

SENATE BILL NO. 149

March 07, 2023, Introduced by Senators HERTEL, POLEHANKI, MCMORROW, CAVANAGH, SHINK, WOJNO, KLINEFELT, MCCANN, CHANG, BAYER and ANTHONY and referred to the Committee on Natural Resources and Agriculture.

A bill to amend 1969 PA 224, entitled

"An act to license and regulate dealers in and research facilities using dogs and cats for research purposes; and to repeal certain acts and parts of acts,"

by amending the title and sections 1 and 7 (MCL 287.381 and 287.387) and by adding section 8a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 An act to license and regulate dealers ~~in and~~ **that deliver,**

1 transport, board, buy, or sell dogs or cats for laboratory research
 2 purposes; to regulate research facilities ~~using that use~~ dogs and
 3 or cats for laboratory research; ~~purposes; to require research~~
 4 facilities to offer laboratory animals no longer used for
 5 laboratory research to certain animal protection shelters for
 6 adoption before euthanizing; to require research facilities to
 7 submit annual reports; to provide immunity from civil liability
 8 under certain conditions; and to repeal ~~certain acts~~ and parts of
 9 acts.

10 Sec. 1. ~~When~~ **As** used in this act:

11 ~~(a) "Person" includes any individual, partnership, association~~
 12 ~~or corporation.~~

13 ~~(b) "Director" means the director of the department of~~
 14 ~~agriculture.~~

15 (a) "Animal control shelter" means a facility that is
 16 registered under section 6 of 1969 PA 287, MCL 287.336, and is
 17 operated by a municipality for the impoundment or care of an animal
 18 for any of the following reasons:

19 (i) The animal was found on the streets or at large.

20 (ii) The animal was otherwise held due to a violation of a
 21 municipal ordinance or state law.

22 (iii) The animal was surrendered to the animal control shelter.

23 (b) "Animal protection shelter" means a facility that is
 24 registered under section 6 of 1969 PA 287, MCL 287.336, and is
 25 operated by any of the following:

26 (i) A person.

27 (ii) A humane society.

28 (iii) A society for the prevention of cruelty to animals.

29 (iv) Any other nonprofit organization for the care of homeless

1 animals.

2 (c) "Cat" means ~~any live a~~ domestic cat (~~felis catus~~) for use
3 ~~or intended to be used for research, tests or experiments at~~
4 ~~research facilities.~~ **of any age of the species *Felis catus*.**

5 (d) "Dealer" means a person that for compensation or profit
6 delivers for transportation, transports, boards, buys, or sells
7 dogs or cats for research purposes. Dealer does not include a
8 person that breeds or raises dogs or cats for sale to a research
9 facility.

10 (e) "Department" means the department of agriculture and rural
11 development.

12 (f) "Director" means the director of the department.

13 (g) ~~(d)~~ "Dog" means ~~any live a~~ domestic dog of any age of the
14 species ~~canis familiaris~~ for use or intended to be used for
15 ~~research tests or experiments at research facilities.~~ ***Canis lupus***
16 ***familiaris*.**

17 (h) "Laboratory animal" means a dog or cat that is used or
18 intended to be used for laboratory research at a research facility.

19 (i) "Laboratory research" means research, tests, or
20 experiments conducted for education, scientific, medical, or
21 experimental purposes.

22 (j) "Municipality" means a county, city, village, or township.

23 (k) "Person" means an individual, estate, business or
24 nonprofit entity, public corporation, government or governmental
25 subdivision, agency, or instrumentality, or other legal entity.

26 (l) ~~(e)~~ "Research facility" means ~~any a~~ school, hospital,
27 laboratory, institution, organization, or person that **is licensed**
28 **or otherwise registered with the United States Department of**
29 **Agriculture, that** uses or intends to use ~~dogs or cats a~~ laboratory

1 **animal** in **laboratory** research, ~~tests or experiments,~~ and that ~~(1)~~
 2 ~~purchases~~ **does 1 or both of the following:**

3 **(i) Purchases** or transports such animals, ~~or (2) receives any~~
 4 **laboratory animals.**

5 **(ii) Receives** funds from ~~the this~~ state, ~~or a~~ local government,
 6 or ~~any an~~ agency or instrumentality ~~thereof of this state or a~~
 7 **local government** to finance its operations ~~by means of through~~
 8 grants, loans, or ~~otherwise other~~ funds.

9 ~~(f) "Dealer" means any person who for compensation or profit~~
 10 ~~delivers for transportation, transports, boards, buys or sells dogs~~
 11 ~~or cats for research purposes and does not mean a person who breeds~~
 12 ~~or raises dogs or cats for sale to a research facility.~~

13 **Sec. 7. (1)** Research facilities and dealers shall make and
 14 keep such ~~records with respect to their~~ **regarding the** purchase,
 15 sale, transportation, and handling of dogs and cats **for laboratory**
 16 **research,** ~~as the director may prescribe and any other information~~
 17 **required by the department.**

18 **(2)** The department shall maintain and make available on its
 19 **website a list of all research facilities operating in this state.**

20 **Sec. 8a. (1)** Before euthanizing a laboratory animal that is no
 21 longer needed for laboratory research, a research facility shall
 22 offer the animal to an animal control shelter or animal protection
 23 shelter located in this state for adoption. A research facility may
 24 enter into a written agreement with an animal control shelter or
 25 animal protection shelter to carry out the purpose of this
 26 subsection.

27 **(2)** A research facility that provides a laboratory animal to
 28 an animal control shelter or animal protection shelter under
 29 subsection (1) is immune from civil liability for or resulting from

1 the transfer of the laboratory animal, if the research facility
2 acted in good faith concerning the health and physical condition of
3 the laboratory animal.

4 (3) An animal control shelter or animal protection shelter
5 that receives a transfer of a laboratory animal from a research
6 facility under subsection (1) is immune from civil liability for or
7 resulting from the transfer of the laboratory animal, if the animal
8 control shelter or animal protection shelter acted in good faith
9 concerning the health and physical condition of the laboratory
10 animal.

11 (4) This section shall be known as "Teddy's law".

12 Enacting section 1. This amendatory act does not take effect
13 unless Senate Bill No. 148 of the 102nd Legislature is enacted into
14 law.