

# SENATE BILL NO. 419

August 20, 2019, Introduced by Senator LUCIDO 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 the title and sections 1, 2, 5a, 6, 7, 8, 8a, 8b, 8c, 9a, and 9b (MCL 287.331, 287.332, 287.335a, 287.336, 287.337, 287.338, 287.338a, 287.338b, 287.338c, 287.339a, and 287.339b), the title and section 8 as amended and sections 8a and 9a as added by 1997 PA 7, sections 1 and 8b as amended by 2017 PA 84, sections 2,

5a, 6, and 7 as amended and section 8c as added by 2016 PA 392, and section 9b as amended by 2007 PA 79, and by adding section 8d.

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

1 TITLE

2 An act to regulate pet shops, animal control shelters, ~~and~~  
3 animal protection shelters, **animal rescues, and large-scale**  
4 **breeders**; to establish uniform procedures and minimum requirements  
5 for **the adoption or sale** of dogs, cats, and ferrets; ~~and to~~  
6 prescribe penalties and civil fines; and to provide remedies.

7 Sec. 1. **(1) This act shall be known and may be cited as the**  
8 **"companion animal sales and adoption by MDARD-regulated**  
9 **organizations act"**.

10 **(2)** As used in this act:

11 (a) "Adoption" means a transfer of ownership, with or without  
12 remuneration, of an animal from an animal control shelter, ~~or~~  
13 animal protection shelter, **or animal rescue** to an individual for  
14 the purpose of being a companion animal for that individual. As  
15 used in this subdivision, a companion animal includes, but is not  
16 limited to, **a service dog or** a dog that is used for hunting or as a  
17 guard dog.

18 (b) "Alteration" means a professional sterilization procedure  
19 performed by a veterinarian that renders a dog, cat, or ferret  
20 incapable of reproducing.

21 (c) "Altered", in reference to a dog, cat, or ferret, means  
22 having undergone alteration.

23 (d) Except as provided in section 8b, "animal" means a mammal  
24 except livestock as **that term is** defined in 1937 PA 284, MCL  
25 287.121 to ~~MCL~~ 287.131, and rodents.

26 (e) "Animal abuse offense" means 1 or more of the following,

1 but does not include the lawful use of an animal to hunt or to  
2 participate in field trials or the lawful killing or other use of  
3 an animal in farming or a generally accepted animal husbandry or  
4 farming practice involving livestock:

5 (i) A violation of section 49 of the Michigan penal code, 1931  
6 PA 328, MCL 750.49.

7 (ii) A violation of section 50 of the Michigan penal code, 1931  
8 PA 328, MCL 750.50.

9 (iii) A violation of section 50a of the Michigan penal code,  
10 1931 PA 328, MCL 750.50a.

11 (iv) A violation of section 50b of the Michigan penal code,  
12 1931 PA 328, MCL 750.50b.

13 (v) A violation of section 50c of the Michigan penal code,  
14 1931 PA 328, MCL 750.50c.

15 (vi) A violation of section 158 of the Michigan penal code,  
16 1931 PA 328, MCL 750.158, if the violation arose out of a crime  
17 against nature with an animal.

18 (vii) A violation of a local ordinance substantially  
19 corresponding to a violation described in subparagraphs (i) to (vi).

20 (viii) An attempt or conspiracy to commit an offense described  
21 in subparagraphs (i) to (vii).

22 (f) "Animal control shelter" means a facility operated by a  
23 municipality for the impoundment and care of animals that are found  
24 in the streets or at large, animals that are otherwise held due to  
25 the violation of a municipal ordinance or state law, or animals  
26 that are surrendered to the animal control shelter.

27 (g) "Animal protection shelter" means a facility operated by a  
28 person, humane society, society for the prevention of cruelty to

1 animals, or any other nonprofit organization for the care of  
2 homeless animals.

3 (h) "Animal rescue" means a person that acquires an animal  
4 through purchase, adoption, owner surrender, or any other means for  
5 the purpose of finding the animal a new home and that maintains the  
6 animal in a foster home.

7 (i) ~~(h)~~—"Cat" means a domestic cat of any age of the species  
8 ~~Felis catus~~. **Felis catus**.

9 (j) ~~(i)~~—"Department" means the ~~state~~ department of agriculture  
10 and rural development.

11 (k) ~~(j)~~—"Director" means the director of the department or his  
12 or her authorized representative.

13 (l) ~~(k)~~—"Dog" means a domestic dog of any age of the species  
14 ~~Canis familiaris~~. **Canis familiaris**.

15 (m) ~~(l)~~—"Ferret" means an animal of any age of the species  
16 ~~Mustela furo~~. **Mustela furo**.

17 (n) "Foster care provider" means a person that provides care  
18 or rehabilitation to an animal in a foster home through an  
19 affiliation with an animal rescue.

20 (o) "Foster home" means a private residential dwelling and its  
21 surrounding grounds, or a facility and its surrounding grounds, at  
22 which care or rehabilitation is provided to an animal through an  
23 affiliation with an animal rescue.

24 (p) ~~(m)~~—"ICHAT" means the internet criminal history access  
25 tool maintained by the department of state police.

26 (q) ~~(n)~~—"Intact dog" means a dog that has not been altered.

27 (r) ~~(o)~~—"Large-scale dog breeding kennel" means a facility  
28 where more than 15 female intact dogs over the age of 4 months are  
29 housed or kept for the primary purpose of breeding. As used in this

1 subdivision, "housed or kept for the primary purpose of breeding"  
 2 means that the female dog has previously been bred and whelped. A  
 3 female dog that has not previously produced offspring ~~shall~~**is** not  
 4 ~~be~~ considered to have been housed or kept for the primary purpose  
 5 of breeding.

6 (s) ~~(p)~~ "Municipality" means a county, city, village, or  
 7 township.

8 (t) ~~(q)~~ "Person" means an individual, partnership,  
 9 corporation, association, governmental entity, or other legal  
 10 entity.

11 (u) ~~(r)~~ "Pet health certificate" means a certificate in a form  
 12 prescribed by the director in which a veterinarian attests to the  
 13 species, age, ~~sex,~~**gender**, breed, and description of an animal, ~~+~~  
 14 any medical conditions of the animal, ~~+~~ any medical treatment and  
 15 vaccinations that the animal received while under the control of a  
 16 pet shop or large-scale dog breeding kennel, ~~+~~ and to the fact that  
 17 at the time of the preparation of the certificate the veterinarian  
 18 examined the animal and found the animal free from **any** visual  
 19 evidence of **a** communicable disease.

20 (v) ~~(s)~~ "Pet shop" means a place where animals are sold or  
 21 offered for sale, exchange, or transfer.

22 (w) ~~(t)~~ "Veterinarian" means a person licensed to practice  
 23 veterinary medicine under part 188 of the public health code, 1978  
 24 PA 368, MCL 333.18801 to 333.18838.

25 Sec. 2. (1) The department may promulgate rules to accomplish  
 26 the purposes of this act and to establish minimum standards for the  
 27 housing, care, and handling of animals to insure the humane care  
 28 and handling of animals. The department may also promulgate rules  
 29 to establish minimum standards for **animal rescues and** large-scale

1 dog breeding kennels. The rules shall be promulgated in accordance  
2 with the administrative procedures act of 1969, 1969 PA 306, MCL  
3 24.201 to 24.328.

4 (2) Except as otherwise provided in this subsection, until the  
5 department promulgates rules under subsection (1), **an animal rescue**  
6 **or** a large-scale dog breeding kennel is subject to R 285.151.1 to R  
7 285.151.41 of the Michigan administrative code. Notwithstanding R  
8 285.151.25 of the Michigan administrative code, in a large-scale  
9 dog breeding kennel, a female dog in estrus may be housed with  
10 intact male dogs for the purpose of breeding.

11 Sec. 5a. (1) A person ~~who~~**that** operates a pet shop shall not  
12 import or cause to be imported into this state a dog or cat that is  
13 less than 8 weeks old. A person ~~who~~**that** operates an animal control  
14 shelter or an animal protection shelter shall not import or cause  
15 to be imported into this state a dog or cat that is less than 8  
16 weeks old unless the dog or cat is imported with its dam. A large-  
17 scale dog breeding kennel shall not import or cause to be imported  
18 into this state a dog that is less than 8 weeks old unless the dog  
19 is imported with its dam.

20 (2) A person ~~who~~**that** operates a pet shop shall not sell,  
21 exchange, transfer, or offer for sale, exchange, or transfer a dog  
22 or cat that is less than 8 weeks old. A large-scale dog breeding  
23 kennel shall not sell, exchange, or transfer a dog that is less  
24 than 8 weeks old.

25 (3) A person that operates a pet shop, an animal control  
26 shelter, an animal protection shelter, **an animal rescue**, or a  
27 large-scale dog breeding kennel shall not import or cause to be  
28 imported into this state, or sell, adopt, exchange, or transfer, or  
29 offer for sale, adoption, exchange, or transfer a dog, unless all

1 of the following are satisfied before the dog's entry into this  
2 state:

3 (a) The dog has been vaccinated against distemper, parvovirus,  
4 and canine adenovirus-2 ~~. The dog shall also be vaccinated against~~  
5 ~~rabies and leptospirosis~~ **and**, if the dog is 12 weeks of age or  
6 older, ~~against rabies and leptospirosis~~. If a rabies vaccine is  
7 required under this subdivision, the vaccine ~~shall~~ **must** be  
8 administered by an accredited veterinarian. A person operating a  
9 pet shop or a large-scale dog breeding kennel shall ensure that  
10 vaccinations other than the rabies vaccination are administered not  
11 less than 7 days before the dog's entry into this state. The  
12 director may require vaccinations against other diseases not  
13 specified in this subdivision.

14 (b) If indicated, the dog has been treated for external and  
15 internal parasites so that the dog is not capable of spreading  
16 external or internal parasites to another animal at the time it is  
17 imported into this state.

18 (c) The dog is accompanied by an interstate health certificate  
19 or certificate of veterinary inspection **completed and** signed by an  
20 accredited veterinarian licensed to practice veterinary medicine in  
21 the dog's state of origin, including records of the dog's  
22 medication and immunization.

23 (4) A person ~~who~~ **that** operates a pet shop, an animal control  
24 shelter, ~~or~~ an animal protection shelter, **or an animal rescue** shall  
25 not import or cause to be imported into this state, or sell, adopt,  
26 exchange, or transfer, or offer for sale, adoption, exchange, or  
27 transfer a cat, unless all of the following are satisfied before  
28 the cat's entry into this state:

29 (a) The cat has been vaccinated against feline panleukopenia,

1 calici viruses, and feline herpes virus-1 ~~. The cat shall also be~~  
2 ~~vaccinated against rabies and~~, if the cat is 12 weeks of age or  
3 older, ~~—against rabies~~. If a rabies vaccine is required under this  
4 subdivision, the vaccine shall ~~—must~~ be administered by an  
5 accredited veterinarian. A person operating a pet shop shall ensure  
6 that vaccinations other than the rabies vaccination are  
7 administered to the cat as required by this subdivision not less  
8 than 7 days before the cat's entry into this state. The director  
9 may require vaccinations against other diseases not specified in  
10 this subdivision.

11 (b) If indicated, the cat has been treated for external and  
12 internal parasites so that the cat is not capable of spreading  
13 external or internal parasites to another animal at the time it is  
14 imported into this state.

15 (c) The cat is accompanied by an interstate health certificate  
16 or certificate of veterinary inspection ~~filled out~~ **completed** and  
17 signed by an accredited veterinarian licensed to practice  
18 veterinary medicine in the cat's state of origin, including records  
19 of the cat's medication and immunization.

20 (5) A person ~~who~~ **that** operates a pet shop or a large-scale dog  
21 breeding kennel shall not sell, exchange, transfer, or deliver a  
22 dog, cat, or ferret without providing to the purchaser a valid pet  
23 health certificate. For purposes of this subsection, a pet health  
24 certificate is ~~only~~ valid for 30 days after the date the animal was  
25 examined by the veterinarian who signed the certificate.

26 Sec. 6. (1) A municipality shall not operate an animal control  
27 shelter unless the animal control shelter is registered with the  
28 department.

29 (2) A ~~society for the prevention of cruelty to animals or any~~



1 ~~other~~ person shall not operate an animal protection shelter unless  
2 the shelter is registered with the department.

3 **(3) A person shall not operate an animal rescue unless the**  
4 **animal rescue is registered with the department.**

5 **(4)** ~~(3)~~—A person shall not operate a large-scale dog breeding  
6 kennel unless the large-scale dog breeding kennel is registered  
7 with the department. The department shall charge an annual fee of  
8 \$500.00 per registration of a large-scale dog breeding kennel.

9 **(5)** ~~(4)~~—This act is not intended to apply to a dog owner or  
10 breeder other than a person that operates a large-scale dog  
11 breeding kennel.

12 Sec. 7. Application for registration of an animal control  
13 shelter, an animal protection shelter, **an animal rescue**, or a  
14 large-scale dog breeding kennel shall be on a form prescribed by  
15 the director.

16 Sec. 8. The department shall not register an animal control  
17 shelter or animal protection shelter unless the department first  
18 inspects it to ensure that it complies with this act and the rules  
19 promulgated under this act. **Before registering an animal rescue,**  
20 **the department may inspect some or all foster homes utilized by the**  
21 **animal rescue to ensure that the foster homes comply with this act**  
22 **and the rules promulgated under this act.**

23 Sec. 8a. (1) Except as otherwise provided in this section, an  
24 animal control shelter, ~~or~~ animal protection shelter, **or animal**  
25 **rescue** shall not permit a person to adopt a dog, cat, or ferret  
26 that has not been altered, unless that person has entered into a  
27 contract for the alteration of the dog, cat, or ferret with the  
28 animal control shelter, ~~or~~ animal protection shelter, **or animal**  
29 **rescue**. The contract shall state that the adopting person agrees to

1 have an alteration performed on the dog, cat, or ferret and shall  
2 otherwise comply with this section.

3 (2) A contract with an animal control shelter, ~~or~~ animal  
4 protection shelter, **or animal rescue** entered into ~~pursuant to~~**under**  
5 subsection (1) ~~shall~~**must** require the adopting person to have an  
6 alteration performed on the dog, cat, or ferret ~~within~~**not more**  
7 **than** 4 weeks after the adoption date if at the time of adoption the  
8 dog, cat, or ferret is 6 months of age or older. If the dog, cat,  
9 or ferret to be adopted is under 6 months of age at the time of  
10 adoption, the contract ~~shall~~**must** contain the date upon which the  
11 dog, cat, or ferret will be 6 months of age, and ~~shall~~**must** require  
12 the person adopting the dog, cat, or ferret to have an alteration  
13 performed on the dog, cat, or ferret ~~within~~**not more than** 4 weeks  
14 after that date. This section does not prevent a veterinarian from  
15 performing an alteration on a dog, cat, or ferret that is under 6  
16 months of age.

17 (3) Upon certification by a veterinarian in writing that a  
18 dog, cat, or ferret has a serious ~~and~~ permanent medical or health  
19 problem that prevents an alteration, the dog, cat, or ferret **to be**  
20 adopted is not required to be altered. Upon certification by a  
21 veterinarian in writing that an alteration poses a serious ~~and~~  
22 temporary medical or health problem, the alteration may be  
23 postponed. The person adopting the dog, cat, or ferret ~~shall~~**must**  
24 have it reevaluated by a veterinarian at intervals not to exceed 14  
25 days and ~~shall~~**must** have the alteration performed no later than 7  
26 days after a veterinarian determines that the temporary problem is  
27 resolved.

28 (4) Except as otherwise provided in subsection (7), a contract  
29 entered into ~~pursuant to~~**under** subsection (1) shall require the

1 adopting person to leave with the animal control shelter, ~~or~~ animal  
2 protection shelter, **or animal rescue**, or a designee of the animal  
3 control shelter, ~~or~~ animal protection shelter, **or animal rescue** a  
4 ~~good faith~~**good-faith** deposit of ~~at least~~**not less than** \$25.00 that  
5 indicates the person's intention to have the adopted dog, cat, or  
6 ferret altered within the time provided ~~pursuant to~~**under**  
7 subsection (2). If the person fails to comply with the terms of the  
8 contract, the deposit is forfeited. The ~~good faith~~**good-faith**  
9 deposit ~~shall~~**must** be returned to the adopting person if the  
10 adopting person submits written certification from a veterinarian  
11 of either of the following:

12 (a) The dog, cat, or ferret died ~~within~~**during** the time period  
13 in which the alteration was required under subsection (2).

14 (b) The dog, cat, or ferret has a serious ~~and~~**and** permanent  
15 medical or health problem that prevents an alteration.

16 (5) Money forfeited under subsection (4) ~~shall~~**must** be used by  
17 the animal control shelter, ~~or~~ animal protection shelter, **or animal**  
18 **rescue** to finance alterations, for public education regarding the  
19 value of having dogs, cats, and ferrets altered, or to otherwise  
20 ensure compliance with this section.

21 (6) If the adopting person complies with the terms of a  
22 contract entered into under subsection (1), the ~~good faith~~**good-**  
23 **faith** deposit ~~of at least \$25.00 shall~~**described in subsection (4)**  
24 **must** be refunded by the animal control shelter, animal protection  
25 shelter, **or animal rescue**, or **by** a designee of the animal control  
26 shelter, ~~or~~ animal protection shelter, **or animal rescue** upon  
27 submission by the adopting person of written certification by a  
28 veterinarian that the adopted dog, cat, or ferret was altered. The  
29 certificate ~~shall~~**must** include the date of alteration, the name of

1 the owner of the dog, cat, or ferret, ~~the~~**a** description of the dog,  
 2 cat, or ferret, and the signature of the veterinarian who performed  
 3 the alteration.

4 (7) The ~~good faith~~**good-faith** deposit **described** under  
 5 subsection (4) is not required if 1 or more of the following apply:

6 (a) A dog is transferred to a local, state, or federal law  
 7 enforcement agency.

8 (b) A dog is transferred to an organization or trainer that  
 9 trains guide or leader dogs for blind persons, hearing dogs for  
 10 deaf or audibly impaired persons, or service dogs for physically  
 11 limited persons.

12 (c) A dog, cat, or ferret is transferred to another animal  
 13 control shelter, ~~or~~ animal protection shelter, **or animal rescue** or  
 14 is transferred to a person ~~who~~**that** will transfer the animal to  
 15 another animal control shelter, ~~or~~ animal protection shelter, **or**  
 16 **animal rescue**. Before the first animal control shelter, ~~or~~ animal  
 17 protection shelter, **or animal rescue** releases the animal, it shall  
 18 obtain from the person to whom the animal is to be released a  
 19 written statement by the second animal control shelter, ~~or~~ animal  
 20 protection shelter, **or animal rescue** that it is willing to accept  
 21 the animal for purposes of adoption or humane euthanasia. Promptly  
 22 after receipt of the animal by the second animal control shelter,  
 23 ~~or~~ animal protection shelter, **or animal rescue** the person to whom  
 24 the animal was released shall provide the first animal control  
 25 shelter, ~~or~~ animal protection shelter, **or animal rescue** with a  
 26 written statement by the second animal control shelter, ~~or~~ animal  
 27 protection shelter, **or animal rescue** containing a description of  
 28 the dog, cat, or ferret and acknowledging its receipt on a date  
 29 specified in the statement.

1           (8) A contract entered into ~~pursuant to~~**under** subsection (1)  
2 ~~shall~~**must** include a statement that if the terms of the contract  
3 are breached because a person adopting a dog, cat, or ferret fails  
4 to have the animal altered as required in the contract, ~~then~~the  
5 person agrees to pay liquidated damages of the greater of \$100.00  
6 or actual reasonable costs incurred by the animal control shelter,  
7 ~~or~~animal protection shelter, **or animal rescue** to enforce the  
8 contract. Immediately before a person signs the contract, a  
9 representative of the animal control shelter, ~~or~~animal protection  
10 shelter, **or animal rescue** shall verbally direct the person's  
11 attention to the liquidated damages agreement in the contract.

12           Sec. 8b. (1) Before allowing an individual to adopt an animal,  
13 an animal control shelter, ~~or~~animal protection shelter, **or animal**  
14 **rescue** may conduct a search using ICHAT to determine whether that  
15 individual has a prior criminal history for an animal abuse  
16 offense.

17           (2) An animal control shelter, ~~or~~animal protection shelter,  
18 **or animal rescue** does not violate this act if the animal control  
19 shelter, ~~or~~animal protection shelter, **or animal rescue** searches  
20 for an individual on ICHAT **as** allowed under subsection (1) and the  
21 search fails to disclose that the individual has a prior criminal  
22 history for an animal abuse offense.

23           (3) Subsection (1) does not apply to a pet shop that allows an  
24 animal protection shelter **or animal rescue** to use pet shop  
25 resources, including, but not limited to, the pet shop's premises,  
26 facilities, employees, equipment, and advertising for pet  
27 adoptions, or to a pet shop that works with an animal protection  
28 shelter **or animal rescue** but does not perform adoptions except as  
29 an agent of the animal protection shelter **or animal rescue**. A pet

1 shop described in this subsection is not an animal protection  
2 shelter **or animal rescue** and is not liable for any pet adoptions  
3 performed by an animal protection shelter **or animal rescue**.

4 (4) This section may be referred to as "Logan's law".

5 (5) For purposes of this section and section 8c only, "animal"  
6 means a vertebrate other than a human being.

7 Sec. 8c. (1) An animal control shelter, ~~or~~ animal protection  
8 shelter, **or animal rescue** may consider an individual's criminal  
9 history when deciding whether to allow that individual to adopt an  
10 animal. An animal control shelter, ~~or~~ animal protection shelter, **or**  
11 **animal rescue** may choose not to allow an individual who has been  
12 convicted of an animal abuse offense to adopt an animal unless a  
13 period of at least 5 years has elapsed since the date of his or her  
14 conviction. An animal control shelter, ~~or~~ animal protection  
15 shelter, **or animal rescue** may choose not to allow an individual who  
16 is charged with committing an animal abuse offense and enters a  
17 plea to any other crime in exchange for dismissal of that charge to  
18 adopt an animal.

19 (2) This section may be referred to as the "animal adoption  
20 protection act".

21 **Sec. 8d. All of the following apply to an animal rescue and**  
22 **the foster homes utilized by an animal rescue:**

23 (a) **An animal rescue shall not breed animals.**

24 (b) **An animal rescue shall not take in a stray animal unless**  
25 **the animal rescue is contracted with a municipality or other**  
26 **governmental agency to provide animal control services.**

27 (c) **An animal rescue that uses foster homes shall maintain a**  
28 **list of those foster homes that includes all of the following:**

29 (i) **The name and phone number of the foster home owner.**

1           (ii) The street address for each foster home at which animals  
2 are housed.

3           (iii) The name, breed or species, physical description, age, and  
4 gender of each animal fostered at a foster home.

5           (d) Upon request, a foster home owner or operator shall  
6 provide the department access to any part of a foster home in which  
7 fostered animals are kept on behalf of an animal rescue.

8           (e) An animal rescue shall maintain verifiable records for a  
9 period of at least 2 years. The records shall include all of the  
10 following:

11           (i) The verified name and address of any person from whom an  
12 animal is acquired, where the animal was acquired, and the date  
13 that the animal was acquired.

14           (ii) A description of the animal, including the animal's  
15 identification information, color, breed or species, gender,  
16 alteration status, and approximate weight and age.

17           (iii) The date and method of the disposition of the animal. If  
18 the animal is adopted, transferred, or sold, the records must  
19 include the verified name and address of the person to whom the  
20 animal is adopted, transferred, or sold.

21           Sec. 9a. (1) An animal control shelter, ~~or~~ animal protection  
22 shelter, **or animal rescue** shall **compile and** maintain written  
23 records on the total number of dogs, cats, and ferrets under 6  
24 months of age, the total number of dogs, cats, and ferrets 6 months  
25 of age and older, and, **if applicable**, all other animals received,  
26 returned to owners, adopted to new owners, sold, or transferred  
27 with or without remuneration to any person, the number of adopted  
28 dogs, cats, and ferrets that were altered, the number of adopted  
29 dogs, cats, and ferrets that were not altered, and the number of

1 dogs, cats, and ferrets euthanized annually, and shall annually  
2 provide a copy of these statistics to the department ~~7~~by March 31  
3 of the year following the year for which the statistics were  
4 compiled.

5 (2) For each dog, cat, and ferret purchased or otherwise  
6 acquired, held, transported, sold, or disposed of by an animal  
7 control shelter, animal protection shelter, or animal rescue, the  
8 owner or operator of the animal control shelter, animal protection  
9 shelter, or animal rescue shall keep and maintain the following  
10 information in a manner prescribed by the department:

11 (a) The name and address of the person from whom the animal  
12 was acquired and the name and address of the person to whom the  
13 animal was sold or otherwise disposed of.

14 (b) The date the animal was first acquired.

15 (c) A description of the animal, including the breed or  
16 species, gender, color, and approximate weight.

17 (d) Any available identification information for the animal.

18 (e) The date, nature, and method of disposition of the animal,  
19 including, but not limited to, sale, death, euthanasia, or  
20 donation.

21 (3) An animal control shelter, animal protection shelter, or  
22 animal rescue shall maintain the records described in subsection  
23 (2) for not less than 2 years and shall make the records available  
24 to the director or his or her authorized representative upon  
25 request.

26 Sec. 9b. (1) If a person violates this act or a rule  
27 promulgated under this act, the director, after notice and an  
28 opportunity for an evidentiary hearing under the administrative  
29 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, may do



1 either or both of the following:

2 (a) Suspend or revoke a license or registration issued to the  
3 person under this act.

4 (b) Impose an administrative fine of not more than \$1,000.00  
5 for each violation. The director shall advise the attorney general  
6 of the failure of a person to pay an administrative fine under this  
7 section. The attorney general shall bring a civil action to recover  
8 the administrative fine and costs and fees. The administrative fine  
9 shall be deposited in the agriculture licensing and inspection fees  
10 fund created in section 9 of the insect pest and plant disease act,  
11 1931 PA 189, MCL 286.209.

12 (2) In addition to any other action authorized by this act,  
13 the director may bring an action to do 1 or more of the following:

14 (a) Obtain a declaratory judgment that a method, act, or  
15 practice is in violation of this act.

16 (b) Obtain an injunction against a person ~~who~~**that** is  
17 engaging, or about to engage, in a method, act, or practice that  
18 violates this act.

19 (3) If a person fails to comply with a contract for the  
20 alteration of a dog, cat, or ferret as required under section 8a, a  
21 court with appropriate jurisdiction may order transfer of ownership  
22 of the adopted animal only to 1 of the following:

23 (a) The facility from which the animal was adopted.

24 (b) A veterinarian, animal control shelter, ~~or~~ animal  
25 protection shelter, **or animal rescue** willing to accept the animal  
26 and either humanely euthanize the animal or adopt the animal to an  
27 owner who agrees to have the animal altered.

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