

DOG LICENSE SALES

House Bill 5639 as enrolled
Public Act 438 of 2000
Second Analysis (1-2-01)

Sponsor: Rep. Ruth Johnson
House Committee: Local Government and
Urban Policy
Senate Committee: Local, Urban and State
Affairs

THE APPARENT PROBLEM:

In 1998 the legislature revised portions of the dog licensing law to allow multi-year licensing, a change recommended by smaller municipal jurisdictions who were overwhelmed by single-year licensing for the thousands of dogs in their communities. (See *BACKGROUND INFORMATION* below.)

It is customary for dog owners to renew their animals' licenses at the beginning of each new calendar year. Prior to the 1998 legislation, dog licenses were required to be purchased by March 1 of each year, but the law allowed each county, by resolution, to extend the licensing period to June 1. Under the revised dog licensing law, the deadline for licensing is March 1. Consequently, all dogs licensed in a county must be re-licensed during the first two months of the new year. In Oakland County, where owners register 56,000 - 58,000 dogs each year, local township officials report that the number of registrations is overwhelming, most especially because it occurs during February when local units of government collect property taxes.

During committee testimony, local officials reported that when the legislature changed the law, the provision that allowed municipalities the option of setting a June 1 renewal deadline, in lieu of March 1, was eliminated unintentionally. Consequently, legislation has been introduced to reinstate the June 1 licensing option.

THE CONTENT OF THE BILL:

House Bill 5639 would amend the Dog Law of 1919 to give county boards of commissioners two additional options for establishing dog license application periods. Under the bill, a county could provide for a March 1 deadline, as under current law, or could allow for a deadline of June 1 every year, or by June 1 every year or every third year, at the owner's option. (As under

current law, it would be at the county's discretion whether to allow for three-year dog licenses.)

Currently the owner of a dog that is 4 months of age or older must apply for a dog license to the treasurer of the county, township, or city where she or he resides. The application tells the breed, sex, age, color, and markings of the dog, and the name and address of the last previous owner. In addition, the license application must be accompanied by a valid certificate of a current vaccination for rabies, signed by an accredited veterinarian. The owner must make application for the license annually, on or before March 1, unless the county board of commissioners adopts a resolution to the contrary.

Further and under the law, the county board of commissioners can, with the approval of the county treasurer, provide four licensing options for dogs, if the board adopts a resolution during the 60-day period before the start of the county's fiscal year. If a resolution is adopted, the law requires that it provide for one of the following: a) that the owner apply for a license by March 1 every year or every third year, at the owner's option; b) that the owner apply for a license by the last day of the month of the dog's current rabies vaccination, every year; c) that the owner apply for a license by the last day of the month of the dog's current rabies vaccination, or of the anniversary of the dog's current rabies vaccination, every third year; or, d) that the owner apply for a license by one of the following at the owner's option: i) the last day of the month of the dog's current rabies vaccination every year, or ii) the last day of the month of the dog's current rabies vaccination, or of the anniversary of the dog's current rabies vaccination, every third year.

House Bill 5639 would retain these provisions but would delete "or of the anniversary of the dog's current

rabies vaccination” from both options (c) and (d), above. In addition, the bill would add two provisions so that a county board of commissioners could adopt a resolution to require 1) that the owner apply for a license by June 1 every year, or 2) by June 1 every year or every third year at the owner’s option. [Under the bill these provisions would be inserted between subsections (a) and (b) above, to become subsections (b) and (c) respectively, while the remainder of the list would be re-lettered to accommodate the additional subsections.]

Currently under the law, if a person applies for a license after July 10 of a calendar year, the license fee is one-half the customary fee. House Bill 5639 would specify that the license must be an annual license in order for the reduced fee to apply.

House Bill 5639 also specifies that if a dog is licensed before it becomes five months old and is subsequently spayed or neutered before it becomes seven months old, then the owner of the dog could exchange the license and receive a refund for the difference in the cost of the licenses. However, this provision would apply only if the county board of commissioners had adopted a resolution to that effect during the 60-day period before the beginning of the county’s fiscal year, and had obtained the written approval of the county treasurer.

Further, House Bill 5639 specifies that the expiration date for a license issued under section 6(2) [which provides for the annual March 1 option] or 6(3)(b) [which provides for the annual June 1 option] would be one year, and for a license issued under section 6(3)(a) [which provides for the March 1 one- or three-year options] or 6(3)(c) [which provides for the June 1 one- and three year options] would be one year or three years.

However, the bill specifies that the expiration date of a license issued under sections 6(3)(d), (e), or (f) [which provide for the options of applying by the last day of the month of the dog’s current rabies vaccination, either every year or every third year, or a combination of both options] would be the earlier of the following: (i) one year or three years, as applicable, after the date on which the license was required to be obtained; or, if earlier (ii) the expiration date of the dog’s rabies vaccination.

Finally, the bill specifies a second date by which township and city treasurers must return all unused tags, the books from which dog licenses have been issued, receipts and records showing the name of the

person issued each license, and a full description of each dog. Currently the township and city treasurers must convey their records to the county treasurer on or before March 1. House Bill 5639 retains that date, but provides for a June 1 deadline for any county operating under either of two new options that are proposed by the bill.

MCL 287.266 et al.

BACKGROUND INFORMATION:

Public Act 390 of 1998. According to the House Legislative Analysis Section analysis of House Bill 5843 of 1998, dated 11-17-98, Michigan’s original dog licensing law was enacted by the legislature in 1919. In 1998 the law was amended to allow for three-year licenses. Before the new law went into effect, dog licenses were issued for one year only, and generally were required to be obtained by March 1 of the year in order not to be considered delinquent. (However, counties were permitted to extend the deadline to June 1.) During 1996 and 1997, Midland County conducted an experimental program to license dogs for three-years, tying the expiration date of the license to the date upon which the dog’s rabies license expired. Because that program was successful, legislation was introduced to give counties statutory authority to sell three-year dog license, among other things.

FISCAL IMPLICATIONS:

The House Fiscal Agency notes that the bill would have no state fiscal impact. Counties that choose to provide refunds would minimally reduce dog license fee collections by the amount refunded.
(10-3-00)

ARGUMENTS:

For:

Many county and township treasurers collect fees when the owners of dogs register their animals each year. The licensing process is time-consuming because counties have thousands of dogs that must be controlled in order to protect the health and safety of citizens. For example, Oakland County has between 56,000 and 58,000 registered dogs whose licenses must be renewed each year. Currently the law requires that the licensing process be accomplished by March 1, although until changes in the dog licensing laws in 1998, the county had an option to extend the process until June 1. Local treasurers have reported the need

for a six-month licensing period, and this legislation would give them that option.

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#This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.