



HOUSE BILL No. 4495

March 11, 1993, Introduced by Reps. Owen, Barns, Wetters, Harder, Johnson, Alley, Schroer, Shepich, Porreca, Keith, Jaye, Bender, Hammerstrom and Bennane and referred to the Committee on Conservation, Environment and Great Lakes.

A bill to regulate the possession of ferrets; to provide for the powers and duties of certain governmental entities; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) "Accredited veterinarian" means a veterinarian
2 approved by the United States department of agriculture to per-
3 form specific functions required by cooperative state-federal
4 disease control and eradication programs.

5 (2) "Animal" means an animal other than a human being.

6 (3) "Animal control officer" means an individual employed as
7 an animal control officer pursuant to sections 29a, 29b, and 29c
8 of the dog law of 1919, Act No. 339 of the Public Acts of 1919,
9 being sections 287.289a, 287.289b, and 287.289c of the Michigan
10 Compiled Laws.

1 (4) "Approved vaccine" means a vaccine authorized by the
2 state veterinarian pursuant to the animal industry act of 1987,
3 Act No. 466 of the Public Acts of 1988, being sections 287.701 to
4 287.747 of the Michigan Compiled Laws.

5 (5) "Department" means the department of agriculture.

6 (6) "Director" means the director of the department of agri-
7 culture or his or her authorized representative.

8 (7) "Ferret" means an animal of any age of the species
9 *Mustela furo*.

10 (8) "Law enforcement agent" means an officer of the depart-
11 ment of state police, a law enforcement agency of a county, town-
12 ship, city, or village who is responsible for the prevention and
13 detection of crime and enforcement of the criminal laws of this
14 state, or a conservation officer.

15 (9) "Owner" means a person having a right of property owner-
16 ship in a ferret, who keeps or harbors the ferret or has the
17 ferret in his or her care or custody, or who permits the ferret
18 to remain on or about premises occupied by the person. An owner
19 does not mean a veterinarian who keeps a ferret on a temporary
20 basis for medical care or treatment.

21 (10) "Person" means an individual, partnership, corporation,
22 association, governmental entity, or other legal entity.

23 (11) "State veterinarian" means the chief animal health
24 official of the state as appointed by the director under section
25 7 of the animal industry act of 1987, Act No. 466 of the Public
26 Acts of 1988, being section 287.707 of the Michigan Compiled
27 Laws.

1 (12) "Veterinarian" means a person licensed to practice
2 veterinary medicine under article 15 of the public health code,
3 Act No. 368 of the Public Acts of 1978, being sections 333.16101
4 to 333.18838 of the Michigan Compiled Laws, or under the law of
5 another state or federal authority that is applicable to that
6 person.

7 Sec. 2. (1) A person shall not own or harbor a ferret over
8 12 weeks of age unless the ferret is vaccinated against rabies
9 with an approved rabies vaccine administered by an accredited
10 veterinarian, except that rabies vaccinations are not required
11 for research ferrets kept at research facilities registered pur-
12 suant to the public health code, Act No. 368 of the Public Acts
13 of 1978, being sections 333.1101 to 333.25211 of the Michigan
14 Compiled Laws.

15 (2) A person who owns or harbors a ferret that has poten-
16 tially exposed a person or other animal to rabies by biting,
17 scratching, causing abrasions, or contaminating open wounds or
18 mucous membranes with saliva or other infectious material shall
19 report the incident within 48 hours to the county public health
20 department and the department.

21 (3) A person who owns or harbors a ferret that has poten-
22 tially exposed a person or other animal to rabies by biting,
23 scratching, causing abrasions, or contaminating open wounds or
24 mucous membranes with saliva or other infectious material shall
25 comply with the compendium of animal rabies control animal con-
26 trol methods issued by the national association of state public
27 health veterinarians, inc.

1 (4) A person who owns or harbors a ferret shall produce
2 proof of a valid rabies certificate for the ferret upon request
3 of a law enforcement agent or the director.

4 Sec. 3. (1) The director may require that a ferret be iden-
5 tified pursuant to Act No. 309 of the Public Acts of 1939, being
6 sections 287.301 to 287.308 of the Michigan Compiled Laws, at the
7 expense of the owner as necessary to protect the health, safety,
8 and welfare of human beings and other animals.

9 (2) An owner shall not allow a ferret to leave the owner's
10 property unless the ferret is confined or held and under the
11 direct control of the owner or a responsible person designated by
12 the owner.

13 (3) A person shall not release a ferret into the wild.

14 Sec. 4. (1) A person shall not import a ferret into this
15 state unless the person has an official interstate health certif-
16 icate or official interstate certificate of veterinarian inspec-
17 tion and a current vaccination certificate for rabies signed by a
18 veterinarian for each ferret over 12 weeks of age, and a current
19 vaccination certificate for distemper for each ferret over 6
20 weeks of age.

21 (2) A ferret under 6 weeks of age shall not be imported into
22 this state without being accompanied by its mother.

23 Sec. 5. A person who sells or transfers a ferret shall fur-
24 nish a health information sheet that is specifically for
25 ferrets.

26 Sec. 6. (1) The director may declare a quarantine on
27 ferrets in any district or region of this state for the purpose

1 of controlling or preventing the spread of an infectious,
2 contagious, or toxicological disease. A person shall not move a
3 ferret that is under quarantine without permission from the
4 director. A person shall not allow a ferret under quarantine to
5 mingle or have contact with any other ferret not under quarantine
6 without the permission of the director. The director may pre-
7 scribe procedures for the identification, inventory, separation,
8 mode of handling, treatment, feeding, and caring for the quaran-
9 tined ferrets to prevent the quarantined ferrets from infecting
10 nonquarantined ferrets. A person shall not import into this
11 state a ferret from another state or jurisdiction if that ferret
12 is under quarantine by the other state or jurisdiction unless
13 that person obtains prior permission from the director.

14 (2) A ferret found running at large in violation of a quar-
15 antine declaration may be killed by a law enforcement agent or
16 animal control officer. The director may ask for the cooperation
17 of a law enforcement agency or animal control agency to enforce
18 the quarantine.

19 (3) A law enforcement agent or animal control officer kil-
20 ling a ferret due to a quarantine under this section is not
21 subject to liability resulting from the killing of the ferret.

22 Sec. 7. The county board of commissioners for a county by
23 ordinance may establish licensing requirements for ferrets. The
24 ordinance shall provide for proof of rabies vaccination, license
25 tags, forms, and procedures as described for dogs pursuant to the
26 dog law of 1919, Act No. 339 of the Public Acts of 1919, being
27 sections 287.261 to 287.290 of the Michigan Compiled Laws.

1 Sec. 8. (1) A person who intentionally violates a condition
2 of a quarantine is guilty of a felony, punishable by imprisonment
3 for not more than 5 years or a fine of not less than \$1,000.00 or
4 more than \$50,000.00, or both.

5 (2) A person who violates this act or a rule promulgated
6 under this act other than as provided under subsection (1) is
7 guilty of a misdemeanor, punishable by imprisonment of not less
8 than 30 days, or a fine of not less than \$300.00, or both.

9 (3) Any person authorized by the director to enforce the
10 animal health laws of the state is authorized to issue an appear-
11 ance ticket, as described and authorized by sections 9a to 9g of
12 chapter 4 of the code of criminal procedure, Act No. 175 of the
13 Public Acts of 1927, being sections 764.9a to 764.9g of the
14 Michigan Compiled Laws, for any violation of this act as
15 described in subsection (2).

16 (4) In addition to any other action authorized by this act,
17 the department may bring an action to do 1 or more of the
18 following:

19 (a) Obtain a declaratory judgment that a method, act, or
20 practice is a violation of this act.

21 (b) Obtain an injunction against a person who is engaging,
22 or about to engage, in a method, act, or practice that violates
23 this act.

24 Sec. 9. The director may promulgate rules for the implemen-
25 tation and enforcement of this act pursuant to the administrative
26 procedures act of 1969, Act No. 306 of the Public Acts of 1969,
27 being sections 24.201 to 24.328 of the Michigan Compiled Laws.

1 Sec. 10. Act No. 277 of the Public Acts of 1927, being
2 sections 317.151 to 317.152 of the Michigan Compiled Laws, is
3 repealed.