



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 574 (as introduced 8-24-11)
Sponsor: Senator Steven Bieda
Committee: Regulatory Reform

Date Completed: 9-21-11

CONTENT

The bill would amend Public Act 287 of 1969, which regulates the adoption of dogs and cats from pet shops, animal control shelters, and animal protection shelters, to do the following:

- **Declare a dog or cat to be unfit for sale if it had certain health defects.**
- **Require the seller of a dog or cat deemed to be unfit for sale to refund the purchase price, exchange the animal for another of equal value, and/or reimburse the purchaser for veterinary fees.**

The bill would apply to a pet shop that sells dogs or cats; a pet dealer; a breeder; a person who engages in the sale of dogs or cats to the public for profit; and a person who sells more than one litter of dogs or cats under six months of age or two dogs or cats over six months of age, per year.

Under the bill, a dog or cat would be unfit for sale at the time of purchase if either of the following occurred:

- Within 30 days after a purchaser received the dog or cat, a veterinarian stated in writing that the animal had symptoms of a contagious or infectious disease or illness that existed at the time of purchase.
- Within 90 days after a purchaser received the dog or cat, a veterinarian stated in writing that the animal died or was ill due to a hereditary or congenital defect.

If a dog or cat were unfit for sale at the time of purchase as described above, the seller would have to allow the purchaser of the animal to do any of the following:

- Return the dog or cat for a refund of the full purchase price.
- If a replacement dog or cat were available, exchange the animal for another dog or cat of the purchaser's choice that was of equal value.
- Retain the dog or cat and receive reimbursement for reasonable veterinary fees that did not exceed the original purchase price.
- If the dog or cat died, receive another dog or cat of equal value, if available, and receive reimbursement for reasonable veterinary fees that did not exceed the original purchase price.
- If the dog or cat died, receive a refund of the full purchase price.

The bill specifies that it would not limit the rights or remedies otherwise available to the purchaser of a dog or cat under any other law.

"Pet dealer" would mean a person who buys or sells dogs or cats for compensation, but would not include an animal protection shelter. (Under the Act, "animal protection shelter" means a facility operated by a person, humane society, society for the prevention of cruelty to animals, or any other nonprofit organization for the care of homeless animals.)

"Breeder" would mean a person who breeds or raises dogs or cats for sale to the public.

MCL 287.331 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

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

Fiscal Analyst: Josh Sefton

S1112\sb574sa.

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.