



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 148 and 149 (as reported without amendment)
Sponsor: Senator Dayna Polehanki (S.B. 148)
Senator Kevin Hertel (S.B. 149)
Committee: Natural Resources and Agriculture

CONTENT

Senate Bill 149 would amend Public Act 224 of 1969, which regulates research facilities that use cats or dogs, to do the following:

- Require the Michigan Department of Agriculture and Rural Development (MDARD) to maintain and make available on its website a list of all research facilities operating in Michigan.
- Require a research facility to offer for adoption a cat or dog that was no longer needed for research and would be euthanized to an animal protection shelter or animal control shelter.
- Exempt research facilities and shelters from civil liability in the transfer of a laboratory animal.
- Modify certain definitions.

Senate Bill 148 would amend Public Act 224 of 1969 to do the following:

- Require a research facility that used cats or dogs to submit a report to MDARD, by March 31 of each year, that included information about laboratory cats and dogs and the release of those animals to animal protection shelters or animal control shelters.
- Prescribe administrative fines for a research facility that did not offer the appropriate release of a cat or dog no longer needed for research.
- Create the Laboratory Animal Fund and prescribe how money would be spent from or deposited into the Fund.

The bills are tie-barred.

MCL 287.392 et al. (S.B. 148)
248.381 et al. (S.B. 149)

Legislative Analyst: Eleni Lionas

BRIEF RATIONALE

In October 2022, approximately 4,000 beagles were rescued from a research facility in Virginia and re-homed by animal rescue organizations across the country. Apparently, this situation is not uncommon and many cats and dogs could be ultimately adopted when removed from a laboratory setting. Some people believe that Michigan should join 13 other states in offering adoption programs for cats and dogs that could be adopted but would otherwise be euthanized by laboratories.

FISCAL IMPACT

The bills would have a moderate fiscal impact on MDARD and a minor fiscal impact on the Department of Attorney General.

The bills would require MDARD to perform certain administrative duties, including the establishment of a database of all research facilities using dogs or operating as laboratory animals research facilities in Michigan (and publish this on its website). They would allow MDARD to impose administrative fines on facilities in violation of the bills' provisions and annually gather data related to the operations of research facilities that use laboratory animals. The Department estimates that compliance with the bills' requirements would require an additional 1.0 FTE and \$200,000 in appropriations. The percentage of the estimated appropriation that would have to come from General Fund/general purpose dollars would depend upon the amount of restricted revenue received from potential fines.

Senate Bill 149 would create the Laboratory Animal Fund in the State Treasury, into which the administrative fines (and other sources) proposed under Senate Bill 148 would be deposited for use by MDARD in the administration of the bills' provisions. It cannot be estimated at this time the amount of funds that would be deposited in the Fund annually. Money in the Fund at the close of the fiscal year would remain in the Fund and would not lapse to the General Fund.

Senate Bill 149 also would add additional costs to the Attorney General by requiring the Attorney General to bring civil action against individuals who failed to pay administrative fines under the bill. The costs would include additional prosecutor and support staff. The costs are likely to be minimal and supported within current appropriations as the number of individuals likely to be prosecuted would be minimal and there would be no timeline on whether the Attorney General would have to bring civil action against individuals.

The bills would add costs to the Department of Treasury to create and administer the Laboratory Animal Fund. The costs are likely to be less than \$100 charged to the Department and supported within current appropriations.

Date Completed: 6-15-23

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.