

SUBSTITUTE FOR
HOUSE BILL NO. 4663

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); and to repeal acts and parts of acts.

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 **(A) "ANIMAL BLOOD BANKING" MEANS THE PROVISION OF VETERINARY**

1 TRANSFUSION PRODUCTS THROUGH SPECIES-SPECIFIC DONATION.

2 (B) "ANIMAL CONTROL SHELTER" MEANS THAT TERM AS DEFINED IN
3 SECTION 1 OF 1969 PA 287, MCL 287.331, AND THAT IS REGISTERED UNDER
4 THAT ACT.

5 (C) "ANIMAL PROTECTION SHELTER" MEANS THAT TERM AS DEFINED IN
6 SECTION 1 OF 1969 PA 287, MCL 287.331, AND THAT IS REGISTERED UNDER
7 THAT ACT.

8 (D) ~~(e)~~ "Cat" means any live domestic cat ~~(felis~~ OF THE
9 SPECIES FELIS catus. ~~) for use or intended to be used for research,~~
10 ~~tests or experiments at research facilities.~~

11 (E) "DEALER" MEANS A PERSON WHO FOR COMPENSATION OR PROFIT
12 DELIVERS FOR TRANSPORTATION, TRANSPORTS, BOARDS, BUYS, OR SELLS
13 DOGS OR CATS FOR RESEARCH PURPOSES AND DOES NOT INCLUDE A PERSON
14 WHO BREEDS OR RAISES DOGS OR CATS ON HIS OR HER PREMISES FOR SALE
15 TO A RESEARCH FACILITY.

16 (F) "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF
17 AGRICULTURE.

18 (G) ~~(d)~~ "Dog" means any live dog of the species ~~canis~~ CANIS
19 familiaris. ~~for use or intended to be used for research tests or~~
20 ~~experiments at research facilities.~~

21 (H) "PERSON" INCLUDES ANY INDIVIDUAL, LIMITED LIABILITY
22 COMPANY, PARTNERSHIP, ASSOCIATION, OR CORPORATION.

23 (I) ~~(e)~~ "Research facility" means any school, hospital,
24 laboratory, institution, organization, or person that uses or
25 intends to use dogs or cats in research, ~~tests~~ TESTING, or
26 experiments, and that ~~(1) purchases~~ DOES 1 OR BOTH OF THE
27 FOLLOWING:

1 (i) **PURCHASES, RECEIVES**, or transports ~~such animals, or (2)~~
 2 ~~receives~~ **DOGS OR CATS**.

3 (ii) **RECEIVES** any funds from the ~~THIS~~ state or **A** local
 4 government or any agency or instrumentality thereof to finance its
 5 operations by means of grants, loans, or otherwise.

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

10 Sec. 8. (1) A dealer ~~, OR~~ a county, city, village, or township
 11 operating a dog pound or animal **CONTROL SHELTER OR ANIMAL**
 12 **PROTECTION** shelter shall not sell or otherwise dispose of a dog or
 13 cat within 4 days after its acquisition. If the dog or cat has a
 14 collar, license, or other evidence of ownership, the operator of
 15 the pound or **ANIMAL CONTROL SHELTER OR ANIMAL PROTECTION** shelter
 16 shall notify the owner in writing and disposition of the ~~animal~~ **DOG**
 17 **OR CAT** shall not be made within 7 days from the date of mailing the
 18 notice. Each operator of a pound or **ANIMAL CONTROL SHELTER OR**
 19 **ANIMAL PROTECTION** shelter shall be required to maintain a record on
 20 each identifiable dog or cat acquired, indicating a basic
 21 description of the animal, the date it was acquired, and ~~under what~~
 22 **THE** circumstances **UNDER WHICH IT WAS ACQUIRED**. The record shall
 23 also indicate the date of notice sent to the owner of an animal and
 24 subsequent disposition. This ~~section~~ **SUBSECTION** does not apply to
 25 animals ~~which~~ **THAT** are sick or injured to the extent that the
 26 holding period ~~would~~ **IS LIKELY TO** cause undue suffering, or to
 27 animals whose owners request immediate disposal.

1 (2) UNTIL THE EXPIRATION OF 12 MONTHS AFTER THE EFFECTIVE DATE
2 OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, A PERSON
3 SURRENDERING A DOG OR CAT TO AN ANIMAL CONTROL SHELTER OR AN ANIMAL
4 PROTECTION SHELTER HAS THE OPTION OF DESIGNATING, IN WRITING,
5 WHETHER THE SURRENDERED DOG OR CAT MAY BE SOLD OR TRANSFERRED TO A
6 RESEARCH FACILITY OR DEALER FOR THE PURPOSE OF RESALE FOR
7 EXPERIMENTATION. AN ANIMAL CONTROL SHELTER OR ANIMAL PROTECTION
8 SHELTER SHALL NOT SELL OR TRANSFER TO A RESEARCH FACILITY OR DEALER
9 A DOG OR CAT SURRENDERED BY ITS OWNER UNLESS THE WRITTEN
10 DESIGNATION DESCRIBED IN THIS SUBSECTION IS EXECUTED. HOWEVER, IN
11 THE CASE OF AN ANIMAL CONTROL SHELTER RECEIVING A DOG OR CAT FOUND
12 ON THE STREETS OR RUNNING AT LARGE, THE ANIMAL CONTROL SHELTER
13 SHALL NOT SELL OR TRANSFER THE DOG OR CAT TO A DEALER.

14 (3) BEGINNING 12 MONTHS AFTER THE EFFECTIVE DATE OF THE
15 AMENDATORY ACT THAT ADDED THIS SUBSECTION, A PERSON SURRENDERING A
16 DOG OR CAT TO AN ANIMAL CONTROL SHELTER OR AN ANIMAL PROTECTION
17 SHELTER HAS THE OPTION OF DESIGNATING, IN WRITING, WHETHER THE
18 SURRENDERED DOG OR CAT MAY BE SOLD OR TRANSFERRED TO A RESEARCH
19 FACILITY. AN ANIMAL CONTROL SHELTER OR ANIMAL PROTECTION SHELTER
20 SHALL NOT SELL OR TRANSFER TO A RESEARCH FACILITY A DOG OR CAT
21 SURRENDERED BY ITS OWNER UNLESS THE WRITTEN DESIGNATION DESCRIBED
22 IN THIS SUBSECTION IS EXECUTED.

23 (4) BEGINNING 12 MONTHS AFTER THE EFFECTIVE DATE OF THE
24 AMENDATORY ACT THAT ADDED THIS SUBSECTION, A DEALER SHALL NOT
25 ACQUIRE OR PURCHASE A CAT OR DOG FROM AN ANIMAL CONTROL SHELTER OR
26 ANIMAL PROTECTION SHELTER. BEGINNING 12 MONTHS AFTER THE EFFECTIVE
27 DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, AN ANIMAL

1 CONTROL SHELTER OR ANIMAL PROTECTION SHELTER SHALL NOT SELL,
2 PROVIDE, OR OTHERWISE TRANSFER A CAT OR DOG TO A DEALER.

3 (5) SUBSECTIONS (2), (3), AND (4) DO NOT APPLY TO A PERSON
4 REGULATED AS A DEALER UNDER FEDERAL LAW AND THAT IS ENGAGED IN
5 ANIMAL BLOOD BANKING. A PERSON REGULATED AS A DEALER UNDER FEDERAL
6 LAW AND THAT IS ENGAGED IN ANIMAL BLOOD BANKING MAY OBTAIN A CAT OR
7 DOG SOLELY FOR THE PURPOSE OF THE DONATION OF BLOOD.

8 Sec. 9. (1) ~~Dogs and cats shall not be offered for sale or~~
9 ~~sold~~ A PERSON SHALL NOT SELL OR OFFER TO SELL A DOG OR CAT to a
10 research facility at public auction or by weight. ~~; or purchased by~~
11 ~~a research facility at public auction or by weight.~~

12 (2) A research facility shall not purchase any dogs or cats
13 except from a licensed dealer, ~~public dog pound, humane society, or~~
14 ~~from~~ AN ANIMAL CONTROL SHELTER, AN ANIMAL PROTECTION SHELTER, OR a
15 person who breeds or raises dogs or cats for sale. ~~Any county,~~
16 ~~city, village or township operating a dog pound or animal shelter~~
17 ~~may sell for an amount not to exceed \$10.00 per animal or otherwise~~
18 ~~dispose of unclaimed or unwanted dogs and cats to a Michigan~~
19 ~~research facility.~~

20 Enacting section 1. Section 15 of 1969 PA 224, MCL 287.395, is
21 repealed.