

# SENATE BILL No. 951

January 11, 2006, Introduced by Senators GARCIA, EMERSON, SWITALSKI, CHERRY, HARDIMAN, JACOBS, TOY, BIRKHOLZ, JOHNSON, CLARKE, GEORGE, JELINEK, PATTERSON, PRUSI, BISHOP, VAN WOERKOM, BARCIA, BRATER, OLSHOVE, THOMAS, LELAND and SCHAUER and referred to the Committee on Finance.

A bill to establish the companion animal welfare fund in the department of agriculture; to provide for the distribution of money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. This act shall be known and may be cited as the  
2 "companion animal welfare fund act".

3           Sec. 2. As used in this act:

4           (a) "Animal control shelter" and "animal protection shelter"  
5 mean those terms as defined in section 1 of 1969 PA 287, MCL  
6 287.331.

7           (b) "Companion animal" means a mammal that is kept by an  
8 individual for companionship and pleasure and includes, but is not  
9 limited to, dogs, cats, and horses.

1 (c) "Department" means the department of agriculture.

2 (d) "Fund" means the companion animal welfare fund created in  
3 section 3.

4 Sec. 3. (1) The companion animal welfare fund is created in  
5 the department to provide funds to promote sterilization and  
6 adoption of companion animals and to increase and improve  
7 enforcement of animal anticruelty laws in this state.

8 (2) The state treasurer shall credit to the fund all amounts  
9 appropriated for this purpose under section 436 of the income tax  
10 act of 1967, 1967 PA 281, MCL 206.436.

11 (3) The fund shall consist of the money credited to the fund  
12 pursuant to section 436 of the income tax act of 1967, 1967 PA 281,  
13 MCL 206.436, any interest and earnings accruing from the saving and  
14 investment of that money, and other appropriations, money, or other  
15 things of value received by the fund.

16 (4) The state treasurer shall direct the investment of the  
17 fund.

18 (5) Money in the fund at the close of the year shall remain in  
19 the fund and shall not lapse to the general fund.

20 Sec. 4. (1) The money, interest, and earnings of the fund  
21 shall be expended solely for the purposes described in this act.

22 (2) Money granted or received as a gift or donation to the  
23 fund is available for distribution upon appropriation.

24 Sec. 5. (1) The department shall solicit proposals for grants  
25 under this act.

26 (2) The department shall request that the companion animal  
27 advisory committee within the department of agriculture or a

1 subcommittee of that advisory committee review applications for  
2 grants from the fund and make recommendations to the department for  
3 distribution of the money in the fund.

4 (3) The department shall approve proposals for funding under  
5 this act. Only the following entities shall receive grants from the  
6 fund:

7 (a) An animal control shelter or animal protection shelter.

8 (b) An organization exempt from taxation under section  
9 501(c)(3) of the internal revenue code that is based in this state  
10 and whose primary purpose is to increase the sterilization and  
11 adoption of companion animals.

12 (4) The department shall make grants for only 1 or more of the  
13 following purposes:

14 (a) To increase the availability of sterilization or adoption  
15 services for companion animals.

16 (b) To provide information to the public about the value of  
17 sterilization and adoption of companion animals.

18 (c) To increase public awareness of state and local animal  
19 anticruelty laws, ordinances, and regulations.

20 (d) To increase and improve enforcement of state and local  
21 animal anticruelty laws, ordinances, and regulations in this state.

22 Sec. 6. The money in the fund that is available for  
23 distribution shall be appropriated each year.

24 Enacting section 1. This act does not take effect unless  
25 Senate Bill No. 952

26 of the 93rd Legislature is enacted into law.