ANIMAL WELFARE FUND ACT

Act 132 of 2007

AN ACT to establish the 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.

History: 2007, Act 132, Imd. Eff. Nov. 1, 2007

The People of the State of Michigan enact:

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287.991 Short title.

Sec. 1.

This act shall be known and may be cited as the "animal welfare fund act".

History: 2007, Act 132, Imd. Eff. Nov. 1, 2007

287.992 Definitions.

Sec. 2.

As used in this act:

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

(b) "Department" means the department of agriculture.

(c) "Fund" means the animal welfare fund created in section 3.

(d) "Qualified veterinarian" means a person licensed or otherwise authorized to engage in the practice of veterinary medicine under part 188 of article 15 of the public health code, 1978 PA 368, MCL 333.18801 to 333.18838, and who practices veterinary medicine in this state.

(e) "State animal anticruelty laws" means the laws and standards provided for the adequate care of animals in chapter IX of the Michigan penal code, 1931 PA 328, MCL 750.49 to 750.70, including the provisions of section 50(8) of the Michigan penal code, 1931 PA 328, MCL 750.50.

History: 2007, Act 132, Imd. Eff. Nov. 1, 2007
Compiler's Notes: In subdivision (e), the citation to "50(8)" evidently should read "50(12)."

287.993 Animal welfare fund; creation; purpose; credit; fund consisting of money, interest and earnings, and other value; investment; money remaining in fund.

Sec. 3.

(1) The animal welfare fund is created in the department to provide funds to promote sterilization and adoption of dogs and cats, to improve knowledge of the proper care of animals pursuant to state animal anticruelty laws by educating the public and training personnel authorized by law to enforce state animal anticruelty laws, to support and enhance programs that provide for the care and protection of animals pursuant to state anticruelty laws,

and to allow the purchase of equipment and supplies for programs that receive grants under this act.

(2) The state treasurer shall credit to the fund all amounts appropriated for this purpose under section 435 of the income tax act of 1967, 1967 PA 281, MCL 206.435.

(3) The fund shall consist of the money credited to the fund pursuant to section 435 of the income tax act of 1967, 1967 PA 281, MCL 206.435, any interest and earnings accruing from the saving and investment of that money, and other appropriations, money, or other things of value received by the fund.

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

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

History: 2007, Act 132, Imd. Eff. Nov. 1, 2007

287.994 Expenditures; money received as gift or donation; administrative costs.

Sec. 4.

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

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

(3) Money in the fund may be expended by the department for actual administrative costs related to the administration of programs or activities authorized under this act.

History: 2007, Act 132, Imd. Eff. Nov. 1, 2007

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287.995 Grants proposals; solicitation; entities receiving grants; purposes; limitations.

Sec. 5.

(1) The department shall solicit proposals for grants under this act.

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

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

(b) An organization exempt from taxation under section 501(c)(3) of the internal revenue code that is based in this state and whose primary purpose is to increase the number of dogs and cats that are sterilized and adopted.

(3) The department shall make grants to animal control shelters or animal protection shelters for only 1 or more of the following purposes:

(a) Increase the number of dogs and cats that are sterilized and adopted.

(b) Provide information to the public about the value of sterilization and adoption of dogs and cats.

(c) Improve knowledge of the proper care of animals pursuant to state animal anticruelty laws by educating the public and training personnel authorized by law to enforce state animal anticruelty laws.

(d) Support and enhance programs that provide for the care and protection of animals pursuant to state anticruelty laws.

(e) Purchase equipment and supplies for programs that receive grants under this act.

(4) The department shall make grants to organizations described in subsection (2)(b) only for 1 or both of the following purposes:

(a) To increase the number of dogs and cats that are sterilized and adopted.

(b) To provide information to the public about the value of sterilization and adoption of dogs and cats.

(5) The department shall not approve a grant under this act to an organization described in subsection (2)(b) unless the organization has complied with section 9a of 1969 PA 287, MCL 287.339a.

(6) A grant received under this act shall not be used to replace funds otherwise designated by a grantee to support similar programs or projects if existing funds for those programs or projects are included in the grantee's budget before receiving a grant under this act.

History: 2007, Act 132, Imd. Eff. Nov. 1, 2007

287.996 Annual report; form.

Sec. 6.

An organization that receives a grant under this act shall provide a written report of activities funded by the grant to the department annually on a form prescribed by the department.

History: 2007, Act 132, Imd. Eff. Nov. 1, 2007

287.997 Noncompliance with act or grant provisions; ineligibility for future grants; repayment.

Sec. 7.

(1) An organization that receives a grant under this act that does not comply with the provisions of this act or the terms of the grant as determined by the department is not eligible for any future grant under this act.

(2) An organization that receives a grant under this act that does not comply with the provisions of this act or the terms of the grant shall be required to repay to the department the amount of the grant, or a portion of the grant, as determined by the department.

History: 2007, Act 132, Imd. Eff. Nov. 1, 2007

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