

DOG BITE RESPONSIBILITIES

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Senate Bill 346

Sponsor: Sen. Gerald Van Woerkom

House Committee: Judiciary

Senate Committee: Judiciary

Complete to 6-24-08

A SUMMARY OF SENATE BILL 346 AS PASSED BY THE SENATE 12-12-07

The bill would add a new section to the Michigan Penal Code to require an adult whose dog bites another person to remain on the scene and provide certain information or face criminal penalties. The bill would take effect April 1, 2008.

Under the bill, a person who was at least 18 years of age who was responsible for controlling the actions of a dog or a wolf-dog cross, and who knew or had reason to know that the animal had bitten any individual, would have to immediately do both of the following:

- Provide the individual who had been bitten with his or her name and address and, if the person did not own the animal, then the name and address of the animal's owner.
- Provide the individual with information, if known by that person, as to whether the animal was current on all legally required vaccinations.

A person who knew or had reason to know that a dog or wolf-dog cross in his or her custody had bitten any individual would have to remain on the scene until the above requirements were fulfilled unless it was necessary for the person to leave the scene to secure medical assistance as required above.

A violation of the bill's requirements would be a misdemeanor punishable by imprisonment for not more than 93 days and/or a fine of not more than \$500.

The bill would not apply if a person were bitten by a police dog (a dog used by a state or local law enforcement agency that is trained for law enforcement work and subject to the control of a dog handler).

Under the bill, "dog" and "wolf-dog cross" would mean those terms as defined in Section 2 of the Wolf-Dog Cross Act, Public Act 246 of 2000. There, "dog" means an animal of the species *Canis familiaris* or *Canis lupus familiaris*. "Wolf-dog cross" means a canid resulting from the breeding of any of the following: 1) a wolf with a dog, 2) a wolf-dog cross with a wolf, 3) a wolf-dog cross with a dog; and 4) a wolf-dog cross with a wolf-dog cross.

MCL 750.66

FISCAL IMPACT:

The bill would have no fiscal impact on the state and an indeterminate fiscal impact on local units of government. To the extent that the bill increased the numbers of misdemeanor convictions, it could increase local costs of misdemeanor probation supervision or jail incarceration for convicted misdemeanants, both of which vary with jurisdiction. Any increase in penal fine revenues could benefit local libraries, which are the constitutionally-designated recipients of those revenues.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.