

PROHIBIT USE OF DOGS FOR RESEARCH UNDER CERTAIN CONDITIONS

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House Bill 4254 as introduced
Sponsor: Rep. Joseph A. Aragona
Committee: Regulatory Reform
Complete to 10-22-25

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4254 would amend the Public Health Code to prohibit a *public body* from using a dog for *experimental purposes* in a manner that causes pain or distress to the dog, and from directing an individual employed or contracted by the public body to do so. This prohibition would be added in a new section 2675a, which could be known as “Queenie’s Law.”

Experimental purpose would mean the use of animals to conduct research or perform testing or training related to the treatment of human or animal diseases and disorders.

Public body would mean any of the following:

- The state.
- A city, village, township, county, school district, or public college or university.
- A single-purpose government agency.
- Any other body that is created by law.

Under the bill, use of a dog for experimental purposes under the following circumstances would constitute causing pain or distress to the dog:

- The experimental purpose would, if conducted, be reportable to the U.S. Department of Agriculture under the annual report specified in 9 CFR 2.36(b)(6) or (7).¹
- The experimental purpose may cause death, injury, fear, or trauma to the dog.
- The experimental purpose involves an invasive procedure, including penetrating the body, cutting body parts, performing surgery or surgical procedures, implanting a medical device, or administering an experimental agent or drug.

The following *would not* constitute a violation of the section 2675a:

- Treatment of a dog whose owner consents to the use of the dog in veterinary training or veterinary clinical research involving the treatment of an existing disease or ailment.
- The spaying or neutering of a dog by a veterinarian or veterinary student or other training or medical procedures commonly performed by a veterinarian or veterinary student for the treatment of a dog.

A public body that violates section 2675a would be subject to a civil fine \$1,000 to \$5,000 for each dog that is the subject of a violation and for each day the violation continues. The prosecutor of the county where the violation occurs, or the attorney general, could bring an action to collect the fine. A determination of responsibility for a violation would not preclude

¹ <https://www.ecfr.gov/current/title-9/chapter-I/subchapter-A/part-2/subpart-C>

a conviction, sentence, or determination of responsibility for a violation of any other law of the state arising from the same conduct.

The bill would require the Department of Health and Human Services (DHHS) to develop and issue rules that establish standards pertaining to the bill's prohibition.

Finally, the bill would remove references to the Animal Research Advisory Board, which no longer exists and whose statutory responsibilities were previously transferred to DHHS by executive order, and repeal the sections of the code that create the board and prescribe its statutory responsibilities.

MCL 333.2674 et seq.

FISCAL IMPACT:

House Bill 4254 would have a likely minimal fiscal impact on state expenditures to the Department of Health and Human Services. The fiscal impact of the bill would be dependent on the cost of promulgation of rules regarding the prohibition of use of dogs for certain experimental purposes that cause pain or distress. The department has the authority to carry out inspections of facilities that use animals for experimentation and may choose to increase the number of unannounced inspections of those facilities which could increase costs to DHHS.

The bill also would have an indeterminate fiscal impact on the state and on local units of government that would depend on the number of public bodies found in violation and ordered to pay a civil fine of not less than \$1,000 or more than \$5,000 for each dog that is the subject of a violation and for each day the violation continues. Revenue collected from payment of civil fines is used to support public and county law libraries. Also, under section 8827(4) of the Revised Judicature Act, \$10 of the civil fine is required to be deposited into the state's Justice System Fund, which supports various justice-related endeavors in the judicial branch and legislative branches of government and the Departments of State Police, Corrections, Health and Human Services, and Treasury. The fiscal impact on local court systems would depend on how provisions of the bill affected court caseloads and related administrative costs. Because there is no practical way to determine the number of violations that will occur under provisions of the bill, an estimate of the amount of additional revenue the state would collect, revenue for libraries, or costs to local courts cannot be made.

The bill would allow, but not require, the Department of Attorney General (AG) or a county prosecutor to bring legal action to enforce the collection of fines established in the bill. Should the AG or a county prosecutor choose to take legal action, the resulting work would likely be covered through existing staff and result in no additional costs.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.