

# SENATE BILL No. 1005

May 16, 2018, Introduced by Senator KNOLLENBERG and referred to the Committee on Oversight.

A bill to amend 1969 PA 287, entitled

"An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies,"

by amending section 4 (MCL 287.334), as amended by 2007 PA 79.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 4. (1) Applications for pet shop licenses ~~shall~~**MUST** be  
2       on a form as provided or made available by the director. Beginning  
3       October 1, 2003 through September 30, 2012, the director shall  
4       issue pet shop licenses for a term of 1 year beginning January 1 of  
5       each year. After September 30, 2012, the director shall issue a pet  
6       shop license upon application and payment of a license fee of  
7       \$150.00.

8       (2) Subject to subsection (6) and until September 30, 2012,  
9       the department shall charge a fee of \$200.00 for an initial

1 application for a pet shop license and a fee of \$100.00 for renewal  
2 of a pet shop license.

3 (3) Until September 30, 2012 and except as otherwise provided  
4 for in this section, a pet shop license is renewable by submission  
5 of a completed renewal application provided or made available by  
6 the department and payment of the renewal fee described in  
7 subsection (2).

8 (4) The department shall deposit all license fees, inspection  
9 fees, other noncriminal fines or fees, and administrative fines  
10 received pursuant to this act into the agriculture licensing and  
11 inspection fees fund created in section 9 of the insect pest and  
12 plant disease act, 1931 PA 189, MCL 286.209, to be used, pursuant  
13 to appropriation, by the director in administering and carrying out  
14 those duties required by law under this act.

15 (5) Beginning July 23, 2004, the department shall issue an  
16 initial or renewal pet shop license not later than 90 days after  
17 the applicant files a completed application. Receipt of the  
18 application is considered the date the application is received by  
19 any agency or department of ~~the~~ **THIS** state. ~~of Michigan.~~ If the  
20 application is considered incomplete by the department, the  
21 department shall notify the applicant in writing, or make the  
22 information electronically available, within 30 days after receipt  
23 of the incomplete application, describing the deficiency and  
24 requesting the additional information. The 90-day period is tolled  
25 upon notification by the department of a deficiency until the date  
26 the requested information is received by the department. The  
27 determination of the completeness of an application ~~does~~ **IS** not

1 ~~operate as~~ an approval of the application for the license and does  
2 not confer eligibility of an applicant determined otherwise  
3 ineligible for issuance of a license.

4 (6) If the department fails to issue or deny a license within  
5 the time required by this section, the department shall return the  
6 license fee and shall reduce the license fee for the applicant's  
7 next renewal application, if any, by 15%. The failure to issue a  
8 license within the time required under this subsection does not  
9 allow the department to otherwise delay the processing of the  
10 application, and that application, upon completion, ~~shall~~**MUST** be  
11 placed in sequence with other completed applications received at  
12 that same time. The department shall not discriminate against an  
13 applicant in the processing of the application based upon the fact  
14 that the license fee was refunded or discounted under this  
15 subsection.

16 ~~—— (7) Beginning October 1, 2005, the director of the department~~  
17 ~~shall submit a report by December 1 of each year to the standing~~  
18 ~~committees and appropriations subcommittees of the senate and house~~  
19 ~~of representatives concerned with agriculture issues. The director~~  
20 ~~shall include all of the following information in the report~~  
21 ~~concerning the preceding fiscal year:~~

22 ~~—— (a) The number of initial and renewal applications the~~  
23 ~~department received and completed within the 90 day time period~~  
24 ~~described in subsection (5).~~

25 ~~—— (b) The number of applications denied.~~

26 ~~—— (c) The number of applicants not issued a license within the~~  
27 ~~90 day time period and the amount of money returned to licensees~~

1 ~~and registrants under subsection (6).~~

2       (7) ~~(8)~~ As used in this section, "completed application" means  
3 an application complete on its face and submitted with any  
4 applicable licensing fees as well as any other information,  
5 records, approval, security, or similar item required by law or  
6 rule from a local unit of government, a federal agency, or a  
7 private entity but not from another department or agency of ~~the~~  
8 **THIS** state. ~~of Michigan.~~ In the case of an initial application,  
9 completed application includes the completion of construction or  
10 renovation of any facility and the passing of a satisfactory  
11 inspection.

12       Enacting section 1. This amendatory act takes effect 90 days  
13 after the date it is enacted into law.