

SENATE BILL NO. 705

September 21, 1999, Introduced by Senator STILLE and referred to the Committee on Farming, Agribusiness and Food Systems.

A bill to provide regulations and prohibitions concerning wolf-dog crosses; to require the licensing of wolf-dog crosses; to impose fees; to prescribe the powers and duties of certain federal, state, and local governmental entities and officials; to provide standards for the care of wolf-dog crosses; and to prescribe penalties and provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "wolf-dog cross act".

3 Sec. 2. As used in this act:

4 (a) "Facility" means an indoor or outdoor cage, pen, or sim-
5 ilar enclosure.

6 (b) "Law enforcement authority" means:

7 (i) A sheriff or sheriff's deputy.

- 1 (ii) A village or township marshal.
- 2 (iii) An officer of the police department of any city,
3 village, or township.
- 4 (iv) An officer of the Michigan state police.
- 5 (v) A peace officer who is trained and certified under the
6 commission on law enforcement standards act, 1965 PA 203, MCL
7 28.601 to 28.616.
- 8 (vi) A conservation officer appointed by the department of
9 natural resources.
- 10 (vii) An animal control officer of a local unit of
11 government.
- 12 (viii) A law enforcement officer of the federal government
13 authorized to enforce any federal law regulating a wolf-dog
14 cross.
- 15 (c) "Livestock" means that term as defined in the animal
16 industry act of 1987, 1988 PA 466, MCL 287.701 to 287.747.
- 17 (d) "Local unit of government" means a city, village, town-
18 ship, or county.
- 19 (e) "Person" means an individual, partnership, corporation,
20 association, governmental entity, or other legal entity.
- 21 (f) "Person in possession" includes a person who was in pos-
22 session of a wolf-dog cross before the wolf-dog cross escaped or
23 was released.
- 24 (g) "Veterinarian" means a person licensed to practice vet-
25 erinary medicine under article 15 of the public health code, 1978
26 PA 368, MCL 333.16101 to 333.18838.

1 (h) "Wolf" means an animal of the species *Canis lupus* or
2 *Canis rufus*.

3 (i) "Wolf-dog cross" means an individual canid that is any
4 of the following:

5 (i) A crossbreed resulting from the breeding of a wolf with
6 a dog.

7 (ii) A crossbreed resulting from the breeding of 2 wolf-dog
8 crosses.

9 (iii) A crossbreed resulting from the breeding a wolf-dog
10 cross with a dog.

11 (iv) A crossbreed resulting from the breeding of a wolf-dog
12 cross with a wolf.

13 (v) An animal that has been represented as a wolf-dog cross
14 by the owner or person in possession or was represented as a
15 wolf-dog cross by a previous owner or person previously in
16 possession. For the purposes of this subparagraph, a representa-
17 tion may be by advertisement, registration paper, or any other
18 method.

19 Sec. 3. (1) A person shall not possess a wolf-dog cross
20 except in compliance with this act.

21 (2) A person shall not do either of the following:

22 (a) Possess a wolf-dog cross unless the person was in pos-
23 session of that wolf-dog cross on the effective date of this
24 act.

25 (b) Breed animals to produce a wolf-dog cross.

26 (3) A person shall not possess a wolf-dog cross unless both
27 of the following requirements are met:

1 (a) The wolf-dog cross has been sexually sterilized.

2 (b) The wolf-dog cross has been permanently identified by
3 means of a subcutaneous microchip.

4 Sec. 4. A person in possession of a wolf-dog cross shall
5 annually obtain a wolf-dog cross license for each wolf-dog cross
6 that the person possesses. The first license shall be obtained
7 not more than 30 days after the effective date of this act. A
8 rabies vaccination is not required to obtain a wolf-dog cross
9 license unless the federal government has approved a rabies vac-
10 cine for use on wolf-dog crosses. A wolf-dog cross license shall
11 otherwise be obtained and issued, proof of the license shall be
12 produced, and the license tag shall be kept on the wolf-dog cross
13 in the same manner and subject to the same requirements as a dog
14 license or tag under the dog law of 1919, 1919 PA 339, MCL
15 287.261 to 287.290.

16 Sec. 5. (1) A wolf-dog cross shall not be tethered out-
17 doors, such as on a leash or chain, or allowed to run at large.
18 Except as otherwise provided in this act, a wolf-dog cross shall
19 be constantly kept in a facility that meets all of the following
20 requirements:

21 (a) The facility is sufficiently secure to prevent the
22 wolf-dog cross's escape and protect the animal from injury.

23 (b) The facility is constructed of cement blocks, bricks,
24 concrete, chain link fence, wires, or bars of a suitable thick-
25 ness, gauge, or diameter to prevent the wolf-dog cross's escape
26 and to protect the wolf-dog cross from injury.

1 (c) The facility is well braced and securely anchored at
2 ground or floor level and utilizes metal clamps, ties, or braces
3 of a strength adequate to safely contain the wolf-dog cross.

4 (d) The facility has a lock that is kept locked at all times
5 when the wolf-dog cross is kept in the facility.

6 (2) The person in possession of the wolf-dog cross is not
7 required to keep the wolf-dog cross in a facility if the wolf-dog
8 cross is kept in the person's residence. This subsection does
9 not apply if there is a person less than 21 years of age in the
10 residence unless the wolf-dog cross is under the supervision of a
11 person 21 years of age or older.

12 (3) A person in possession of a wolf-dog cross shall comply
13 with all of the following requirements:

14 (a) The person shall present a wolf-dog cross license or
15 proof of sterilization for the wolf-dog cross upon the request of
16 a law enforcement authority.

17 (b) The person shall not place the wolf-dog cross under the
18 supervision of a person less than 21 years of age.

19 (c) The person shall post and maintain clearly legible signs
20 stating "A wolf-dog cross, which is a potentially dangerous
21 animal, is kept on this property.". A sign shall be posted as
22 follows:

23 (i) At each fence gate providing access to a residence on
24 the property, providing access to a building in which the
25 wolf-dog cross's facility is located, or providing access to the
26 facility.

1 (ii) On the outside of each door providing access to a
2 residence on the property or providing access to any building in
3 which the wolf-dog cross's facility is located.

4 (iii) On each side of the wolf-dog cross's facility, unless
5 the facility is located in a residence or other building.

6 (d) The wolf-dog cross shall not be mistreated or
7 neglected.

8 (e) The conditions in which the wolf-dog cross is kept,
9 including, but not limited to, the following, shall be safe and
10 conducive to the wolf-dog cross's physical health and comfort and
11 shall promote normal behavior:

12 (i) Temperature.

13 (ii) Ventilation.

14 (iii) Humidity.

15 (iv) Drainage.

16 (v) Sanitation.

17 (vi) Diet.

18 (vii) Exercise.

19 (f) Potable drinking water shall be provided daily in a
20 clean, accessible container, unless otherwise directed by a
21 veterinarian.

22 (g) While a wolf-dog cross's facility is being cleaned, the
23 person in possession of the wolf-dog cross shall keep the
24 wolf-dog cross in the person's residence as provided under sub-
25 section (2) or in a shift cage. The shift cage shall be of a
26 size appropriate for the wolf-dog cross and of a construction
27 adequate to safely contain the wolf-dog cross.

1 (h) The person in possession of a wolf-dog cross shall not
2 allow the wolf-dog cross outdoors unless 1 or more of the follow-
3 ing apply:

4 (i) The person has the wolf-dog cross under direct control
5 or on a secure leash and the wolf-dog cross is on property owned
6 by that person in an area completely enclosed by a secure fence.
7 The fence shall be at least 6 feet high and all the gates of the
8 fence shall be locked.

9 (ii) The person has the wolf-dog cross on a secure leash on
10 property other than property owned by that person.

11 (iii) The wolf-dog cross is being moved between any 2 of the
12 following:

13 (A) The wolf-dog cross's facility.

14 (B) The residence of the person in possession of the
15 wolf-dog cross, pursuant to subsection (2).

16 (C) A shift cage, pursuant to subsection (3)(g).

17 (D) A vehicle, pursuant to section 6.

18 Sec. 6. A person transporting a wolf-dog cross in a vehicle
19 shall comply with the standards of the international air trans-
20 port association applicable to a dog.

21 Sec. 7. (1) If a wolf-dog cross potentially exposes a human
22 to rabies by any penetration of the skin by teeth, any scratch
23 that causes penetration of the skin, any abrasion that causes
24 penetration of the skin, or contamination of open wounds or
25 mucous membranes with saliva or other infectious material, the
26 person in possession of the wolf-dog cross shall report the

1 potential exposure to the local health department within 24
2 hours.

3 (2) If a wolf-dog cross potentially exposes livestock or a
4 mammalian pet to rabies by any penetration of the skin by teeth,
5 any scratch that causes penetration of the skin, any abrasion
6 that causes penetration of the skin, or contamination of open
7 wounds or mucous membranes with saliva or other infectious mate-
8 rial, the person in possession of the wolf-dog cross shall report
9 the potential exposure to the licensing agency within 24 hours.

10 (3) If a wolf-dog cross potentially exposes a human, live-
11 stock, or a mammalian pet to rabies by any means identified in
12 subsection (1), the wolf-dog cross shall be humanely euthanized.
13 The wolf-dog cross shall be immediately examined for rabies in
14 the manner provided by rules promulgated under section 5111 of
15 the public health code, 1978 PA 368, MCL 333.5111.

16 Sec. 8. A law enforcement authority or other person may
17 kill a wolf-dog cross if the person sees the wolf-dog cross pur-
18 suing, attacking, or wounding livestock or poultry or attacking a
19 person. The law enforcement authority or other person is not
20 liable in damages or otherwise for killing the wolf-dog cross.

21 Sec. 9. (1) The person in possession of a wolf-dog cross is
22 liable in a civil action for the death of or injury to any
23 animal, or a human, or for property damage caused by the wolf-dog
24 cross.

25 (2) If a wolf-dog cross escapes or is released, intention-
26 ally or unintentionally, the person in possession of the wolf-dog
27 cross shall immediately contact a law enforcement officer of the

1 local unit of government where the escape or release occurred to
2 report the loss, escape, or release. The person in possession of
3 the wolf-dog cross is liable for all expenses associated with
4 efforts to recapture the wolf-dog cross that is released or
5 escapes.

6 Sec. 10. (1) A facility housing a wolf-dog cross is subject
7 to inspection at reasonable hours by a law enforcement authority
8 to ensure compliance with this act. If entry for an inspection
9 is refused, the law enforcement authority shall obtain an admin-
10 istrative inspection warrant before conducting the inspection.

11 (2) A law enforcement authority may seize a wolf-dog cross
12 incident to a lawful arrest for a violation of this act and
13 impound the wolf-dog cross pending the outcome of the criminal
14 action and possible loss of animal ownership privileges under
15 section 11.

16 Sec. 11. (1) Except as provided in subsection (2), a person
17 who violates this act is guilty of a misdemeanor punishable by 1
18 or more of the following:

19 (a) A fine of not more than \$1,000.00, plus costs of
20 prosecution.

21 (b) Imprisonment for not more than 93 days.

22 (c) Community service work for not more than 1,000 hours.

23 (d) Loss of canid ownership privileges.

24 (2) A person who, in violation of section 3(2), knowingly
25 possesses a wolf-dog cross, unless the person was in possession
26 of that wolf-dog cross on the effective date of this act, or
27 knowingly breeds animals to produce a wolf-dog cross is guilty of

1 a misdemeanor punishable by a fine of not less than \$1,000.00 or
2 more than \$5,000.00, plus costs of prosecution. In addition, the
3 person may be punished by 1 or more of the following:

4 (a) Imprisonment for not more than 93 days.

5 (b) Community service work for not more than 1,000 hours.

6 (c) Loss of animal ownership privileges.

7 Sec. 12. A city, village, township, or county may adopt an
8 ordinance pertaining to wolf-dog crosses that is more restrictive
9 than this act.