



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 4552 (Substitute S-7 as reported by the Committee of the Whole)

Sponsor: Representative Pam Byrnes

House Committee: Judiciary

Senate Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to revise the prohibitions against and penalty for killing, torturing, mutilating, maiming, or disfiguring an animal (any vertebrate other than a human); exempt the practice of veterinary medicine from the prohibition and penalty; and specify that the prohibition and penalty would not apply to the lawful killing of an animal pursuant to Section 19 of the Dog Law (which allows the killing of any dog pursuing, worrying, or wounding any livestock or poultry or attacking people).

Under the Code, it is a felony, punishable by up to four years' imprisonment, a maximum fine of \$5,000, up to 500 hours of community service, or any combination of those penalties, for a person to do any of the following:

- Willfully, maliciously, and, without just cause or excuse, kill, torture, mutilate, maim, or disfigure an animal, or administer poison to an animal.
- Expose an animal to any poisonous substance, other than one that is used for therapeutic veterinary medicinal purposes, with the intent that the animal take or swallow the substance.

Under the bill, instead, a person would be prohibited from doing any of the following without just cause: knowingly killing, torturing, mutilating, maiming, or disfiguring an animal; committing a reckless act knowing or having reason to know that it would cause an animal to be killed, tortured, mutilated, maimed, or disfigured; or knowingly administering poison to an animal, or knowingly exposing an animal to any poisonous substance with the intent that the animal take or swallow the substance. The maximum fine would be \$5,000 for a single animal and \$2,500 for each additional animal involved in the violation. The total fine could not exceed \$20,000. The maximum term would remain four years.

The bill would take effect on January 1, 2009.

MCL 750.50b

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of animal cruelty. To the extent that the bill would increase convictions, local governments would incur increased costs of incarceration in local facilities, which vary by county. The State would incur increased costs of incarceration in a State facility at an average annual cost of \$32,000. Additional penal fine revenue would benefit public libraries.

Date Completed: 12-3-08

Fiscal Analyst: Lindsay Hollander

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Analysis available @ <http://www.michiganlegislature.org>

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.