

**SUBSTITUTE FOR  
HOUSE BILL NO. 4849**

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending sections 2674, 2675, and 2678 (MCL 333.2674, 333.2675,  
and 333.2678) and by adding sections 2670 and 2675a; and to repeal  
acts and parts of acts.

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

- 1           **Sec. 2670. As used in this section and sections 2671 to 2676:**  
2           (a) "Dog" means a domestic dog of any age of the species *Canis*  
3           *lupus familiaris*.  
4           (b) "Experimental purpose" means the use of animals to conduct  
5           research, testing, or training related to the treatment of human or  
6           animal diseases and disorders.  
7           (c) "Public body" means this state; a city, village, township,



1 county, school district, or public college or university; a single-  
 2 purpose government agency; or any other body that is created by  
 3 law.

4 (d) "Veterinarian" means that term as defined in section  
 5 18805.

6 Sec. 2674. ~~(1) The department shall administer sections 2671~~  
 7 ~~to 2675.~~ **2670 to 2676.**

8 ~~(2) The members of the animal research advisory board shall~~  
 9 ~~serve without compensation, but shall be entitled to expenses~~  
 10 ~~incurred in performance of official duties in accordance with~~  
 11 ~~section 1216.~~

12 Sec. 2675. The department ~~or~~ its representative ~~or a~~  
 13 ~~member of the animal research advisory board~~ may inspect any  
 14 premises or property on or in which ~~animals are~~ **an animal is** kept  
 15 for experimental purposes for the purpose of ~~investigation of~~  
 16 **investigating** compliance with ~~board~~ **the department's** standards  ~~-~~  
 17 ~~The standards shall provide for the humane treatment of animals~~  
 18 ~~reasonably necessary for the purposes of this part.~~ **established in**  
 19 **rules promulgated under section 2678.**

20 Sec. 2675a. (1) A public body shall not use, or otherwise  
 21 direct an individual employed or contracted by the public body to  
 22 use, a dog for experimental purposes in a manner that causes pain  
 23 or distress to the dog.

24 (2) For purposes of this section, the use of a dog for  
 25 experimental purposes causes pain or distress to the dog in any of  
 26 the following circumstances:

27 (a) The experimental purpose would, if conducted, be  
 28 reportable to the United States Department of Agriculture under 9  
 29 CFR 2.36(b) (6) or (7).



1 (b) The experimental purpose may cause death, injury, fear, or  
2 trauma to the dog.

3 (c) The experimental purpose involves an invasive procedure,  
4 including, but not limited to, penetrating the body, cutting body  
5 parts, performing surgery or surgical procedures, implanting a  
6 medical device, or administering an experimental agent or drug.

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

9 (a) If an owner of a dog consents to the use of the owner's  
10 dog in veterinary training or veterinary clinical research  
11 involving the treatment of an existing disease or ailment.

12 (b) The spaying or neutering of a dog by a veterinarian or  
13 veterinary student or other training or medical procedures commonly  
14 performed by a veterinarian or veterinary student for the treatment  
15 of a dog. As used in this subdivision, "veterinary student" means a  
16 student enrolled in a school of veterinary medicine.

17 (4) A public body that violates this section is subject to a  
18 civil fine of not less than \$1,000.00 or more than \$5,000.00 for  
19 each dog that is the subject of a violation and for each day that  
20 the violation continues. The prosecutor of the county in which the  
21 violation occurred or the attorney general may bring an action to  
22 collect the fine. A determination of responsibility for a violation  
23 of this section does not preclude a conviction, sentence, or  
24 determination of responsibility for a violation of any other law of  
25 this state arising from the same conduct.

26 (5) This section may be known as the "Queenie's law".

27 Sec. 2678. The department shall promulgate rules to **do all of**  
28 **the following:**

29 (a) **To** implement section 2637. ~~and may promulgate rules to~~



1           (b) To implement this part, including **all of** the ~~establishment~~  
2 ~~of~~ ~~following~~:

3           (i) To **establish** fees. ~~, standards~~

4           (ii) To **establish standards** pertaining to unclaimed bodies, or  
5 parts thereof, ~~standards of unclaimed bodies.~~

6           (iii) To **establish standards** pertaining to the use of animals,  
7 **other than dogs**, for experimental purposes. ~~, and the~~  
8 ~~implementation of~~

9           (iv) To **establish standards pertaining to the prohibition of**  
10 **the use of a dog for experimental purposes in a manner that causes**  
11 **pain or distress to the dog.**

12           (v) To **implement** sections 2616 and 2617.

13           Enacting section 1. Sections 2672 and 2673 of the public  
14 health code, 1978 PA 368, MCL 333.2672 and 333.2673, are repealed.

