



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 4065 (as passed by the House)

Sponsor: Representative Jeff Mayes

House Committee: Judiciary

Senate Committee: Judiciary

Date Completed: 6-17-08

CONTENT

The bill would amend the Michigan Penal Code to specify the responsibilities of a person who had custody of a dog or wolf-dog cross that bit a person, and to prescribe criminal penalties for failing to fulfill those responsibilities.

Under the bill, if a person who had custody of a dog or wolf-dog cross knew or had reason to know that the dog or wolf-dog cross had bitten any individual, the person would have to give that individual both of the following:

- His or her name and address and, if the person with custody of the animal did not own it, the name and address of the owner.
- Information, if known by the person with custody, as to whether the dog or wolf-dog cross was current on all legally required vaccinations.

If the person who was bitten were injured, the person with custody of the dog or wolf-dog cross also would have to do one of the following:

- Render reasonable assistance in securing medical aid.
- Inform the nearest or most convenient police agency or emergency services provider that medical attention was required for the individual.
- Arrange for or provide transportation to the individual.

In addition, 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 bill's requirements were fulfilled, unless it was necessary for the person to leave the scene to fulfill the care, reporting, or transportation requirements described above.

A violation of the bill would be a misdemeanor punishable by up to 93 days' imprisonment and/or a maximum fine of \$500.

The bill would not apply if an individual 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).

"Dog" and "wolf-dog cross" would mean those terms as defined in the Wolf-Dog Cross Act (MCL 287.1002). (Under that Act, "dog" means an animal of the species *Canis familiaris* or *Canis lupus familiaris*. "Wolf-dog cross" means mean a canid resulting from the breeding of

any of the following: a wolf with a dog; a wolf-dog cross with a wolf; a wolf-dog cross with a dog; or a wolf-dog cross with a wolf-dog cross.)

Proposed MCL 750.66

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on local government. There are no data to indicate how many offenders would be convicted of leaving the scene of a dog bite incident without fulfilling the requirements of the bill. Local governments would incur the costs of misdemeanor probation and incarceration in local facilities, which vary by county. Additional penal fine revenue would benefit public libraries.

Fiscal Analyst: Lindsay Hollander

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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.