



House Bill 4147

Sponsor: Rep. Gerald H. Law

Committee: Judiciary

Complete to 2-22-91

A SUMMARY OF HOUSE BILL 4147 AS INTRODUCED 2-7-91

The Michigan Penal Code outlaws dogfighting, bear baiting, and related animal fighting exhibitions; sanctions regarding fighting between animals also generally apply to activities where animals are used as targets. In general, the bill would increase various penalties and expand their application, as described below.

Participation. It is a felony to own a fighting animal, to be a party to fighting between animals, or to obtain or provide a place for animal fighting. The bill would in addition make it a felony to steal fighting animals, to breed animals for fighting or fight training, to import or export such animals, to promote an animal fighting exhibition, or to manufacture or possess animal fighting equipment. The prohibitions would be extended to specifically include birds, in addition to dogs, bears, and bulls, among the animals to which the prohibitions specifically apply. While the maximum prison term for the felony would remain four years, the maximum fine would be increased from \$5,000 to \$25,000 for the first offense, and to \$100,000 for a second or subsequent offense. The bill would specifically authorize the court to order up to 1,500 hours of unpaid community service.

Attendance. It is a felony to attend a proscribed exhibition or to be present where preparations are underway for one. The bill would distinguish between first and subsequent offenses. A first offense would be a misdemeanor punishable by up to 90 days in jail, a fine of up to \$500, or both. A second or subsequent offense would be a felony punishable, as now, by up to four years in prison; however, the maximum fine would be increased from \$2,000 to \$25,000, and the court would be authorized to impose up to 800 hours of unpaid community service.

Breeding. Prohibitions against breeding, selling, or buying a dog used for fighting--a felony--would be extended to include dogs used for any of the outlawed types of exhibitions. The maximum prison term would remain at four years, but the maximum fine would be increased from \$2,000 to \$25,000. The court could order up to 800 hours of community service.

Attacks on humans. Various offenses deal with attacks on humans by dogs trained for fighting or descended from dogs trained for fighting. The bill would increase the penalties attached to some of the offenses. If the dog's owner or another person incited the dog to an attack which did not result in the death of a person, the dog's owner would continue to be guilty of a four-year felony, but the possible fine would be increased from \$2,000 to \$25,000, and up to 500 hours of community service could be ordered. The owner of a fighting dog that attacked without provocation and killed a person is at present guilty

of a felony punishable by up to 15 years in prison. Under the bill, the owner would be guilty of involuntary manslaughter, a 15-year felony which is also punishable by a fine of up to \$7,500. The owner of a dog that made an unprovoked, nonfatal attack is at present guilty of a misdemeanor; under the bill, the offense would be a felony, punishable by imprisonment for up to four years, a fine of up to \$2,000, community service of up to 500 hours, or any combination of the three. Community service of up to 250 hours would be made a sentencing option for offenses involving fighting dogs that strayed.

MCL 750.49