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ALLOW 3-YEAR DOG LICENSES

House Bill 5843 with committee amendments First Analysis (5-26-98)

Sponsor: Rep. James McNutt
Committee: Agriculture

THE APPARENT PROBLEM:

Currently, dog licenses are issued for one year only, and generally are required to be obtained by March 1 of the year in order not to be considered delinquent. For the last two years, Midland County has been issuing three-year dog licenses and tying the expiration date of the license to the date upon which the dog's rabies license expires. Legislation has been introduced that would give counties statutory authority to sell three-year dog licenses, among other things.

THE CONTENT OF THE BILL:

The bill would amend the Dog Law of 1919 to make a number of changes to the act's dog licensing provisions.

License periods. The bill would let counties issue three-year dog licenses by allowing a county board of commissioners, with the county treasurer's written approval, to adopt a resolution (during the 60-day period before the beginning of the county's fiscal year) requiring dog owners to apply for dog licenses by March 1 of every year or by March 1 of every third year (or by either of these at the owner's option), by the last day of the month of the dog's current rabies vaccination or every third year (or by those dates at the owner's option). A resolution also would have to include necessary provisions for conversion to a new licensing schedule, and could extend the effective period of outstanding licenses, but couldn't shorten the effective period or outstanding licenses or prorated license fees. If a county didn't adopt such a resolution, the deadline for dog license applications would be March 1 of every year.

Dog licenses, fees. The bill would prohibit the issuing of a dog license based on the expiration of the dog's rabies vaccination if the dog's current rabies vaccination would expire more than one month before the dog license's expiration date. The bill also would require rabies vaccination certificates to state the vaccination's expiration month and year ("in the

veterinarian's opinion"), and would require dog licenses to display (in addition to the currently required serial number and description of the dog) an expiration date.

A county board of commissioners would set license fees in the county budget at a level sufficient to pay all of its costs of administering the act. When applying for a dog license, dog owners would be required to pay the license fee provided for in the county budget.

Who would sell dog licenses. The bill would let township or city treasurers or city clerks enter into agreements with county treasurers for the county treasurer (or his or her authorized delegate) to sell dog licenses instead of the township or city treasurer or city clerk ("to perform the duties of the township treasurer, city treasurer, or city clerk under this act").

Puppies, new residents. The bill would allow a person who became the owner of an unlicensed dog that was at least six months old or that would become six months old thirty days to apply for a license (in the case of puppies who turned six months old, thirty days after that date). If the dog license deadline was March 1 and the application was made after July 10, the license fee would be half of the regular fee.

MCL 287.266 et al.

FISCAL IMPLICATIONS:

Fiscal information is not available.

ARGUMENTS:

For:

Many provisions of the Dog Law of 1919 do not meet today's needs or practices. The bill would update the dog law, making a number of changes -- some reflecting practices already in effect -- that would

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make dog licenses more convenient for dog owners, save counties money by allowing three-year licenses in addition to the current annual licenses, and potentially increase public safety by attempting to ensure that dogs are vaccinated for rabies for the duration of their licenses. Currently, dog licenses can be sold for dogs whose rabies vaccination expires before the new license does, which means that it is possible to issue a valid license one day to the owner of a dog whose rabies vaccination expires the next day. The bill would promote the public health by attempting to ensure that licensed dogs would have current rabies vaccinations for the duration of the license. The bill also would give statutory authority to practices which reportedly already are common. Current law requires that township and city treasurers sell dog licenses, but many township and city treasurers reportedly do not want the duty of selling dog licenses, particularly in light of the increasingly complicated tax collecting process in recent years. In addition, many township and city treasurers allow veterinarians to sell dog licenses, though they have no statutory authority to do so. The bill would authorize counties to enter into agreements with township or city treasurers that allowed the latter not to sell dog licenses at all, leaving this up to the county treasurers or to a county's authorized agent, such as a veterinarian. This not only would be more convenient for many township and city treasurers, but also for many dog owners, who could buy (or continue to buy) their dog's license when the dog was vaccinated. The three-year dog license would be permissive, not mandatory, so the bill would offer counties an additional option in its licensing of dogs while retaining the current a one-year license as an option. Attempts in past legislative sessions to update the entire Dog Law of 1919 were not successful because a number of contentious issues were unable to be resolved. Nevertheless, the act still needs updating, and the bill would do this specifically -- and only -- for the act's provisions regarding the licensing of dogs (though it would not change current provisions regarding kennel licenses).

Against:

The bill could result in dog owners paying the costs of all animal control activities under the dog law, not just the regulation of dogs. Not only is it unfair for dog owners to have to pay for the control of other animals, such as cats (which are not licensed and whose owners thus do not pay for the regulation of their pets), the cost of dog licenses could increase to such levels that responsible, though poor, dog owners would be unable to license their dogs. Any amendments to the dog law should ensure that any responsible dog owner should

not be forced to become a scofflaw because the cost of a dog license has been priced out of their reach.

POSITIONS:

The following groups indicated support for the concept of a three-year dog license:

- The Michigan Department of Agriculture (5-21-98)
- The Midland County Board of Commissioners (3-20-98)
- The Michigan County Treasurers' Association (5-21-98)
- The Michigan Association for Purebred Dogs (5-21-98)
- The Michigan Hunting Dog Federation (5-21-98)

A representatives of the Michigan Association of Animal Control testified that the association had not yet taken a position on the committee substitute. (5-21-98)

A representative of the Michigan Veterinarians Association testified that the association has not yet taken a position on the committee substitute. (5-21-98)

Analyst: S. Ekstrom

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