

SENATE BILL No. 518

May 22, 2003, Introduced by Senator HAMMERSTROM and referred to the Committee on Natural Resources and Environmental Affairs.

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 section 1 (MCL 287.331), as amended by 1997 PA 7, and by adding section 8c.

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, **and ornamental fish shops**; to
4 establish uniform procedures and minimum requirements for
5 adoption of dogs, cats, and ferrets; and to prescribe penalties
6 and civil fines and to provide remedies.

7 Sec. 1. As used in this act:

8 (a) "Adoption" means a transfer of ownership, with or without
9 remuneration, of a dog, cat, or ferret from an animal control

1 shelter or animal protection shelter to an individual for the
2 purpose of being a companion animal for that individual. As used
3 in this subdivision, a companion animal includes but is not
4 limited to a dog that is used for hunting or as a guard dog.

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

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

10 (d) "Animal" means a mammal except livestock as defined in
11 1937 PA 284, MCL 287.121 to 287.131, and rodents.

12 (e) "Animal control shelter" means a facility operated by a
13 municipality for the impoundment and care of animals that are
14 found in the streets or at large, animals that are otherwise held
15 due to the violation of a municipal ordinance or state law, or
16 animals that are surrendered to the animal control shelter.

17 (f) "Animal protection shelter" means a facility operated by
18 a person, humane society, society for the prevention of cruelty
19 to animals, or any other nonprofit organization for the care of
20 homeless animals.

21 (g) "Cat" means a domestic cat of any age of the species
22 felis catus.

23 (h) "Department" means the state department of agriculture.

24 (i) "Director" means the director of the department or his or
25 her authorized representative.

26 (j) "Dog" means a domestic dog of any age of the species
27 ~~canis~~ **Canis** familiaris.

1 (k) "Ferret" means an animal of any age of the species
2 ~~mustela~~ **Mustela furo**.

3 (l) "Health certificate" means a certificate in a form
4 prescribed by the department in which a veterinarian attests to
5 the age, sex, breed, and description of an animal, and to the
6 fact that at the time of preparation of the certificate, the
7 veterinarian examined the animal and found the animal free from
8 visual evidence of communicable disease.

9 (m) "Municipality" means a county, city, village, or
10 township.

11 (n) "Ornamental fish" means live, nonnative, ornamental
12 species of fish.

13 (o) "Ornamental fish shop" means a person who sells or loans
14 ornamental fish to the general public for home or public display
15 purposes.

16 (p) ~~(n)~~ "Person" means an individual, partnership,
17 corporation, association, governmental entity, or other legal
18 entity.

19 (q) ~~(o)~~ "Pet shop" means a place where animals are sold or
20 offered for sale, exchange, or transfer.

21 (r) ~~(p)~~ "Veterinarian" means a person licensed to practice
22 veterinary medicine under article 15 of the public health code,
23 1978 PA 368, MCL 333.16101 to 333.18838.

24 **Sec. 8c. An ornamental fish shop shall accept, without**
25 **charge, possession of an ornamental fish offered to the**
26 **ornamental fish shop by a person, whether or not the person**
27 **acquired the ornamental fish from that ornamental fish shop.**