## SUBSTITUTE FOR SENATE BILL NO. 1214

## A bill to amend 1969 PA 287, entitled

"An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies,"

by amending section 4 (MCL 287.334), as amended by 2003 PA 83.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 4. (1) Applications for pet shop licenses shall be on
- 2 a form as provided or made available by the director. Beginning
- 3 October 1, 2003 through September 30, 2007, the director shall
- 4 issue pet shop licenses for a term of 1 year beginning January 1
- 5 of each year. Until October 1, 2003 or after September 30, 2007,
- 6 the director shall issue a pet shop license upon application and
- 7 payment of a license fee of \$150.00.
- 8 (2) Beginning October 1, 2003 through September 30, 2007, the
- 9 department shall charge a fee of \$200.00 for an initial
- 10 application for a pet shop license and a fee of \$100.00 for

- 1 renewal of a pet shop license.
- 2 (3) The following apply only to licenses issued beginning
- 3 October 1, 2003 through September 30, 2007:
- 4 (a) A license issued before the effective date of the
- 5 amendatory act that added this subsection July 23, 2003 expires
- 6 on December 31, 2003, except that a license issued in the 2003
- 7 calendar year expires on December 31, 2004.
- 8 (b) Beginning January 1, 2004 and except as otherwise
- 9 provided for in this section, a pet shop license is renewable by
- 10 submission of a completed renewal application provided or made
- 11 available by the department and payment of the renewal fee
- 12 described in subsection (2).
- 13 (4) Beginning the effective date of the amendatory act that
- 14 added this subsection, the department shall issue an initial or
- 15 renewal pet shop license not later than 90 days after the
- 16 applicant files a completed application. Receipt of the
- 17 application is considered the date the application is received by
- 18 any agency or department of the state of Michigan. If the
- 19 application is considered incomplete by the department, the
- 20 department shall notify the applicant in writing, or make the
- 21 information electronically available, within 30 days after
- 22 receipt of the incomplete application, describing the deficiency
- 23 and requesting the additional information. The 90-day period is
- 24 tolled upon notification by the department of a deficiency until
- 25 the date the requested information is received by the
- 26 department. The determination of the completeness of an
- 27 application does not operate as an approval of the application

- 1 for the license and does not confer eligibility of an applicant
- 2 determined otherwise ineligible for issuance of a license.
- 3 (5) If the department fails to issue or deny a license within
- 4 the time required by this section, the department shall return
- 5 the license fee and shall reduce the license fee for the
- 6 applicant's next renewal application, if any, by 15%. The
- 7 failure to issue a license within the time required under this
- 8 subsection does not allow the department to otherwise delay the
- 9 processing of the application, and that application, upon
- 10 completion, shall be placed in sequence with other completed
- 11 applications received at that same time. The department shall
- 12 not discriminate against an applicant in the processing of the
- 13 application based upon the fact that the license fee was refunded
- 14 or discounted under this subsection.
- 15 (6) Beginning October 1, 2005, the director of the department
- 16 shall submit a report by December 1 of each year to the standing
- 17 committees and appropriations subcommittees of the senate and
- 18 house of representatives concerned with agriculture issues. The
- 19 director shall include all of the following information in the
- 20 report concerning the preceding fiscal year:
- 21 (a) The number of initial and renewal applications the
- 22 department received and completed within the 90-day time period
- 23 described in subsection (4).
- 24 (b) The number of applications denied.
- 25 (c) The number of applicants not issued a license within the
- 26 90-day time period and the amount of money returned to licensees
- 27 and registrants under subsection (5).

- 1 (7) As used in this section, "completed application" means an
- 2 application complete on its face and submitted with any
- 3 applicable licensing fees as well as any other information,
- 4 records, approval, security, or similar item required by law or
- 5 rule from a local unit of government, a federal agency, or a
- 6 private entity but not from another department or agency of the
- 7 state of Michigan. In the case of an initial application,
- 8 completed application includes the completion of construction or
- 9 renovation of any facility and the passing of a satisfactory
- 10 inspection.