

# Legislative Analysis



## PROHIBIT PET SHOP SALE OF DOGS, CATS, AND RABBITS

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<http://www.house.mi.gov/hfa>

**House Bill 4838 as introduced**  
**Sponsor: Rep. Penelope Tsernoglou**  
**Committee: Government Operations**  
**Revised 5-28-24**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 4838 would amend 1969 PA 287, which regulates pet shops and animal shelters, to prohibit a pet shop from selling a dog, cat, or rabbit, beginning July 1, 2025. A person violating this prohibition would be subject to a civil fine of up to \$500 per violation, with each animal considered a separate violation. The bill also would revise the act's definitions of the terms *pet shop* and *animal protection shelter*.

Under the bill, beginning July 1, 2025, a ***pet shop*** could not sell, adopt, exchange, or transfer a dog, cat, or ***rabbit*** or offer a dog, cat, or rabbit for sale, adoption, exchange, or transfer. However, a pet shop could collaborate with, and offer space to, an ***animal control shelter*** or ***animal protection shelter*** to showcase adoptable dogs, cats, or rabbits—but it could not retain an adoption fee or any other fee for providing space to a dog, cat, or rabbit showcased under these provisions.

Currently, *pet shop* means a place where animals are sold or offered for sale, exchange, or transfer. The bill would instead define ***pet shop*** as a brick-and-mortar commercial establishment that sells or offers for sale at retail animals that are not bred at the establishment.

***Rabbit*** would mean a domestic rabbit of any age of the species *Oryctolagus cuniculus domesticus*.

***Animal control shelter*** means a facility operated by a county, city, village, or township for the impoundment and care of animals that are found in the streets or at large, animals that are otherwise held due to the violation of a municipal ordinance or state law, or animals that are surrendered to the animal control shelter.

Currently, ***animal protection shelter*** means a facility operated by a person, humane society, society for the prevention of cruelty to animals, or any other nonprofit organization for the care of homeless animals. The bill would limit the term to mean only a *not-for-profit* facility operated by an entity described above.

A person that violates the above prohibition would be subject to a civil fine of up to \$500 for each violation, with each dog, cat, or rabbit sold, adopted, exchanged, or transferred, or offered for sale, adoption, exchange, or transfer in violation considered a separate violation. The prosecutor of the county where the violation occurred or the attorney general could bring an action to collect the fine.

Finally, the bill would amend provisions that now apply to the sale of dogs and cats by pet shops to provide that they only apply through June 30, 2025.

MCL 287.331, 287.335a, and 287.340

## **FISCAL IMPACT:**

House Bill 4838 would have an indeterminate fiscal impact on the state and on local units of government. The fiscal impact would depend on the number of people found in violation and ordered to pay a civil fine of not more than \$500. Revenue collected from payment of civil fines is used to support public and county law libraries. Also, under section 8827(4) of the Revised Judicature Act, a judge can order \$10 of the civil fine to be deposited into the state's Justice System Fund (JSF), which supports various justice-related endeavors in the judicial branch and legislative branches of government and the Departments of State Police, Corrections, Health and Human Services, and Treasury. The fiscal impact on local court systems would depend on how provisions of the bill affect court caseloads and related administrative costs. Because there is no practical way to determine the number of violations that will occur, estimates of fine revenue and costs to local courts cannot be made.

The bill would authorize the Department of Attorney General (AG) to bring a civil action to recover civil fines from pet shops. The number of civil actions brought as a result of the bill would likely not result in any additional costs to the AG. However, if existing AG staff were insufficient to provide the required legal services, additional state costs of approximately \$100,000 annually for any additional support staff FTE position and \$200,000 annually for any additional attorney FTE position may be required.

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