

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 149

A bill to amend 1969 PA 224, entitled
"An act to license and regulate dealers in and research facilities
using dogs and cats for research purposes; and to repeal certain
acts and parts of acts,"
by amending the title and sections 1 and 7 (MCL 287.381 and
287.387) and by adding section 8a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE
2 An act to license and regulate dealers ~~in and that deliver,~~
3 **transport, board, buy, or sell dogs or cats for laboratory research**
4 **purposes; to regulate** research facilities ~~using that use~~ dogs and
5 ~~or cats for laboratory research; purposes; to require research~~
6 **facilities to offer laboratory animals no longer needed for**

1 laboratory research to certain animal protection shelters for
2 adoption before euthanizing; to require research facilities to
3 submit annual reports; to provide immunity from civil liability
4 under certain conditions; to create certain funds; and to repeal
5 ~~certain acts and parts of acts.~~

6 Sec. 1. ~~When~~ **As** used in this act:

7 ~~(a) "Person" includes any individual, partnership, association~~
8 ~~or corporation.~~

9 ~~(b) "Director" means the director of the department of~~
10 ~~agriculture.~~

11 (a) "Animal protection shelter" means a facility that is
12 registered under section 6 of 1969 PA 287, MCL 287.336, and is
13 operated by any of the following:

14 (i) A person.

15 (ii) A humane society.

16 (iii) A society for the prevention of cruelty to animals.

17 (iv) Any other nonprofit organization for the care of homeless
18 animals.

19 (b) ~~(c)~~ "Cat" means ~~any live~~ a domestic cat ~~(felis catus) for~~
20 ~~use or intended to be used for research, tests or experiments at~~
21 ~~research facilities of any age of the species *Felis catus*.~~

22 (c) "Dealer" means a person that for compensation or profit
23 delivers for transportation, transports, boards, buys, or sells
24 dogs or cats for research purposes. Dealer does not include a
25 person that breeds or raises dogs or cats for sale to a research
26 facility.

27 (d) "Department" means the department of agriculture and rural
28 development.

29 (e) "Director" means the director of the department.

1 (f) ~~(d)~~ "Dog" means ~~any live~~ **a domestic dog of any age** of the
 2 species ~~canis familiaris for use or intended to be used for~~
 3 ~~research tests or experiments at research facilities.~~ **Canis lupus**
 4 **familiaris.**

5 (g) "Laboratory animal" means a dog or cat that is used or
 6 intended to be used for laboratory research at a research facility.

7 (h) "Laboratory research" means research, tests, or
 8 experiments conducted for education, scientific, medical, or
 9 experimental purposes.

10 (i) "Municipality" means a county, city, village, or township.

11 (j) "Person" means an individual, estate, business or
 12 nonprofit entity, public corporation, government or governmental
 13 subdivision, agency, or instrumentality, or other legal entity.

14 (k) ~~(e)~~ "Research facility" means ~~any~~ **a school, hospital,**
 15 **laboratory, institution, organization, or person that is licensed**
 16 **or otherwise registered with the United States Department of**
 17 **Agriculture, that** uses or intends to use ~~dogs or cats~~ **a laboratory**
 18 **animal** in laboratory research, ~~tests or experiments,~~ and that ~~(1)~~
 19 ~~purchases~~ **does 1 or both of the following:**

20 (i) **Purchases** or transports ~~such animals, or (2) receives any~~
 21 **laboratory animals.**

22 (ii) **Receives** funds from ~~the~~ **this** state, ~~or~~ ~~a~~ local government,
 23 or ~~any~~ ~~an~~ agency or instrumentality ~~thereof~~ **of this state or a**
 24 **local government** to finance its operations ~~by means of~~ **through**
 25 grants, loans, or ~~otherwise.~~ **other funds.**

26 ~~(f)~~ "Dealer" means ~~any person who for compensation or profit~~
 27 ~~delivers for transportation, transports, boards, buys or sells dogs~~
 28 ~~or cats for research purposes and does not mean a person who breeds~~
 29 ~~or raises dogs or cats for sale to a research facility.~~

1 Sec. 7. (1) Research facilities and dealers shall make and
2 ~~keep such~~ **maintain any** records with respect to their ~~regarding the~~
3 purchase, sale, transportation, and handling of dogs and cats ~~, as~~
4 ~~the director may prescribe.~~ **for laboratory research, and research**
5 **facilities shall maintain any report submitted under section 11a. A**
6 **research facility shall maintain a report submitted under section**
7 **11a for 5 years.**

8 (2) The department shall maintain and make available on its
9 website a list of all research facilities operating in this state.

10 Sec. 8a. (1) Before euthanizing a laboratory animal no longer
11 needed for laboratory research that the attending veterinarian, as
12 that term is defined in 9 CFR 1.1, determines is suitable for
13 adoption, a research facility shall offer the laboratory animal
14 directly to its employees or to an animal protection shelter
15 located in this state for adoption.

16 (2) A research facility that provides a former laboratory
17 animal to an animal protection shelter may enter into a written
18 agreement to carry out the purpose of subsection (1). A written
19 agreement under this subsection may include an acknowledgment that
20 the animal protection shelter accepts and takes responsibility for
21 any and all risks that may be associated with the former laboratory
22 animal and an agreement to waive the right to hold the research
23 facility liable for behavioral or health issues.

24 (3) An animal protection shelter that places a laboratory
25 animal received from a research facility under subsection (1) for
26 adoption shall enter into a written agreement with the individual
27 that adopts the former laboratory animal. A written agreement under
28 this subsection must include an acknowledgment that the adopting
29 individual understands that the animal was a former laboratory

1 animal. A written agreement under this subsection may also require
2 that the adopting individual accepts any and all risks that may be
3 associated with the former laboratory animal and an agreement to
4 waive the right to hold the animal protection shelter liable for
5 behavioral or health issues.

6 (4) This section may be known as "Teddy's law".

7 Enacting section 1. This amendatory act does not take effect
8 unless Senate Bill No. 148 of the 102nd Legislature is enacted into
9 law.