

SENATE BILL NO. 1019

September 26, 2024, Introduced by Senators WOJNO and POLEHANKI and referred to the Committee on Regulatory Affairs.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2674, 2675, and 2678 (MCL 333.2674, 333.2675, and 333.2678) and by adding sections 2670 and 2675a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 **Sec. 2670. As used in this section and sections 2671 to 2676:**
2 **(a) "Dog" means a domestic dog of any age of the species *Canis***
3 ***lupus familiaris*.**

1 (b) "Experimental purpose" means the use of animals to do any
 2 of the following related to the treatment of human or animal
 3 diseases and disorders:

4 (i) Conduct research.

5 (ii) Testing.

6 (iii) Training.

7 (c) "Public body" means this state; a city, village, township,
 8 county, school district, or public college or university; a single-
 9 purpose government agency; or any other body that is created by
 10 law.

11 (d) "Veterinarian" means that term as defined in section
 12 18805.

13 Sec. 2674. ~~(1)~~The department shall administer sections 2671
 14 ~~to 2675.~~**2670 to 2676.**

15 ~~(2) The members of the animal research advisory board shall~~
 16 ~~serve without compensation, but shall be entitled to expenses~~
 17 ~~incurred in performance of official duties in accordance with~~
 18 ~~section 1216.~~

19 Sec. 2675. The department ~~or~~ its representative ~~or~~ a
 20 ~~member of the animal research advisory board~~ may inspect any
 21 premises or property on or in which animals ~~are~~ **an animal is** kept
 22 for experimental purposes for the purpose of ~~investigation of~~
 23 **investigating** compliance with ~~board~~ **the department's** standards ~~or~~
 24 ~~The standards shall provide for the humane treatment of animals~~
 25 ~~reasonably necessary for the purposes of this part.~~**established in**
 26 **rules promulgated under section 2678.**

27 Sec. 2675a. (1) A public body shall not use, or otherwise
 28 direct an individual employed or contracted by the public body to
 29 use, a dog for experimental purposes in a manner that causes pain

1 or distress to the dog.

2 (2) For purposes of this section, the use of a dog for
3 experimental purposes causes pain or distress to the dog in any of
4 the following circumstances:

5 (a) The experimental purpose would, if conducted, be
6 reportable to the United States Department of Agriculture under 9
7 CFR 2.36(b)(6) or (7).

8 (b) The experimental purpose may cause death, injury, fear, or
9 trauma to the dog.

10 (c) The experimental purpose involves an invasive procedure,
11 including, but not limited to, penetrating the body, cutting body
12 parts, performing surgery or surgical procedures, implanting a
13 medical device, or administering an experimental agent or drug.

14 (3) Subsection (1) does not apply under either of the
15 following circumstances:

16 (a) If an owner of a dog consents to the use of the owner's
17 dog in veterinary training or veterinary clinical research
18 involving the treatment of an existing disease or ailment.

19 (b) The spaying or neutering of a dog by a veterinarian or
20 veterinary student or other training or medical procedures commonly
21 performed by a veterinarian or veterinary student for the treatment
22 of a dog. As used in this subdivision, "veterinary student" means a
23 student enrolled in a school of veterinary medicine.

24 (4) A public body that violates this section is subject to a
25 civil fine of not less than \$1,000.00 or more than \$5,000.00 for
26 each dog that is the subject of a violation and for each day that
27 the violation continues. The prosecutor of the county in which the
28 violation occurs or the attorney general may bring an action to
29 collect the fine. A determination of responsibility for a violation

1 of this section does not preclude a conviction, sentence, or
 2 determination of responsibility for a violation of any other law of
 3 this state arising from the same conduct.

4 Sec. 2678. (1) The department shall promulgate rules to **do all**
 5 **of the following:**

6 (a) To implement section 2637. ~~and may promulgate rules to~~

7 (b) To implement this part, including **all of** the establishment
 8 ~~of~~ **following:**

9 (i) To **establish** fees. ~~, standards~~

10 (ii) To **establish standards** pertaining to unclaimed bodies, or
 11 parts thereof, ~~standards of unclaimed bodies.~~

12 (iii) To **establish standards** pertaining to the use of animals,
 13 **other than dogs**, for experimental purposes. ~~, and the~~
 14 ~~implementation of~~

15 (iv) To **establish standards** pertaining to the prohibition of
 16 the use of a dog for experimental purposes in a manner that causes
 17 pain or distress to the dog.

18 (v) To **implement** sections 2616 and 2617.

19 (2) As used in this section, "dog" and "experimental purpose"
 20 mean those terms as defined in section 2670.

21 Enacting section 1. Sections 2672 and 2673 of the public
 22 health code, 1978 PA 368, MCL 333.2672 and 333.2673, are repealed.

23 Enacting section 2. Section 2675a of the public health code,
 24 1978 PA 368, MCL 333.2675a, may be known as "Queenie's law."