

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 4903 (as passed by the House)
Sponsor: Representative Gerald Law
House Committee: Health Policy
Senate Committee: Farming, Agribusiness and Food Systems

Date Completed: 2-23-00

CONTENT

The bill would amend the Public Health Code to revise the procedures for disposing of an animal placed in the care of a veterinarian, by deleting the 10-day period a veterinarian must wait before disposing of an animal, and changing the timetable for notifying an animal's owner. The bill also would add a definition of "abandoned by its owner", and delete the current definition of "abandonment".

Currently, a veterinarian may dispose of an animal placed in his or her custody for treatment, boarding, or other care and abandoned for more than 10 days by its owner or agent, by sending required notices. The veterinarian must send a first written notice of an intent to dispose of the animal by certified mail to the owner, or agent, at his or her last known address, and a second written notice at least 10 days after sending the first notice. The bill would delete the 10-day abandonment period; require a second notice to be sent five days, instead of 10, after the first notice had been sent; and, delete references to an agent.

The bill would define "abandoned by its owner" as any of the following:

- Failure of an owner to return to regain custody of an animal left in the custody of a veterinarian by its owner for treatment, boarding, or other services at the scheduled time for the animal's return or at completion of services.
- Refusal of an owner to accept custody of an animal left in the custody of a veterinarian by its owner for treatment, boarding, or other services at the scheduled time for the animal's return or at completion of the services.
- Failure of an owner to provide payment for treatment, boarding, or other services on an animal left in the custody of a veterinarian by its owner as agreed upon by the owner and veterinarian.

"Owner" would mean the actual owner of an animal, an agent of the owner of the animal, or a person with the apparent authority to act as the owner or as the agent of the owner of the animal.

The bill would delete the current definition of "abandonment", which is to forsake entirely, neglect, or refuse to provide for payment by installment or otherwise or perform the lawful obligations for care and support of an animal by its owner or agent.

Currently, the Code states that an abandonment constitutes the relinquishment of all rights of the owner to the animal. The bill specifies, instead, that in the case of an animal abandoned by its owner, the owner would be considered to have relinquished all rights to the animal.

MCL 333.18802 & 333.18838

Legislative Analyst: L. Arasim

FISCAL IMPACT

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

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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.

Fiscal Analyst: P. Graham