SUBSTITUTE FOR

SENATE BILL NO. 350

A bill to establish the animal welfare fund in the department of agriculture; to provide for the distribution of money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the

2 "animal welfare fund act".

3 Sec. 2. As used in this act:

4 (a) "Animal control shelter" and "animal protection shelter"

5 mean those terms as defined in section 1 of 1969 PA 287, MCL

6 287.331.

7 (b) "Department" means the department of agriculture.

8 (c) "Fund" means the animal welfare fund created in section 3.

9 (d) "Qualified veterinarian" means a person licensed or

10 otherwise authorized to engage in the practice of veterinary

1 medicine under part 188 of article 15 of the public health code,

2 1978 PA 368, MCL 333.18801 to 333.18838, and who practices

3 veterinary medicine in this state.

4 (e) "State animal anticruelty laws" means the laws and

5 standards provided for the adequate care of animals in chapter IX

6 of the Michigan penal code, 1931 PA 328, MCL 750.49 to 750.70,

7 including the provisions of section 50(8) of the Michigan penal

8 code, 1931 PA 328, MCL 750.50.

9 Sec. 3. (1) The animal welfare fund is created in the

10 department to provide funds to promote sterilization and adoption

11 of dogs and cats, to improve knowledge of the proper care of

12 animals pursuant to state animal anticruelty laws by educating the

13 public and training personnel authorized by law to enforce state

14 animal anticruelty laws, to support and enhance programs that

15 provide for the care and protection of animals pursuant to state

16 anticruelty laws, and to allow the purchase of equipment and

17 supplies for programs that receive grants under this act.

18 (2) The state treasurer shall credit to the fund all amounts

19 appropriated for this purpose under section 435 of the income tax

20 act of 1967, 1967 PA 281, MCL 206.435.

21 (3) The fund shall consist of the money credited to the fund

22 pursuant to section 435 of the income tax act of 1967, 1967 PA 281,

23 MCL 206.435, any interest and earnings accruing from the saving and

24 investment of that money, and other appropriations, money, or other

25 things of value received by the fund.

26 (4) The state treasurer shall direct the investment of the

27 fund.

1   (5) Money in the fund at the close of the year shall remain in

2 the fund and shall not lapse to the general fund.

3   Sec. 4. (1) The money, interest, and earnings of the fund

4 shall be expended solely for the purposes described in this act.

5   (2) Money granted or received as a gift or donation to the

6 fund is available for distribution upon appropriation.

7   (3) Money in the fund may be expended by the department for

8 actual administrative costs related to the administration of

9 programs or activities authorized under this act.

10   Sec. 5. (1) The department shall solicit proposals for grants

11 under this act.

12   (2) The department shall approve proposals for funding under

13 this act. Only the following entities shall receive grants from the

14 fund:

15   (a) An animal control shelter or animal protection shelter.

16   (b) An organization exempt from taxation under section

17 501(c)(3) of the internal revenue code that is based in this state

18 and whose primary purpose is to increase the number of dogs and

19 cats that are sterilized and adopted.

20   (3) The department shall make grants to animal control

21 shelters or animal protection shelters for only 1 or more of the

22 following purposes:

23   (a) Increase the number of dogs and cats that are sterilized

24 and adopted.

25   (b) Provide information to the public about the value of

26 sterilization and adoption of dogs and cats.

27   (c) Improve knowledge of the proper care of animals pursuant

1 to state animal anticruelty laws by educating the public and

2 training personnel authorized by law to enforce state animal

3 anticruelty laws.

4   (d) Support and enhance programs that provide for the care and

5 protection of animals pursuant to state anticruelty laws.

6   (e) Purchase equipment and supplies for programs that receive

7 grants under this act.

8   (4) The department shall make grants to organizations

9 described in subsection (2)(b) only for 1 or both of the following

10 purposes:

11   (a) To increase the number of dogs and cats that are

12 sterilized and adopted.

13   (b) To provide information to the public about the value of

14 sterilization and adoption of dogs and cats.

15   (5) The department shall not approve a grant under this act to

16 an organization described in subsection (2)(b) unless the

17 organization has complied with section 9a of 1969 PA 287, MCL

18 287.339a.

19   (6) A grant received under this act shall not be used to

20 replace funds otherwise designated by a grantee to support similar

21 programs or projects if existing funds for those programs or

22 projects are included in the grantee's budget before receiving a

23 grant under this act.

24   Sec. 6. An organization that receives a grant under this act

25 shall provide a written report of activities funded by the grant to

26 the department annually on a form prescribed by the department.

27   Sec. 7. (1) An organization that receives a grant under this

1   act that does not comply with the provisions of this act or the

2   terms of the grant as determined by the department is not eligible

3   for any future grant under this act.

4   (2) An organization that receives a grant under this act that

5   does not comply with the provisions of this act or the terms of the

6   grant shall be required to repay to the department the amount of

7   the grant, or a portion of the grant, as determined by the

8   department.

9   Enacting section 1. This act does not take effect unless

10   Senate Bill No. 347 of the 94th Legislature is enacted into law.