

HOUSE BILL No. 4384

February 21, 1991, Introduced by Reps. Rocca, Harder, DeMars, Porreca, Munsell, McBryde, Barns, Olshove, Gire, Law, Joe Young, Jr., Willis Bullard, Wozniak and Bouchard and referred to the Committee on Judiciary.

A bill to amend section 50 of Act No. 328 of the Public Acts of 1931, entitled "The Michigan penal code," as amended by Act No. 204 of the Public Acts of 1988, being section 750.50 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 50 of Act No. 328 of the Public Acts of
2 1931, as amended by Act No. 204 of the Public Acts of 1988, being
3 section 750.50 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 50. (1) AS USED IN THIS SECTION:

6 (A) "ADEQUATE CARE" MEANS THE PROVISION OF SUFFICIENT FOOD,
7 WATER, SHELTER, AND MEDICAL ATTENTION IN ORDER TO MAINTAIN AN
8 ANIMAL IN A STATE OF GOOD HEALTH.

1 (B) "DOMESTIC" MEANS A SPECIES OF ANIMAL THAT IS ADAPTED
 2 THROUGH BREEDING IN CAPTIVITY TO A LIFE INTIMATELY ASSOCIATED
 3 WITH HUMAN BEINGS.

4 (2) An owner, possessor, or person having the charge or cus-
 5 tody of an animal ~~, who cruelly drives or works the animal when~~
 6 SHALL NOT DO ANY OF THE FOLLOWING:

7 (A) CRUELLY DRIVE OR WORK AN ANIMAL IF the animal is unfit
 8 for labor. ~~, or who carries or causes~~

9 (B) CARRY OR CAUSE to be carried on or upon a vehicle or
 10 otherwise ~~any~~ A live animal having the feet or legs tied
 11 together, or in any other cruel and ~~inhuman~~ INHUMANE manner.
 12 ~~, or shall carry~~

13 (C) CARRY or cause to be carried a live animal in or upon a
 14 vehicle or otherwise without providing a suitable rack, car,
 15 crate, or cage, in which the animal may stand or lie down during
 16 transportation, ~~and~~ OR while awaiting slaughter. ~~, or who~~
 17 ~~shall abandon~~

18 (D) ABANDON an animal, in any place, without making provi-
 19 sions for the animal's adequate care. ~~, or who shall willfully~~

20 (E) WILLFULLY or negligently permit and allow an aged, dis-
 21 eased, maimed, hopelessly sick, or disabled animal to suffer
 22 unnecessary torture or pain. ~~, is guilty of a misdemeanor.~~

23 ~~"Adequate care" means the provision of sufficient food, water,~~
 24 ~~shelter, and medical attention in order to maintain an animal in~~
 25 ~~a state of good health.~~

26 (3) A PERSON SHALL NOT DO EITHER OF THE FOLLOWING:

1 (A) KILL A DOMESTIC DOG OR DOMESTIC CAT FOR THE PURPOSE OF
2 CONSUMING ALL OR PART OF THE DOMESTIC DOG OR DOMESTIC CAT AS
3 FOOD.

4 (B) KILL A DOMESTIC DOG OR DOMESTIC CAT FOR THE PURPOSE OF
5 SELLING OR TRANSFERRING THE DOMESTIC DOG OR DOMESTIC CAT TO
6 ANOTHER PERSON TO BE CONSUMED AS FOOD.

7 (4) A PERSON WHO VIOLATES SUBSECTION (2) OR (3) IS GUILTY OF
8 A MISDEMEANOR PUNISHABLE BY 1 OR MORE OF THE FOLLOWING:

9 (A) IMPRISONMENT FOR NOT MORE THAN 90 DAYS.

10 (B) A FINE OF NOT MORE THAN \$2,000.00.

11 (C) COMMUNITY SERVICE WORK FOR NOT MORE THAN 500 HOURS.

12 (5) AN OWNER OF AN ANIMAL SHALL NOT WILLFULLY AND CRUELLY
13 KILL, MAIM, OR MUTILATE AN ANIMAL OWNED BY THAT PERSON. A PERSON
14 WHO VIOLATES THIS SUBSECTION IS GUILTY OF A FELONY PUNISHABLE BY
15 1 OR MORE OF THE FOLLOWING:

16 (A) IMPRISONMENT FOR NOT MORE THAN 2 YEARS.

17 (B) A FINE OF NOT MORE THAN \$10,000.00.

18 (C) THE COSTS OF PROSECUTION.

19 (D) THE COST OF VETERINARY MEDICAL CARE FOR THE ANIMAL OR
20 ANIMALS THAT ARE THE SUBJECT OF THE PROSECUTION.

21 (E) COMMUNITY SERVICE FOR NOT MORE THAN 1,000 HOURS.

22 (F) PARTICIPATION IN OUTPATIENT MENTAL HEALTH TREATMENT.

23 (G) RELINQUISHMENT OF ANIMAL OWNERSHIP PRIVILEGES.