

# Legislative Analysis



## EUTHANASIA OF ANIMALS: REVISE TRAINING PROGRAM

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**House Bill 4813 as introduced**  
**Sponsor: Rep. Hank Vaupel**  
**Committee: Regulatory Reform**  
**Complete to 10-24-17**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 4813 would amend the Michigan Public Health Code to revise the training requirements, and make other changes, for Class B dealers, animal control shelters, and animal protection shelters that euthanize animals.

Currently, provisions pertaining to the training required in order for certain animal control shelters or animal protection shelters (hereinafter “shelters”) and Class B dealers to euthanize animals are contained in the same subsection of law. The bill would place the language pertaining to shelters in a separate subsection from the Class B dealers; the provisions would be nearly identical. (According to the Humane Society, a Class B dealer is an entity licensed by the U. S. Department of Agriculture to acquire dogs and cats from “random sources” to sell to universities and other research institutions for use in experiments.)

Under the bill, in order to qualify for permits that allow them to buy, possess, and administer a commercially prepared, premixed solution of sodium pentobarbital (hereinafter “sodium pentobarbital”) to perform euthanasia on injured, sick, homeless, or unwanted domestic pets and other animals, a Class B dealer or shelters registered with the Michigan Department of Agriculture and Rural Development (MDARD) would have to do the following (in addition to current requirements):

- Undergo increased training. Most current requirements would stay the same, but the bill would increase the minimum requirement of 8 hours of training to 16 hours, and specify that at least 12 of those hours involve content training and at least 4 hours include practical training in the use of sodium pentobarbital and an animal tranquilizer. The training would have to be from a training program approved by the state veterinarian, in consultation with the Michigan Board of Veterinary Medicine, and given by a licensed veterinarian pursuant to rules promulgated by the Michigan Board of Pharmacy. The training would also have to comply with the American Veterinary Medical Association’s guidelines for the euthanasia of animals.
- Until December 31, 2021, a Class B dealer would have to ensure that it or an employee who can document completion of the current training requirements only administers sodium pentobarbital to perform euthanasia on the animals listed in the statute. The same requirement would apply to a shelter and its employees, but

would include use of a commercially prepared, premixed solution of xylazine hydrochloride and require the euthanasia to be performed in accordance with the individual's training.

- Beginning January 1, 2022, a dealer, its employees, or a shelter's employees would have to have received and be able to document completion of the new training requirements in order to administer sodium pentobarbital or an animal tranquilizer to perform euthanasia on an animal.
- Certify that only an individual who had completed the required training or an individual otherwise permitted to use a controlled substance would administer the sodium pentobarbital or animal tranquilizer according to the Class B dealer's or shelter's written procedures.
- Beginning January 1, 2022, certify that the individual in charge of day-to-day operations of the facility has received and can document completion of the new training requirements.
- Comply with all state and federal laws, rules, and regulations regarding the acquisition, use, and security of controlled substances.

Further, the Public Health Code currently allows an animal control shelter registered with MDARD to acquire a limited permit that allows it to buy, possess, and administer a *commercially prepared solution of an animal tranquilizer to sedate a feral, wild, difficult to handle, or other animal for euthanasia, or to tranquilize an animal running at large that is dangerous or difficult to capture if it meets certain requirements.* The bill would delete the italicized text and allow the shelter to sedate or immobilize the animal running at large. The bill would also amend the requirements the shelter must meet to:

- Allow the Department of Licensing and Regulatory Affairs to inspect the record that animal control shelters are required to maintain that currently is available only for MDARD to inspect.
- Revise training requirements. Currently, an employee must receive and document completion of 16 of hours of training, including at least 3 hours of practical training in the use of animal tranquilizers. The bill would instead require that at least 12 of the 16 hours be content training and at least 4 hours be practical training in the use of animal tranquilizers to sedate or immobilize the animals described in the statute.
- Require an employee to also complete the new training requirement detailed above.
- Ensure, until *December 31, 2021*, that an employee who can document completion of the current training requirements only administers commercially prepared, premixed solution of xylazine hydrochloride to sedate or immobilize an animal. Beginning January 1, 2022, an employee would have to be able to document completion of the new training requirements in order to administer an animal tranquilizer to perform euthanasia on an animal.

- Certify that the individual in charge of the day-to-day operations of the shelter can document completion of the new training requirements.
- Comply with all state and federal laws, rules, and regulations regarding the acquisition, use, and security of controlled substances.

A similar provision in place for animal protection shelters would be eliminated. Lastly, numerous revisions of a technical nature to conform to the bill's primary provisions would be made.

The bill would take effect 90 days after enactment.

MCL 333.7333

**FISCAL IMPACT:**

The bill does not appear to have any significant fiscal impact on the Department of Licensing and Regulatory Affairs.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.