

HOUSE BILL NO. 5090

October 08, 2019, Introduced by Reps. Cambensy, Warren, Inman, Hertel, Elder, Sabo, Brann, Ellison, Cynthia Johnson and Yaroach and referred to the Committee on Agriculture.

A bill to prohibit the conducting of research or training activities on dogs in a manner that causes pain and distress, and certain activities related to that research or training, by an individual employed, contracted, or otherwise directed by a public body; to prescribe civil sanctions; and to provide for the powers and duties of certain state governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1. As used in this act:
- 2 (a) "Dog" means a live dog of the species *Canis familiaris*.



1 (b) "Public body" means this state, a city, village, township,
2 county, school district, public college or university, or single-
3 purpose government agency, or any other body that is created by
4 state statute or law.

5 Sec. 3. (1) Subject to subsection (3), in carrying out
6 research or training activities at a public body, an individual
7 employed by, contracted by, or otherwise directed to take action on
8 behalf of that public body shall not do any of the following:

9 (a) Conduct a research or training activity on a dog in a
10 manner that causes pain or distress.

11 (b) Breed, purchase, transport, house, feed, or maintain a dog
12 for use in a research or training activity that causes pain or
13 distress.

14 (2) For purposes of this section, a research or training
15 activity causes pain or distress in either of the following
16 circumstances:

17 (a) Regardless of whether any pain relief is provided, the
18 research or training activity involves a procedure that would, in
19 the absence of pain relief, reasonably be expected to cause more
20 than slight or momentary pain or distress in a human being to whom
21 that procedure was applied.

22 (b) The research or training activity would, if it were
23 conducted, be reportable to the United States Department of
24 Agriculture in compliance with 9 CFR 2.36(b) (6) or (7).

25 (3) The prohibition in subsection (1) does not apply, if
26 consent is given by the dog's guardian, to the use of a dog in
27 nonlethal clinical research or veterinary training.

28 Sec. 5. An individual who violates this act is responsible for
29 a civil fine of not less than \$5,000.00 or more than \$10,000.00 for



1 each animal that is the subject of a violation for each day that
2 the violation continues. The attorney general shall bring a civil
3 action in a court of competent jurisdiction to recover the fine
4 described in this section, and costs and fees, including attorney
5 fees. A determination of responsibility for a violation of this act
6 does not preclude a conviction, sentence, or determination of
7 responsibility for a violation of any other law of this state
8 arising from the same conduct.

9 Enacting section 1. This act takes effect October 1, 2020.

