

House Bill 5843

(As amended May 28, 1998)

A bill to amend 1919 PA 339, entitled
"Dog law of 1919,"
by amending sections 6, 8, 9, 14, 15, and 17 (MCL 287.266,
287.268, 287.269, 287.274, 287.275, and 287.277).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) ~~On or before March 1 of each year the owner of~~
2 ~~any dog 6 months old or over, except as provided in section 14,~~
3 ~~shall apply to the county,~~ THE OWNER OF A DOG THAT IS [4] OR MORE
4 MONTHS OLD SHALL APPLY TO THE TREASURER OF THE COUNTY OR, EXCEPT
5 AS PROVIDED IN SECTION 14, THE TREASURER OF THE township or city
6 ~~treasurer or his authorized agent,~~ where the owner resides, ~~in~~
7 ~~writing,~~ OR TO THE TREASURER'S AUTHORIZED AGENT, for a license
8 for each dog owned or kept by him OR HER. ~~The board of~~
9 ~~supervisors of any county of this state may by resolution extend~~
10 ~~the time for application for license until June 1 of any year,~~

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~~1 and wherever the date of March 1 is used in this section, the
2 same shall be June 1 as applied to such county. Such~~

3 (2) UNLESS THE COUNTY BOARD OF COMMISSIONERS ADOPTS A RESO-
4 LUTION UNDER SUBSECTION (3), THE OWNER SHALL APPLY FOR A LICENSE
5 ANNUALLY ON OR BEFORE MARCH 1.

6 (3) THE COUNTY BOARD OF COMMISSIONERS OF A COUNTY MAY ADOPT
7 A RESOLUTION DURING THE 60-DAY PERIOD BEFORE THE BEGINNING OF THE
8 COUNTY'S FISCAL YEAR PROVIDING WHEN THE OWNER OF A DOG THAT IS
9 REQUIRED TO BE LICENSED UNDER SUBSECTION (1) MUST APPLY FOR A
10 LICENSE. BEFORE ADOPTING THE RESOLUTION, THE COUNTY BOARD OF
11 COMMISSIONERS SHALL OBTAIN THE COUNTY TREASURER'S WRITTEN
12 APPROVAL OF THE RESOLUTION. SUBJECT TO SUBSECTION (4), THE RESO-
13 LUTION SHALL PROVIDE FOR 1 OF THE FOLLOWING:

14 [

15

16

17]

18 [(A)] THAT THE OWNER APPLY FOR A LICENSE BY MARCH 1 EVERY YEAR
19 OR EVERY THIRD YEAR, AT THE OWNER'S OPTION.

20 [(B)] THAT THE OWNER APPLY FOR A LICENSE BY THE LAST DAY OF
21 THE MONTH OF THE DOG'S CURRENT RABIES VACCINATION, EVERY YEAR.

22 [(C)] THAT THE OWNER APPLY FOR A LICENSE BY THE LAST DAY OF
23 THE MONTH OF THE DOG'S CURRENT RABIES VACCINATION OR OF THE ANNI-
24 VERSARY OF THE DOG'S CURRENT RABIES VACCINATION, EVERY THIRD
25 YEAR.

26 [(D)] THAT THE OWNER APPLY FOR A LICENSE BY 1 OF THE
27 FOLLOWING, AT THE OWNER'S OPTION:

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1 (i) THE LAST DAY OF THE MONTH OF THE DOG'S CURRENT RABIES
2 VACCINATION EVERY YEAR.

3 (ii) THE LAST DAY OF THE MONTH OF THE DOG'S CURRENT RABIES
4 VACCINATION OR OF THE ANNIVERSARY OF THE DOG'S CURRENT RABIES
5 VACCINATION, EVERY THIRD YEAR.

6 (4) A RESOLUTION ADOPTED UNDER SUBSECTION (3) SHALL INCLUDE
7 NECESSARY PROVISIONS FOR CONVERSION TO A NEW LICENSING SCHEDULE.
8 THE RESOLUTION MAY EXTEND THE EFFECTIVE PERIOD OF OUTSTANDING
9 LICENSES BUT SHALL NOT SHORTEN THE EFFECTIVE PERIOD OF OUTSTAND-
10 ING LICENSES OR PRORATE LICENSE FEES.

11 (5) THE application shall state the breed, sex, age, color,
12 and markings of ~~such~~ THE dog, and the name and address of the
13 last previous owner. ~~Such~~ THE application for a license shall
14 be accompanied ~~by proof of vaccination of the dog for rabies~~ by
15 a valid certificate of A CURRENT vaccination for rabies, with a
16 vaccine licensed by the United States department of agriculture,
17 signed by an accredited veterinarian. THE CERTIFICATE FOR VACCI-
18 NATION FOR RABIES SHALL STATE THE MONTH AND YEAR OF EXPIRATION
19 FOR THE RABIES [VACCINATION], IN THE VETERINARIAN'S OPINION. A
LICENSE
20 SHALL NOT BE ISSUED UNDER SUBSECTION [(3)(B), (C), OR (D)] IF THE
21 DOG'S CURRENT RABIES VACCINATION WILL EXPIRE MORE THAN 1 MONTH
22 BEFORE THE DATE ON WHICH THAT LICENSE WOULD EXPIRE. WHEN APPLY-
23 ING FOR A LICENSE, THE OWNER SHALL PAY THE LICENSE FEE PROVIDED
24 FOR IN THE COUNTY BUDGET. THE COUNTY BOARD OF COMMISSIONERS
25 [MAY] SET LICENSE FEES IN THE COUNTY BUDGET AT A LEVEL SUFFICIENT
26 TO PAY ALL THE COUNTY'S EXPENSES OF ADMINISTERING THIS ACT [AS IT
PERTAINS TO DOGS].[FOR A SPAYED OR NEUTERED DOG, THE LICENSE FEE, IF
ANY, SHALL BE SET LOWER THAN THE LICENSE FEE FOR A DOG THAT IS NOT
SPAYED OR NEUTERED. IN ADDITION, THE LICENSE FEE MAY BE SET HIGHER
FOR A DELINQUENT APPLICATION THAN FOR A TIMELY APPLICATION.]

[(6) THE OWNER OF A DOG THAT IS REQUIRED TO BE LICENSED UNDER
THIS SECTION SHALL KEEP THE DOG CURRENTLY VACCINATED AGAINST RABIES
BY AN ACCREDITED VETERINARIAN WITH A VACCINE LICENSED BY THE UNITED
STATES DEPARTMENT OF AGRICULTURE.]

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1 ~~The board of supervisors shall require, by resolution of a~~
2 ~~majority of the board, that at the time of making the application~~
3 ~~the owner shall pay the following license fee: If the applica-~~
4 ~~tion is made before March 1, the same shall be accompanied by a~~
5 ~~license fee of \$1.00 for each male dog or unsexed dog; and \$2.00~~
6 ~~for each female dog; if the application is made on or after March~~
7 ~~1, the same shall be accompanied by a license fee of \$2.00 for~~
8 ~~each male dog or unsexed dog; and \$4.00 for each female dog. The~~
9 ~~board of supervisors of any county in this state in which the~~
10 ~~collections of the fees hereinbefore prescribed shall exceed the~~
11 ~~amount of money necessary to pay the necessary fees and damages~~
12 ~~caused by dogs, as provided in this act, in such county, by reso-~~
13 ~~lution, may reduce such fees to an amount deemed necessary by the~~
14 ~~board to bring in sufficient funds to pay the damages caused by~~
15 ~~dogs, as provided in this act, in such county. The board of~~
16 ~~supervisors of any county in this state in which the collections~~
17 ~~of the fees hereinbefore prescribed shall not be sufficient to~~
18 ~~pay the necessary fees and damages caused by dogs, as provided in~~
19 ~~this act, in such county, by resolution, may increase such fees~~
20 ~~to an amount deemed necessary by the board to bring in sufficient~~
21 ~~funds to pay the damages caused by dogs, as provided in this act,~~
22 ~~in such county.~~

23 Sec. 8. ~~Any person becoming the owner, after the first day~~
24 ~~of March, 1926, or any year thereafter, of any dog 4 months old~~
25 ~~or over, which has not already been licensed, or any person~~
26 ~~owning a dog which becomes 4 months old at any time after the~~
27 ~~first day of March of any year, shall forthwith apply for and~~

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1 ~~secure a license for such dog, and in case of application made at~~
2 ~~any time after the tenth day of July of any year, the license fee~~
3 ~~shall be 1/2 the amount fixed as the annual license fee for such~~
4 ~~dog.~~ IN A COUNTY IN WHICH SECTION 6(2) OR SECTION 6(3)(A)[
5] APPLIES, A PERSON WHO BECOMES OWNER OF A DOG THAT IS [4] OR
6 MORE MONTHS OLD AND THAT IS NOT ALREADY LICENSED SHALL APPLY FOR
7 A LICENSE WITHIN 30 DAYS. A PERSON WHO OWNS A DOG THAT WILL
8 BECOME [4] MONTHS OLD AND THAT IS NOT ALREADY LICENSED SHALL APPLY
9 FOR A LICENSE WITHIN 30 DAYS AFTER THE DOG BECOMES [4] MONTHS OLD.
10 IN A COUNTY IN WHICH SECTION 6(2) OR SECTION 6(3)(A)[]]
11 APPLIES, IF A PERSON APPLIES FOR A LICENSE UNDER THIS SUBSECTION
12 AFTER JULY 10 OF A CALENDAR YEAR, THE LICENSE FEE SHALL BE 1/2
13 THE FEE PROVIDED FOR UNDER SECTION 6.

14 Sec. 9. Each license issued shall ~~be dated and shall bear~~
15 ~~a~~ DISPLAY ALL OF THE FOLLOWING:

16 (A) AN EXPIRATION DATE. SUBJECT TO SECTION 6(4), THE EXPI-
17 RATION DATE SHALL BE 1 YEAR OR 3 YEARS AFTER THE DATE ON OR
18 BEFORE WHICH THE LICENSE WAS REQUIRED TO BE OBTAINED UNDER
19 SECTION 6(3).

20 (B) A serial number corresponding to the number on the metal
21 tag furnished to ~~said~~ THE owner. ~~it shall also bear the~~

22 (C) THE name of the county issuing the ~~same and a~~
23 LICENSE.

24 (D) A full description of the dog licensed.

25 Sec. 14. (1) Every township or city treasurer shall, on or
26 before December 1 each year, ~~make application~~ APPLY to the
27 county treasurer for necessary license blanks and tags for the

1 ensuing year and ~~may~~ SHALL issue dog licenses and tags in a
2 manner prescribed for issuing licenses by the county treasurer.
3 Every township or city treasurer shall receive for the services
4 of licensing dogs a reasonable fee at a rate determined by the
5 county board of commissioners for each dog license issued.

6 (2) Each township or city treasurer shall not later than
7 March 1 each year return to the county treasurer all unused tags,
8 and the book or books from which dog licenses have been issued,
9 containing receipts properly filled out, and showing the name of
10 the person issued each license and the number of each license
11 issued and a full description of each dog licensed. The township
12 or city treasurer shall on or before March 1 each year pay over
13 all ~~moneys~~ MONEY received for issuing licenses less the amount
14 set by the board of commissioners to be retained by the township
15 or village for each license issued.

16 (3) A city may, by resolution of its legislative body, pro-
17 vide that its clerk shall perform the duties by this act imposed
18 on the treasurer. Upon the adoption of the resolution, the trea-
19 surer of a city ~~shall~~ IS not ~~be~~ required to issue licenses
20 under this act but the clerk of the city shall perform, in the
21 manner and under the terms and conditions, and with the same com-
22 pensation, all of the duties imposed upon city treasurers by this
23 act.

24 (4) A TOWNSHIP TREASURER, CITY TREASURER, OR CITY CLERK MAY
25 ENTER AN AGREEMENT WITH THE COUNTY TREASURER FOR THE COUNTY TREA-
26 SURER TO PERFORM THE DUTIES OF THE TOWNSHIP TREASURER, CITY
27 TREASURER, OR CITY CLERK UNDER THIS ACT.

1 Sec. 15. The county treasurer shall keep a record of all
2 dog licenses, and all kennel licenses, issued during the year in
3 each city and township in his OR HER county. Such record shall
4 contain the name and address of the person to whom each license
5 is issued AND THE EXPIRATION DATE OF EACH LICENSE. ~~In the case~~
6 ~~of~~ FOR an individual license, the record shall also state the
7 breed, sex, age, color, and markings of the dog licensed; and ~~in~~
8 ~~the case of~~ FOR a kennel license, it shall state the place where
9 the business is conducted. The record ~~shall be~~ IS a public
10 record and SHALL BE open to inspection during business hours.
11 ~~He~~ THE COUNTY TREASURER shall also keep an accurate record of
12 all license fees collected by ~~him~~ THE COUNTY TREASURER or paid
13 over to him OR HER by any city or township treasurer.

14 Sec. 17. ~~On June 15 of each year the~~ THE county treasurer
15 may, ~~make a comparison of his~~ BASED ON records of the dogs
16 actually licensed in each city or township of ~~his county with~~
17 ~~the report of the supervisor of said township or assessor of said~~
18 ~~city or animal control officer, to determine~~ THE COUNTY AND ANY
19 REPORT UNDER SECTION 16, IDENTIFY and locate all unlicensed
20 dogs. ~~On and after June 15 of each year every unlicensed dog,~~
21 ~~subject to license under the provisions of this act, is declared~~
22 ~~to be~~ IF A DOG IS REQUIRED TO BE LICENSED UNDER THIS ACT BUT IS
23 UNLICENSED, THE DOG IS a public nuisance. ~~and the~~ THE county
24 treasurer shall immediately ~~thereafter~~ list all ~~such~~ unli-
25 censed dogs ~~, as shown by the returns in his office of the~~
26 ~~supervisors and assessors,~~ IDENTIFIED BY THIS SECTION and shall
27 deliver copies of ~~such lists~~ THE LIST to the ~~sheriff and~~

1 prosecuting attorney of ~~said~~ THE county and to the
2 ~~commissioner~~ DIRECTOR OF THE DEPARTMENT of agriculture. On
3 receiving from the county treasurer the name of any owner of
4 ~~any~~ AN unlicensed dog, the prosecuting attorney shall at once
5 commence the necessary proceedings against the owner of ~~said~~
6 THE dog, as required by ~~the provisions of~~ this act. ~~It shall~~
7 ~~also be the duty of the sheriff or any member of the state con-~~
8 ~~stabulary to~~ THE SHERIFF SHALL locate and kill, or cause to be
9 killed, all such unlicensed dogs. Failure, refusal, or neglect
10 on the part of ~~any~~ A sheriff to carry out the provisions of
11 this section ~~shall constitute~~ CONSTITUTES nonfeasance in
12 office.