

SENATE BILL No. 542

June 4, 2003, Introduced by Senators GARCIA, TOY and STAMAS and referred to the Committee on Local, Urban and State Affairs.

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).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. When 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 (c) "Cat" means any live domestic cat (*felis catus*) for use
7 or intended to be used for research, tests or experiments at
8 research facilities.

9 (d) "Dog" means any live dog of the species *canis familiaris*

1 for use or intended to be used for research, tests, or
 2 experiments at research facilities.

3 (e) "Research facility" means any school, hospital,
 4 laboratory, institution, organization or person that uses or
 5 intends to use dogs or cats in research, tests, or experiments,
 6 and that ~~-(1)-~~ purchases or transports such animals, or ~~-(2)-~~
 7 receives any funds from the state or local government or any
 8 agency or instrumentality thereof to finance its operations by
 9 means of grants, loans or otherwise.

10 (f) "Dealer" means any person who for compensation or profit
 11 delivers for transportation, transports, boards, buys or sells
 12 dogs or cats for research purposes and does not mean a person who
 13 breeds or raises dogs or cats for sale to a research facility.

14 (g) **"Municipal shelter" means that term as defined in**
 15 **section 1 of 1969 PA 287, MCL 287.331.**

16 Sec. 8. (1) A dealer ~~—, a county, city, village, or~~
 17 ~~township operating a dog pound or animal shelter~~ shall not
 18 ~~sell~~ **transfer, with or without remuneration,** or otherwise
 19 dispose of a dog or cat within ~~—4—~~ 7 days after its acquisition.
 20 ~~—If the dog or cat has a collar, license, or other evidence of~~
 21 ~~ownership, the operator of the pound or shelter shall notify the~~
 22 ~~owner in writing and disposition of the animal shall not be made~~
 23 ~~within 7 days from the date of mailing the notice. Each operator~~
 24 ~~of a pound or shelter shall be required to maintain a record on~~
 25 ~~each identifiable dog or cat acquired, indicating a basic~~
 26 ~~description of the animal, the date it was acquired and under~~
 27 ~~what circumstances. The record shall also indicate the date of~~

1 ~~notice sent to the owner of an animal and subsequent~~
2 ~~disposition.~~

3 ~~—— This section does not apply to animals which are sick or~~
4 ~~injured to the extent that the holding period would cause undue~~
5 ~~suffering, or to animals whose owners request immediate~~
6 ~~disposal.~~

7 (2) Subsection (1) does not apply under either of the
8 following circumstances:

9 (a) The holding period would cause undue suffering because
10 the animal is sick or injured.

11 (b) The former owner requested that the animal be immediately
12 disposed of.

13 Sec. 9. (1) ~~Dogs and cats shall not be offered for sale or~~
14 ~~sold to a research facility at public auction or by weight; or~~
15 ~~purchased by a research facility.~~ A person shall not sell or
16 offer to sell a dog or cat to a research facility at public
17 auction or by weight. A research facility shall not purchase a
18 dog or cat at public auction or by weight.

19 (2) A research facility shall not purchase ~~any dogs or cats~~
20 a dog or cat except from a licensed dealer ~~—, public dog pound,~~
21 ~~humane society,~~ or from a person who breeds or raises dogs or
22 cats for sale. ~~Any county, city, village or township operating~~
23 ~~a dog pound or animal shelter may sell for an amount not to~~
24 ~~exceed \$10.00 per animal or otherwise dispose of unclaimed or~~
25 ~~unwanted dogs and cats to a Michigan research facility.~~

26 (3) A research facility or dealer shall not obtain a dog or
27 cat from a municipal shelter.

1 Enacting section 1. This amendatory act does not take
2 effect unless Senate Bill No. 543
3 of the 92nd Legislature is enacted into
4 law.