



Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

ANIMAL STERILIZATION

House Bill 4654

Sponsor: Rep. Gerald Law

Committee: Health Policy

Complete to 4-20-95

A SUMMARY OF HOUSE BILL 4654 AS INTRODUCED 3-21-95

The bill would amend Public Act 287 of 1969, which regulates pet shops, dog pounds, and animal shelters. Among other provisions and new definitions, the bill would require pet shops to distribute information as to the benefits of sterilization ("alteration") to purchasers of dogs, cats, and ferrets. It also would require animal control shelters and humane society shelters to sterilize any dog, cat, or ferret before adoption or to contract with those adopting a dog, cat, or ferret to have the animal sterilized within a specified time. The bill would also provide for penalties for noncompliance with the contract.

Pet shops. The bill would impose as a condition for maintaining a license that pet shops distribute, to purchasers of dogs, cats, and ferrets, written information on the pet overpopulation problem and health benefits of pet sterilization.

Shelters. Currently, the act regulates "dog pounds" (governmental entities) and "animal shelters" (nonprofit entities). The bill would replace these terms with the terms "animal control shelter" and "humane society shelter", respectively. An animal control shelter would be defined as "a facility operated by a municipality for the impoundment and care of animals that are found in the streets or at large, animals that are otherwise held due to the violation of a municipal ordinance or state law, or animals that are surrendered to the animal control shelter" and a humane society shelter as "a facility, other than an animal control shelter, operated by a person, other than a governmental entity, or a society for the prevention of cruelty to animals, for the care of homeless animals".

Under the bill, shelters would be required to sterilize a dog, cat, or ferret before the animal is adopted, or to contract with any person adopting such an animal to have it sterilized. The sterilization would be required within four weeks of the adoption for animals six months of age or older, or four weeks from the date the animal turns six months old. A deposit of \$25 would be collected by the shelter and returned when the person adopting the animal presented a veterinarian's certificate verifying that the animal was sterilized within the prescribed time limit. Failure to comply would result in the loss of the deposit money, which would go to the shelter to finance sterilizations and to educate the public about the benefits of sterilizing dogs, cats and ferrets. However, an exception to the sterilization requirement would be made for an animal certified by a veterinarian to be at risk of a serious, permanent medical or health problem.

In addition, shelters would be required to keep annual records of the total number of dogs, cats, ferrets, and other animals received; returned to owners; adopted out; sold or

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transferred; and euthanized. A copy of the record would be provided to the Department of Agriculture by March 31 of the following year.

Penalties. Shelters violating the animal sterilization provisions of the bill would be subject to a civil fine of not less than \$500 or more than \$1,000. A person who did not comply with the contract to sterilize a dog, cat, or ferret would be subject to a civil fine of \$100 to \$500. Repeat offenders would be fined \$300 to \$500 and would face the possibility of having the animal returned to the shelter or to a veterinarian by a court order.

MCL 287.331 et al.