

HOUSE BILL No. 5263

September 25, 2007, Introduced by Rep. Young and referred to the Committee on Regulatory Reform.

A bill to amend 1969 PA 224, entitled

"An act to license and regulate dealers in and research facilities using dogs and cats for research purposes; and to repeal certain acts and parts of acts,"

by amending sections 1, 8, and 9 (MCL 287.381, 287.388, and 287.389).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. ~~When~~ **AS** used in this act:

2 (a) "Person" includes any individual, partnership,
3 association, or corporation.

4 (b) "Director" means the director of the department of
5 agriculture.

6 (c) "Cat" means any live domestic cat ~~(felis catus)~~ **OF THE**
7 **SPECIES FELIS CATUS** for use or intended to be used for research,
8 tests, or experiments at **A** research ~~facilities~~ **FACILITY**.

(d) "Dog" means any live dog of the species *canis familiaris* for use or intended to be used for research, tests, or experiments at ~~A research facilities~~ **FACILITY**.

(e) "Research facility" means any school, hospital, laboratory, institution, organization, or person that uses or intends to use dogs or cats in research, tests, or experiments, and that ~~(1) purchases~~ **DOES 1 OR MORE OF THE FOLLOWING:**

(i) **PURCHASES** or transports such animals. ~~, or (2) receives~~

(ii) **RECEIVES** any funds from ~~the~~ **THIS** state or ~~A~~ local government or any agency or instrumentality ~~thereof~~ **OF THIS STATE OR A LOCAL GOVERNMENT** to finance its operations by means of grants, loans, or otherwise.

(f) "Dealer" means ~~any~~ **A** person who for compensation or profit delivers for transportation, transports, boards, buys, or sells dogs or cats for research purposes and does not mean a person who breeds or raises dogs or cats for sale to a research facility.

(G) **"ANIMAL CONTROL SHELTER" AND "ANIMAL PROTECTION SHELTER" MEAN THOSE TERMS AS DEFINED IN SECTION 1 OF 1969 PA 287, MCL 287.331, AND ARE FACILITIES REGISTERED WITH THE STATE DEPARTMENT OF AGRICULTURE PURSUANT TO SECTION 6 OF 1969 PA 287, MCL 287.336.**

(H) **"RANDOM SOURCE ANIMAL" MEANS A DOG OR CAT OBTAINED FROM AN AUCTION SALE OR FROM ANY PERSON WHO DID NOT BREED AND RAISE THE DOG OR CAT ON THE PERSON'S PREMISES.**

Sec. 8. ~~A dealer, a county, city, village, or township operating a dog pound or animal shelter shall not sell or otherwise dispose of a dog or cat within 4 days after its acquisition. If the dog or cat has a collar, license, or other evidence of ownership,~~

~~the operator of the pound or shelter shall notify the owner in writing and disposition of the animal shall not be made within 7 days from the date of mailing the notice. Each operator of a pound or shelter shall be required to maintain a record on each identifiable dog or cat acquired, indicating a basic description of the animal, the date it was acquired and under what circumstances. The record shall also indicate the date of notice sent to the owner of an animal and subsequent disposition.~~

~~—— This section does not apply to animals which are sick or injured to the extent that the holding period would cause undue suffering, or to animals whose owners request immediate disposal.~~

(1) A PERSON SHALL NOT DO ANY OF THE FOLLOWING:

(A) PURCHASE OR OTHERWISE ACQUIRE A RANDOM SOURCE ANIMAL FOR THE PURPOSE OF RESALE FOR EXPERIMENTATION.

(B) SELL OR OTHERWISE MAKE AVAILABLE A RANDOM SOURCE ANIMAL FOR THE PURPOSE OF EXPERIMENTATION.

(2) SUBSECTION (1) APPLIES REGARDLESS OF WHETHER THE PERSON IS LICENSED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE TO PURCHASE AND RESELL RANDOM SOURCE ANIMALS.

~~Sec. 9. (1) Dogs and cats shall not be offered for sale or sold to a research facility at public auction or by weight; or purchased by a research facility~~ **A PERSON SHALL NOT SELL OR OFFER TO SELL A DOG OR CAT TO A RESEARCH FACILITY AT PUBLIC AUCTION OR BY WEIGHT. A RESEARCH FACILITY SHALL NOT PURCHASE A DOG OR CAT at public auction or by weight.**

~~(2) A research facility shall not purchase any dogs or cats~~ **DOG OR CAT except from a licensed dealer , public dog pound, humane**

1 ~~society, or from a person who breeds or raises dogs or cats for~~
2 ~~sale. Any county, city, village or township operating a dog pound~~
3 ~~or animal shelter may sell for an amount not to exceed \$10.00 per~~
4 ~~animal or otherwise dispose of unclaimed or unwanted dogs and cats~~
5 ~~to a Michigan research facility.~~

6 (3) A RESEARCH FACILITY OR DEALER SHALL NOT OBTAIN A DOG OR
7 CAT FROM AN ANIMAL CONTROL SHELTER OR ANIMAL PROTECTION SHELTER.