

## LARGE CARNIVORES: RESIDENCY-BASED EXEMPTION

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**House Bill 4860 as introduced**  
**Sponsor: Rep. Thomas A. Albert**  
**Committee: Agriculture**  
**Complete to 11-5-19**

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

### SUMMARY:

House Bill 4860 would amend the Large Carnivore Act to remove residency requirements for certain exemptions under the act.

Currently under the act, sections 4,<sup>1</sup> 6(1)(d) to (5)(d),<sup>2</sup> 8,<sup>3</sup> and 14(3)<sup>4</sup> do not apply to a person who resides in Michigan and meets the following requirements:

- Is conducting a for-profit or nonprofit business whose primary purpose is presenting animals, including large carnivores, to the public for education or exhibition.
- Meets certain federal licensing requirements and has not been the subject of certain U.S. Department of Agriculture actions within the past five years.
- Does not breed large carnivores.
- Does not sell large carnivores except to another person meeting these requirements.
- Does not allow a patron to come into direct contact with a large carnivore or close enough contact with a large carnivore over 20 weeks of age as to place the patron in danger of being harmed.

The bill would remove the residency requirement from this exemption, so that the enumerated provisions would not apply to any person who met the listed requirements.

[Currently under the act, sections 4, 6(1)(d) to (5)(d), 8, and 14(3) also do not apply to a person who is not a resident of this state and is in the state only to travel between locations outside of this state.]

MCL 287.1122

### FISCAL IMPACT:

The bill appears to change a reference to residency and does not appear to materially affect the responsibilities of the Michigan Department of Agriculture and Rural Development (MDARD) under the act.

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<sup>1</sup> Possession, generally, <http://legislature.mi.gov/doc.aspx?mcl-287-1104>.

<sup>2</sup> Housing and facilities, <http://legislature.mi.gov/doc.aspx?mcl-287-1106>.

<sup>3</sup> Exportation, <http://legislature.mi.gov/doc.aspx?mcl-287-1108>.

<sup>4</sup> Notice of violation, <http://legislature.mi.gov/doc.aspx?mcl-287-1114>.

The Large Carnivore Act was amended by two bills in the 2017-18 legislative session: House Bills 6050<sup>5</sup> and 5778,<sup>6</sup> which were respectively enacted as 2018 PAs 609 and 610 and took effect on March 28, 2019.

House Bill 5778 established a new large carnivore breeding license and gave to MDARD the authority to “deny, grant, or grant with conditions the application for a breeding license after considering the recommendation of the state veterinarian [an MDARD employee].”

The department indicates that, since the March 28, 2019, effective date of 2018 PA 610, it has devoted approximately three months of staff time (one veterinarian and three to five office/support staff) to work related to implementing the new license requirements. The department indicated that this was primarily up-front time to put together forms and create the new licensing program. The department anticipates a reduced level of staff time in the future.

To date, the department has issued only one large carnivore breeding license. The amount of the fee is set in statute at \$2,500; thus, the single license generated \$2,500 in license fee revenue.

The department has not performed site inspections and does not anticipate making site inspections.

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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.

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<sup>5</sup> <http://legislature.mi.gov/doc.aspx?2018-HB-6050>

<sup>6</sup> <http://legislature.mi.gov/doc.aspx?2018-HB-5778>