

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Rep. Vaupel

ENROLLED HOUSE BILL No. 5916

AN ACT 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 5a (MCL 287.335a), as amended by 2016 PA 392, and by adding section 5b.

The People of the State of Michigan enact:

Sec. 5a. (1) A person that operates a pet shop shall not import or cause to be imported into this state a dog or cat that is less than 8 weeks old. A person that operates an animal control shelter or an animal protection shelter shall not import or cause to be imported into this state a dog or cat that is less than 8 weeks old unless the dog or cat is imported with its dam. A large-scale dog breeding kennel shall not import or cause to be imported into this state a dog that is less than 8 weeks old unless the dog is imported with its dam.

(2) A person that operates a pet shop shall not sell, exchange, transfer, or offer for sale, exchange, or transfer a cat that is less than 8 weeks old. A large-scale dog breeding kennel shall not sell, exchange, or transfer a dog that is less than 8 weeks old.

(3) A person that operates a pet shop, an animal control shelter, an animal protection shelter, or a large-scale dog breeding kennel shall not import or cause to be imported into this state, or sell, adopt, exchange, or transfer, or offer for sale, adoption, exchange, or transfer a dog, unless all of the following are satisfied before the dog's entry into this state:

(a) The dog has been vaccinated against distemper, parvovirus, and canine adenovirus-2. The dog shall also be vaccinated against rabies and leptospirosis if the dog is 12 weeks of age or older. If a dog requires a rabies vaccine under this subdivision, an accredited veterinarian shall administer the vaccine. A person operating a pet shop or a large-scale dog breeding kennel shall ensure that vaccinations other than the rabies vaccination are administered not less than 7 days before the dog's entry into this state. The director may require vaccinations against other diseases not specified in this subdivision.

(b) If indicated, the dog has been treated for external and internal parasites so that the dog is not capable of spreading external or internal parasites to another animal at the time it is imported into this state.

(c) The dog is accompanied by an interstate health certificate or certificate of veterinary inspection signed by an accredited veterinarian licensed to practice veterinary medicine in the dog's state of origin, including records of the dog's medication and immunization.

(4) A person that operates a pet shop, an animal control shelter, or an animal protection shelter shall not import or cause to be imported into this state, or sell, adopt, exchange, or transfer, or offer for sale, adoption, exchange, or transfer a cat, unless all of the following are satisfied before the cat's entry into this state:

(a) The cat has been vaccinated against feline panleukopenia, calici viruses, and feline herpes virus-1. The cat shall also be vaccinated against rabies if the cat is 12 weeks of age or older. If a cat requires a rabies vaccine under this subdivision, an accredited veterinarian shall administer the vaccine. A person operating a pet shop shall ensure that vaccinations other than the rabies vaccination are administered to the cat as required by this subdivision not less than 7 days before the cat's entry into this state. The director may require vaccinations against other diseases not specified in this subdivision.

(b) If indicated, the cat has been treated for external and internal parasites so that the cat is not capable of spreading external or internal parasites to another animal at the time it is imported into this state.

(c) The cat is accompanied by an interstate health certificate or certificate of veterinary inspection filled out and signed by an accredited veterinarian licensed to practice veterinary medicine in the cat's state of origin, including records of the cat's medication and immunization.

(5) A person that operates a pet shop or a large-scale dog breeding kennel shall not sell, exchange, transfer, or deliver a dog, cat, or ferret without providing to the purchaser a valid pet health certificate. For purposes of this subsection, a pet health certificate is only valid for 30 days after the date the animal was examined by the veterinarian who signed the certificate.

Sec. 5b. (1) To be a qualified pet shop, an owner, manager, or employee of a pet shop shall not display, offer for sale, deliver, barter, auction, broker, give away, transfer, or sell a live dog from a pet shop to a person unless the dog was obtained from 1 of the following sources:

(a) An animal control shelter.

(b) An animal protection shelter.

(c) A dog retailer. If the dog retailer originally obtained the dog from a breeder, the breeder must be a qualified breeder.

(d) A qualified breeder.

(2) To be a qualified pet shop, an owner, manager, or employee of a pet shop shall not deliver, barter, auction, broker, give away, transfer, or sell any of the following:

(a) A dog that is less than 8 weeks old.

(b) A dog without a pet health certificate.

(c) A dog that does not have a permanent implanted identification microchip.

(d) A dog to an individual who is younger than 18 years of age as verified by valid photo identification.

(e) A dog acquired from a qualified breeder or a dog retailer unless the owner, manager, or employee provides to the person acquiring the dog, at a time before the transaction, documentation that includes all of the following:

(i) The name of the breeder that bred the dog.

(ii) The address, if available, of the breeder that bred the dog.

(iii) The United States Department of Agriculture license number of the breeder that bred the dog, if applicable, and a copy of the most current unredacted United States Department of Agriculture inspection report for the breeder.

(iv) The dog's birth date, if known.

(v) The date that the pet shop took possession of the dog.

(vi) A document signed by a veterinarian that describes any known congenital or hereditary condition that adversely affects the health of the dog at the time of examination.

(vii) A certification signed by the owner, manager, or employee of the pet shop certifying that all information required to be provided to the person acquiring the dog under this subdivision is accurate. A pet shop shall keep a copy of the certification for a period of at least 2 years from the date of the acquisition. The owner, the manager, or an employee of the pet shop shall make the copy of the certification available for inspection or duplication by the department or an animal control officer of the municipality in which the pet shop is located.

(f) A dog acquired from a qualified breeder or a dog retailer unless all of the following information regarding the dog is available to the general public at the pet shop:

(i) The name of the breeder that bred the dog.

(ii) The address, if available, of the breeder that bred the dog.

(iii) The United States Department of Agriculture license number of the breeder that bred the dog, if applicable.

(iv) The dog's birth date, if known.

(3) To be a qualified pet shop, an owner, manager, or employee of a pet shop shall not alter or provide false information on a document provided under subdivision (2)(e).

(4) This section does not apply to a dog that is being sold, delivered, bartered, auctioned, given away, brokered, or transferred from the premises where the dog was bred and reared.

(5) As used in this section:

(a) "Dog retailer" means a person that buys, sells, or offers to sell dogs at wholesale for resale to another person or who sells or gives 1 or more dogs to a pet shop annually. Dog retailer does not include an animal control shelter, an animal protection shelter, a humane society, a medical kennel for dogs, a research kennel for dogs, a pet shop, or a veterinarian.

(b) "Qualified breeder" means either of the following:

(i) A breeder that keeps, houses, and maintains female adult dogs that is not a large-scale dog breeding kennel.

(ii) A large-scale dog breeding kennel located inside or outside of this state that meets all of the following requirements:

(A) The large-scale breeding kennel is licensed by the United States Department of Agriculture under 7 USC 2133 and, if applicable, registered with the department under section 6.

(B) The United States Department of Agriculture has not issued the large-scale breeding kennel a finally determined report of a direct noncompliance violation under the animal welfare act, 7 USC 2131 to 2159, for a period of 2 years before offering for sale, delivering, bartering, auctioning, brokering, giving away, transferring, or selling a dog.

(C) The breeding kennel has not had 3 or more finally determined reports of noncompliance documented in any report issued by the United States Department of Agriculture under the animal welfare act, 7 USC 2131 to 2159, for a period of 12 months before offering for sale, delivering, bartering, auctioning, brokering, giving away, transferring, or selling a dog.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

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Governor