

USE OF DOGS AND CATS FOR RESEARCH (EXCERPT)
Act 224 of 1969

***** 287.392.amended THIS AMENDED SECTION IS EFFECTIVE FEBRUARY 13, 2024 *****

287.392.amended Violations, administrative hearing; penalties.

Sec. 12. (1) Except as provided in subsections (2) and (5), a person that violates this act is guilty of a misdemeanor.

(2) If a research facility violates section 8a, the department, after notice and opportunity for a hearing under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, may impose an administrative fine as follows:

(a) If the violation involved 1 laboratory animal, a fine of not more than \$1,000.00.

(b) If the violation involved 2 or 3 laboratory animals, a fine of not more than \$2,000.00.

(c) If the violation involved 4 or more laboratory animals, but fewer than 10 laboratory animals, or the research facility has 1 prior violation under section 8a, a fine of not more than \$3,000.00.

(d) If the violation involved 10 or more laboratory animals, but fewer than 25 laboratory animals, or the research facility has 2 prior violations under section 8a, a fine of not more than \$5,000.00.

(e) If the violation involved 25 or more laboratory animals, or the research facility has 3 or more prior violations under section 8a, a fine of not more than \$10,000.00.

(3) The department shall advise the attorney general of the failure of a person to pay an administrative fine under subsection (2). The attorney general shall bring an action to enforce compliance with sections 8a and 11a and recover an administrative fine under subsection (2), civil fine under subsection (5), actual costs and fees, and attorney fees. The court shall triple the administrative fine under subsection (2) as part of any monetary judgment, as applicable.

(4) An administrative fine collected under subsection (2) must be deposited into the laboratory animal fund created under section 12a.

(5) A research facility that fails to submit a report under section 11a is subject to a civil fine of not more than \$2,500.00.

(6) One year after the effective date of the amendatory act that amended this section, the department may issue a warning for a violation of section 8a instead of imposing an administrative fine under subsection (2).

History: 1969, Act 224, Eff. Mar. 20, 1970;—Am. 2023, Act 314, Eff. Feb. 13, 2024.