

**SUBSTITUTE FOR
SENATE BILL NO. 148**

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 section 12 (MCL 287.392) and by adding sections 11a and
12a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 11a. By March 31 each year, a research facility that uses**
2 **laboratory animals shall submit a report to, and on a form provided**
3 **by, the department that includes all of the following information**
4 **regarding the preceding calendar year:**

5 **(a) The total number of laboratory animals owned by the**
6 **research facility.**



1 (b) The total number of laboratory animals that are used for
2 laboratory research conducted at the research facility.

3 (c) The total number of laboratory animals released by the
4 research facility and the name and address of each animal
5 protection shelter to which a laboratory animal was released under
6 an agreement under section 8a.

7 Sec. 12. (1) ~~Any~~ Except as provided in subsection (2), a
8 person ~~who~~ that violates ~~any of the provisions of this act~~ is
9 guilty of a misdemeanor.

10 (2) If a research facility violates section 8a or 11a, the
11 department, after notice and opportunity for a hearing under the
12 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
13 24.328, may impose an administrative fine as follows:

14 (a) If the violation involved 1 laboratory animal, a fine of
15 not more than \$3,000.00.

16 (b) If the violation involved 2 or 3 laboratory animals, a
17 fine of not more than \$6,000.00.

18 (c) If the violation involved 4 or more laboratory animals but
19 fewer than 10 laboratory animals or the research facility has 1
20 prior violation under section 8a or 11a, a fine of not more than
21 \$9,000.00.

22 (d) If the violation involved 10 or more laboratory animals
23 but fewer than 25 laboratory animals or the research facility has 2
24 prior violations under section 8a or 11a, a fine of not more than
25 \$15,000.00.

26 (e) If the violation involved 25 or more laboratory animals or
27 the research facility has 3 or more prior violations under section
28 8a or 11a, a fine of not more than \$30,000.00.

29 (3) The department shall advise the attorney general of the



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

6 (4) An administrative fine collected under subsection (2) must
7 be deposited into the laboratory animal fund created under section
8 12a.

9 (5) One year after the effective date of the amendatory act
10 that amended this section, the department may issue a warning for a
11 violation of section 8a or 11a instead of imposing an
12 administrative fine under subsection (2).

13 Sec. 12a. (1) The laboratory animal fund is created within the
14 state treasury.

15 (2) The state treasurer may receive the administrative fines
16 collected under section 12(2) for deposit into the laboratory
17 animal fund. The state treasurer may also receive money or other
18 assets from any other source for deposit into the laboratory animal
19 fund. The state treasurer shall credit to the laboratory animal
20 fund interest and earnings from fund investments.

21 (3) Money in the laboratory animal fund at the close of the
22 fiscal year remains in the laboratory animal fund and does not
23 lapse to the general fund.

24 (4) The department is the administrator of the laboratory
25 animal fund for auditing purposes. The department shall expend
26 money from the laboratory animal fund to administer sections 8a,
27 11a, and 12.

28 Enacting section 1. This amendatory act does not take effect
29 unless Senate Bill No. 149 of the 102nd Legislature is enacted into



1 law.

