no less than 30 days or fined not less than \$300, or both.

A person authorized by the director to enforce the state's animal health laws could issue an appearance ticket for any violation described in the bill, as authorized by the Code of Criminal Procedure. In addition to any other action authorized under the bill, the department could bring an action to 1) obtain a declaratory judgment that a method, act or practice was a violation of the bill and 2) obtain an injunction against a person who was engaging, or about to engage, in a method, act or practice that violated the bill.

Repealer. The bill would repeal Public Act 277 of 1927, which currently regulates the possession, handling and sale of ferrets.