

HOUSE BILL No. 5916

May 1, 2018, Introduced by Rep. Vaupel and referred to the Committee on Agriculture.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

1 into this state a dog that is less than 8 weeks old unless the dog
2 is imported with its dam.

3 (2) A person ~~who~~**THAT** operates a pet shop shall not sell,
4 exchange, transfer, or offer for sale, exchange, or transfer a ~~dog~~
5 ~~or~~ cat that is less than 8 weeks old. A large-scale dog breeding
6 kennel shall not sell, exchange, or transfer a dog that is less
7 than 8 weeks old.

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

14 (a) The dog has been vaccinated against distemper, parvovirus,
15 and canine adenovirus-2. The dog shall also be vaccinated against
16 rabies and leptospirosis if the dog is 12 weeks of age or older. If
17 **A DOG REQUIRES** a rabies vaccine ~~is required~~ under this subdivision,
18 **AN ACCREDITED VETERINARIAN SHALL ADMINISTER** the vaccine. ~~shall be~~
19 ~~administered by an accredited veterinarian.~~ A person operating a
20 pet shop or a large-scale dog breeding kennel shall ensure that
21 vaccinations other than the rabies vaccination are administered not
22 less than 7 days before the dog's entry into this state. The
23 director may require vaccinations against other diseases not
24 specified in this subdivision.

25 (b) If indicated, the dog has been treated for external and
26 internal parasites so that the dog is not capable of spreading
27 external or internal parasites to another animal at the time it is

1 imported into this state.

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

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

13 (a) The cat has been vaccinated against feline panleukopenia,
14 calici viruses, and feline herpes virus-1. The cat shall also be
15 vaccinated against rabies if the cat is 12 weeks of age or older.
16 If **A CAT REQUIRES** a rabies vaccine ~~is required~~ under this
17 subdivision, **AN ACCREDITED VETERINARIAN SHALL ADMINISTER** the
18 vaccine. ~~shall be administered by an accredited veterinarian.~~ A
19 person operating a pet shop shall ensure that vaccinations other
20 than the rabies vaccination are administered to the cat as required
21 by this subdivision not less than 7 days before the cat's entry
22 into this state. The director may require vaccinations against
23 other diseases not specified in this subdivision.

24 (b) If indicated, the cat has been treated for external and
25 internal parasites so that the cat is not capable of spreading
26 external or internal parasites to another animal at the time it is
27 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 ~~who~~**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) 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) 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

1 IDENTIFICATION MICROCHIP.

2 (D) A DOG TO AN INDIVIDUAL WHO IS YOUNGER THAN 18 YEARS OF AGE
3 AS VERIFIED BY VALID PHOTO IDENTIFICATION.

4 (E) A DOG ACQUIRED FROM A QUALIFIED BREEDER OR A DOG RETAILER
5 UNLESS THE OWNER, MANAGER, OR EMPLOYEE PROVIDES TO THE PERSON
6 ACQUIRING THE DOG, AT A TIME BEFORE THE TRANSACTION, DOCUMENTATION
7 THAT INCLUDES ALL OF THE FOLLOWING:

8 (i) THE NAME OF THE BREEDER THAT BRED THE DOG.

9 (ii) THE ADDRESS, IF AVAILABLE, OF THE BREEDER THAT BRED THE
10 DOG.

11 (iii) THE UNITED STATES DEPARTMENT OF AGRICULTURE LICENSE
12 NUMBER OF THE BREEDER THAT BRED THE DOG, IF APPLICABLE, AND A COPY
13 OF THE MOST CURRENT UNITED STATES DEPARTMENT OF AGRICULTURE
14 INSPECTION REPORT FOR THE BREEDER.

15 (iv) THE DOG'S BIRTH DATE, IF KNOWN.

16 (v) THE DATE THAT THE PET SHOP TOOK POSSESSION OF THE DOG.

17 (vi) A DOCUMENT SIGNED BY A VETERINARIAN THAT DESCRIBES ANY
18 KNOWN CONGENITAL OR HEREDITARY CONDITION THAT ADVERSELY AFFECTS THE
19 HEALTH OF THE DOG AT THE TIME OF EXAMINATION.

20 (vii) A CERTIFICATION SIGNED BY THE OWNER, MANAGER, OR
21 EMPLOYEE OF THE PET SHOP CERTIFYING THAT ALL INFORMATION REQUIRED
22 TO BE PROVIDED TO THE PERSON ACQUIRING THE DOG UNDER THIS
23 SUBDIVISION IS ACCURATE. A PET SHOP SHALL KEEP A COPY OF THE
24 CERTIFICATION FOR A PERIOD OF AT LEAST 2 YEARS FROM THE DATE OF THE
25 ACQUISITION. THE OWNER, THE MANAGER, OR AN EMPLOYEE OF THE PET SHOP
26 SHALL MAKE THE COPY OF THE CERTIFICATION AVAILABLE FOR INSPECTION
27 OR DUPLICATION BY THE DEPARTMENT OR AN ANIMAL CONTROL OFFICER OF

1 THE MUNICIPALITY IN WHICH THE PET SHOP IS LOCATED.

2 (F) A DOG ACQUIRED FROM A QUALIFIED BREEDER OR A DOG RETAILER
3 UNLESS ALL OF THE FOLLOWING INFORMATION REGARDING THE DOG IS
4 AVAILABLE TO THE GENERAL PUBLIC AT THE PET SHOP:

5 (i) THE NAME OF THE BREEDER THAT BRED THE DOG.

6 (ii) THE ADDRESS, IF AVAILABLE, OF THE BREEDER THAT BRED THE
7 DOG.

8 (iii) THE UNITED STATES DEPARTMENT OF AGRICULTURE LICENSE
9 NUMBER OF THE BREEDER THAT BRED THE DOG, IF APPLICABLE.

10 (iv) THE DOG'S BIRTH DATE, IF KNOWN.

11 (3) AN OWNER, MANAGER, OR EMPLOYEE OF A PET SHOP SHALL NOT
12 ALTER OR PROVIDE FALSE INFORMATION ON A DOCUMENT PROVIDED UNDER
13 SUBDIVISION (2) (E) .

14 (4) THIS SECTION DOES NOT APPLY TO A DOG THAT IS BEING SOLD,
15 DELIVERED, BARTERED, AUCTIONED, GIVEN AWAY, BROKERED, OR
16 TRANSFERRED FROM THE PREMISES WHERE THE DOG WAS BRED AND REARED.

17 (5) AS USED IN THIS SECTION:

18 (A) "DOG RETAILER" MEANS A PERSON THAT BUYS, SELLS, OR OFFERS
19 TO SELL DOGS AT WHOLESALE FOR RESALE TO ANOTHER PERSON OR WHO SELLS
20 OR GIVES 1 OR MORE DOGS TO A PET SHOP ANNUALLY. DOG RETAILER DOES
21 NOT INCLUDE AN ANIMAL CONTROL SHELTER, AN ANIMAL PROTECTION
22 SHELTER, A HUMANE SOCIETY, A MEDICAL KENNEL FOR DOGS, A RESEARCH
23 KENNEL FOR DOGS, A PET SHOP, OR A VETERINARIAN.

24 (B) "QUALIFIED BREEDER" MEANS EITHER OF THE FOLLOWING:

25 (i) A BREEDER THAT KEEPS, HOUSES, AND MAINTAINS FEMALE ADULT
26 DOGS THAT IS NOT A LARGE-SCALE DOG BREEDING KENNEL.

27 (ii) A LARGE-SCALE DOG BREEDING KENNEL LOCATED INSIDE OR

1 OUTSIDE OF THIS STATE THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

2 (A) THE LARGE-SCALE BREEDING KENNEL IS LICENSED BY THE UNITED
3 STATES DEPARTMENT OF AGRICULTURE UNDER 7 USC 2133 AND, IF
4 APPLICABLE, REGISTERED WITH THE DEPARTMENT UNDER SECTION 6.

5 (B) THE UNITED STATES DEPARTMENT OF AGRICULTURE HAS NOT ISSUED
6 THE LARGE-SCALE BREEDING KENNEL A FINALLY DETERMINED REPORT OF A
7 DIRECT NONCOMPLIANCE VIOLATION UNDER THE ANIMAL WELFARE ACT, 7 USC
8 2131 TO 2159, FOR A PERIOD OF 2 YEARS BEFORE OFFERING FOR SALE,
9 DELIVERING, BARTERING, AUCTIONING, BROKERING, GIVING AWAY,
10 TRANSFERRING, OR SELLING A DOG.

11 (C) THE BREEDING KENNEL HAS NOT HAD 3 OR MORE FINALLY
12 DETERMINED REPORTS OF NONCOMPLIANCE DOCUMENTED IN ANY REPORT ISSUED
13 BY THE UNITED STATES DEPARTMENT OF AGRICULTURE UNDER THE ANIMAL
14 WELFARE ACT, 7 USC 2131 TO 2159, FOR A PERIOD OF 12 MONTHS BEFORE
15 OFFERING FOR SALE, DELIVERING, BARTERING, AUCTIONING, BROKERING,
16 GIVING AWAY, TRANSFERRING, OR SELLING A DOG.

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