

# HOUSE BILL No. 6011

September 13, 1990, Introduced by Rep. Gnodtke and referred to the Committee on Agriculture.

A bill to provide for the regulation, registration, and identification of animals; to prescribe the powers and duties of the director of the department of agriculture and other persons; to prescribe penalties for violation of this act; and to repeal certain acts and parts of acts.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. As used in this act:

2       (a) "Animal" means a vertebrate species of animal, other  
3 than a human being.

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

5       (c) "Director" means the director of the department or his  
6 or her authorized representative.

7       (d) "Identification" means a method, approved by the  
8 director, of permanent identification of an animal.

1 (e) "Identifier" means an individual designated by the  
2 director who applies an approved form of identification to an  
3 animal.

4 (f) "Number" means a numeric code, or alpha numeric code, or  
5 other code approved by the director, which is used to identify an  
6 animal and register the animal with the department.

7 (g) "Owner" means a person having a right of property owner-  
8 ship in an animal, who keeps or harbors the animal or has the  
9 animal in his or her care, custody, or control, or who permits  
10 the animal to remain on or about any premises occupied by the  
11 person.

12 (h) "Person" means an individual, partnership, corporation,  
13 association, or other legal entity.

14 Sec. 2. Beginning on the effective date of this act, an  
15 owner may have an animal identified with a registration number as  
16 provided in this act. The owner of an animal who wishes to have  
17 the animal identified with a registration number shall apply to  
18 the director, on a form furnished by the director. The applica-  
19 tion for registration shall be accompanied by a fee of \$10.00 per  
20 animal or \$10.00 for a litter of puppies or kittens that are  
21 under 9 weeks of age at the time an application for registration  
22 is submitted. If the director is satisfied that the applicant is  
23 the owner of the animal, the director shall assign a specific  
24 number to the animal. The director shall not reuse an assigned  
25 number for 25 years. The number shall be applied on the inside  
26 and through the skin of the left rear thigh of the animal or in a  
27 manner otherwise prescribed by the director as being appropriate

1 for the species of animal and method of identification. The  
2 identification shall be done by an identifier. The director  
3 shall establish a range of fees to compensate identifiers. An  
4 identifier shall receive no more than the maximum fee designated  
5 by the director for the application of an identification. These  
6 fees shall be reviewed by the director annually.

7       Sec. 3. (1) The specific number assigned to an animal is  
8 the owner of the animal's title to the animal, and upon the sale  
9 or other disposition to a new owner of the animal, the owner  
10 shall make a written assignment of title to the animal to the new  
11 owner.

12       (2) Upon purchase of an animal registered under this act,  
13 the purchaser shall immediately transmit the assignment of title  
14 and a fee of \$10.00 to the director. Upon receipt of an assign-  
15 ment of title, the director shall issue a title in the name of  
16 the new owner of the animal.

17       Sec. 4. Upon the registration or assignment of title of an  
18 animal pursuant to this act, the director shall issue to the  
19 owner of the animal an identification certificate. The identifi-  
20 cation certificate, when validated by the department, shall be  
21 proof of ownership and registration with the department.

22       Sec. 5. The director shall keep a permanent record of the  
23 name and address of the owner of each animal registered under  
24 this act and the number, name, species, breed, sex, and descrip-  
25 tion of each registered animal. The director shall furnish to a  
26 law enforcing agency or dog pound or animal shelter registered  
27 with the department pursuant to Act No. 287 of the Public Acts of

1 1969, being sections 287.331 to 287.340 of the Michigan Compiled  
2 Laws, a true copy of the record upon request. The owner shall be  
3 responsible for notifying the department of a change of name or  
4 address of the owner. The department shall not be held liable if  
5 an owner fails to notify the department of a change of name or  
6 address.

7       Sec. 6. A person who is an individual who finds and boards  
8 an animal registered under this act shall be entitled to the sum  
9 of \$2.00 per day for boarding that animal. The board shall be  
10 paid by the owner of the animal. If an animal is kept at a  
11 boarding kennel or veterinary hospital, or animal shelter or dog  
12 pound registered with the department pursuant to Act No. 287 of  
13 the Public Acts of 1969, being sections 287.331 to 287.340 of the  
14 Michigan Compiled Laws, that facility shall be entitled to its  
15 normal boarding fees from the owner of the animal. The director  
16 shall furnish the finder of an animal with the name and address  
17 of the owner.

18       Sec. 7. (1) Fees received by the director under this act  
19 shall be transmitted to the state treasury for deposit into the  
20 general fund. These funds shall be appropriated to the depart-  
21 ment to implement this act.

22       (2) When animal identification is performed by a dog pound  
23 registered by the department pursuant to Act No. 287 of the  
24 Public Acts of 1969, being sections 287.331 to 287.340 of the  
25 Michigan Compiled Laws, all fees received by the dog pound under  
26 this act for processing applications for identification shall be  
27 paid to the treasury of the city, township, village, or county in

1 which the dog pound is located and any accumulated balance shall  
2 be credited to the dog pound to defray costs related to the iden-  
3 tification program.

4       Sec. 8. (1) A person shall not alter an identification  
5 number placed on an animal by an identifier so as to deface the  
6 number and prevent identification of the animal.

7       (2) A person shall not duplicate a number and use it to  
8 identify an animal if the number is used by the director for  
9 identification under this act.

10       (3) A violation of this section is a misdemeanor.

11       Sec. 9. A person who takes without the consent of the owner  
12 and without lawful authority an animal registered under this act,  
13 or a person, except for an animal control agent, who harbors or  
14 holds in his or her possession a stray animal that he or she does  
15 not own, and does not report possession of the animal to the  
16 animal control agency if there is one in the county, or to the  
17 sheriff of the county or the police department of the city in  
18 which he or she is holding the animal, within 48 hours after  
19 coming into possession of the animal, is guilty of a misdemeanor,  
20 punishable by imprisonment for not more than 90 days, or a fine  
21 of not more than \$500.00, or community service work for not more  
22 than 250 hours, or any combination of these penalties.

23       Sec. 10. The department may promulgate rules for the imple-  
24 mentation and enforcement of this act pursuant to the administra-  
25 tive procedures act of 1969, Act No. 306 of the Public Acts of  
26 1969, being sections 24.201 to 24.328 of the Michigan Compiled  
27 Laws.

1        Sec. 11. Act No. 309 of the Public Acts of 1939, being  
2 sections 287.301 to 287.308 of the Michigan Compiled Laws, is  
3 repealed.