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SFA**BILL ANALYSIS**

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House Bill 5843 (as passed by the House)
Sponsor: Representative James McNutt
House Committee: Agriculture
Senate Committee: Farming, Agribusiness and Food Systems

Date Completed: 9-16-98

CONTENT

The bill would amend the Dog Law to make the following changes in the Law's licensing provisions:

- Require a dog owner to apply for a license annually by March 1, unless a county board of commissioners adopted a resolution establishing a licensing schedule under which a dog could be licensed yearly or every third year.
- Lower from six months to four months the age of a dog that must be licensed.
- Require a certificate for rabies vaccination, as part of a license application, to state the month and year the vaccination would expire.
- Prohibit a license from being issued under a county's new licensing schedule if a dog's rabies vaccination would expire one month before the license expired.
- Delete current license fee provisions and permit a county board of commissioners, instead, to set license fees in the county budget at a level to pay county expenses for administering the Law as it pertains to dogs.

Dog Licenses

Currently, by March 1 of each year the owner of any dog at least six months old must apply in writing to the county, township, or city treasurer where the owner resides for a license for each dog owned or kept by the owner. The bill would require the licensure of a dog at least four months old.

Currently, a county board of supervisors by resolution may extend the time to apply for a license until June 1 of any year. Under the bill, unless a county board of commissioners adopted a resolution on licensing (described below), an owner would have to apply for a license annually by March 1.

Under the bill, a township treasurer, city treasurer, or city clerk could enter into an agreement with the county treasurer for the county treasurer to perform the duties under the Act of the township treasurer, city treasurer, or city clerk.

County Resolution

A county board of commissioners could adopt a resolution during the 60-day period before the beginning of the county's fiscal year providing when the owner of a dog that was required to be licensed would have to apply for a license. Before adopting the resolution, the county board would have to obtain the county treasurer's written approval of the resolution.

The resolution would have to require that the owner apply for a license by one of the following dates: March 1 every year or every third year, at the owner's option; the last day of the month of the dog's current rabies vaccination, every year; or, the last day of the month of the dog's current rabies vaccination or of the anniversary of the dog's current rabies vaccination, every third year. The resolution also could require that the owner apply for a license by one of the following, at the owner's option: the last day of the month of the dog's current rabies vaccination every year; or the last day of the month of the dog's current rabies vaccination or of the anniversary of the dog's current rabies vaccination, every third year.

A resolution would have to include necessary provisions for conversion to a new licensing schedule. The resolution could extend the effective period of outstanding licenses but could not shorten the effective period of outstanding licenses or prorate license fees.

Vaccination Certificate

Currently, a license application must be accompanied by a valid certificate of a dog's vaccination for rabies. The bill would add that the certificate for rabies vaccination would have to state the month and year of the expiration of the rabies vaccination, in the veterinarian's opinion. If the dog's current rabies vaccination would expire more than one month before the date on which a license would expire, the license could not be issued under the bill's provisions that a county resolution could permit a dog owner to apply yearly or every third year for a license by the last day of the month of the dog's current rabies vaccination. The owner of a dog that was required to be licensed would have to keep the dog currently vaccinated against rabies by an accredited veterinarian with a vaccine licensed by the U.S. Department of Agriculture.

License Fees

The bill would delete current provisions that establish license fees for male, female, and unsexed dogs licensed before or after March 1 and permit a county board of supervisors to increase or reduce license fees as needed to bring in sufficient funds to pay the necessary fees and damages caused by dogs.

The bill would require, instead, that an owner when applying for a license, pay the license fee provided for in the county budget. A county board of commissioners could set license fees in the county budget at a level sufficient to pay all the county's expenses of administering the Act as it pertains to dogs.

For a spayed or neutered dog, the license fee, if any, would have to be set lower than the license fee for a dog that was not spayed or neutered. In addition, the license fee could be set higher for a delinquent application than for a timely application.

Unlicensed and Young Dogs

The bill would delete current provisions on unlicensed and young dogs and reduced license fees. Under the bill, in a county where an owner would have to apply for a license annually by March 1 or where a county board of commissioners adopted a resolution permitting an owner to apply for a license by March 1 every year or every third year, at the owner's option, the following would apply:

- A person who became the owner of a dog that was at least four months old and was not already licensed, would have to apply for a license within 30 days. A person who owned a dog that would become four months old and that was not already licensed would have to apply for a license within 30 days after the dog became four months old.
- If a person applied for a license after July 10, the license fee would have to be one-half the fee provided for in the bill.

Licenses

Under the Act, each license issued must be dated and bear a serial number corresponding to the number on the metal tag furnished to the owner as well as bear the name of the county issuing the tag and license and provide a full description of the dog. The bill would revise these provisions by requiring a license to display an expiration date, which would have to be either one year or three years after the date by which the license had to be obtained under a county resolution. The bill also would require, instead of permit, county or township treasurers to issue dog licenses in a manner prescribed by the county treasurer.

A county treasurer currently is required to keep a record of all dog licenses, and all kennel licenses, issued during the year in each city and township in his or her county. The record must contain the name and address of the person to whom each license is issued. Under the bill, the record also would have to contain the expiration date of each license.

In addition, a county treasurer is required to locate all unlicensed dogs and compile a list of these dogs, which must be delivered to the county sheriff and prosecuting attorney. Under the bill, the list would have to be delivered only to the county sheriff.

MCL 287.266 et al.

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have no fiscal impact on State government.

The bill could generate an indeterminate increase in revenues for local units of government, depending on the amount of fees set to cover administration of the Act. It also could reduce administrative costs by allowing for a three-year versus one-year dog license.

Fiscal Analyst: G. Cutler

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.