

Animals; exotic; ornamental fish shops; require to accept possession of ornamental fish.

ANIMALS: Exotic; ENVIRONMENTAL PROTECTION: Other; TRADE: Fair trade practices

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 the title and section 1 (MCL 287.331), as amended by 1997 PA 7, and by adding section 8c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 An act to regulate pet shops, animal control shelters, ~~and~~
3 animal protection shelters, AND ORNAMENTAL FISH SHOPS; to estab-
4 lish uniform procedures and minimum requirements for adoption of
5 dogs, cats, and ferrets; and to prescribe penalties and civil
6 fines and to provide remedies.

7 Sec. 1. As used in this act:

1 (a) "Adoption" means a transfer of ownership, with or
2 without remuneration, of a dog, cat, or ferret from an animal
3 control shelter or animal protection shelter to an individual for
4 the purpose of being a companion animal for that individual. As
5 used in this subdivision, a companion animal includes but is not
6 limited to a dog that is used for hunting or as a guard dog.

7 (b) "Alteration" means a professional sterilization proce-
8 dure performed by a veterinarian that renders a dog, cat, or
9 ferret incapable of reproducing.

10 (c) "Altered", in reference to a dog, cat, or ferret, means
11 having undergone alteration.

12 (d) "Animal" means a mammal except livestock as defined in
13 1937 PA 284, MCL 287.121 to 287.131, and rodents.

14 (e) "Animal control shelter" means a facility operated by a
15 municipality for the impoundment and care of animals that are
16 found in the streets or at large, animals that are otherwise held
17 due to the violation of a municipal ordinance or state law, or
18 animals that are surrendered to the animal control shelter.

19 (f) "Animal protection shelter" means a facility operated by
20 a person, humane society, society for the prevention of cruelty
21 to animals, or any other nonprofit organization for the care of
22 homeless animals.

23 (g) "Cat" means a domestic cat of any age of the species
24 felis catus.

25 (h) "Department" means the state department of agriculture.

26 (i) "Director" means the director of the department or his
27 or her authorized representative.

1 (j) "Dog" means a domestic dog of any age of the species
2 canis familiaris.

3 (k) "Ferret" means an animal of any age of the species
4 mustela furo.

5 (l) "Health certificate" means a certificate in a form pre-
6 scribed by the department in which a veterinarian attests to the
7 age, sex, breed, and description of an animal, and to the fact
8 that at the time of preparation of the certificate, the veteri-
9 narian examined the animal and found the animal free from visual
10 evidence of communicable disease.

11 (m) "Municipality" means a county, city, village, or
12 township.

13 (N) "ORNAMENTAL FISH" MEANS LIVE, NONNATIVE, ORNAMENTAL SPE-
14 CIES OF FISH.

15 (O) "ORNAMENTAL FISH SHOP" MEANS A PERSON WHO SELLS OR LOANS
16 ORNAMENTAL FISH TO THE GENERAL PUBLIC FOR HOME OR PUBLIC DISPLAY
17 PURPOSES.

18 (P) ~~(n)~~ "Person" means an individual, partnership, corpo-
19 ration, association, governmental entity, or other legal entity.

20 (Q) ~~(o)~~ "Pet shop" means a place where animals are sold or
21 offered for sale, exchange, or transfer.

22 (R) ~~(p)~~ "Veterinarian" means a person licensed to practice
23 veterinary medicine under article 15 of the public health code,
24 1978 PA 368, MCL 333.16101 to 333.18838.

25 SEC. 8C. AN ORNAMENTAL FISH SHOP SHALL ACCEPT, WITHOUT
26 CHARGE, POSSESSION OF AN ORNAMENTAL FISH OFFERED TO THE

- 1 ORNAMENTAL FISH SHOP BY A PERSON, WHETHER OR NOT THE PERSON
- 2 ACQUIRED THE ORNAMENTAL FISH FROM THAT ORNAMENTAL FISH SHOP.