



Senate Fiscal Agency
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Senate Bill 990 (Substitute S-1 as reported)
Sponsor: Senator John Pappageorge
Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to do the following with respect to an animal that was trained or used for fighting and seized by a law enforcement officer:

- Require an animal control shelter or animal protection shelter that took custody of the animal to give notice of the seizure within 72 hours.
- Allow the shelter to dispose of the animal by adoption, transfer, or euthanasia after 14 days, if the owner or possessor of the animal had not posted a security deposit or bond.
- Establish a procedure for the person who owned or possessed the seized animal to post a security deposit or bond to prevent the disposition of the animal, and require the person to renew the deposit or bond if a criminal trial were continued.
- Require the security deposit or bond to be in an amount sufficient to pay for the shelter's costs to house and care for the animal.
- Allow the shelter to draw on the security deposit or bond to cover the costs of the animal's seizure, care, and disposition.
- Allow the shelter to euthanize the animal, despite the payment of a security deposit or bond, in certain cases.
- Require the partial return of a security deposit or bond, if the person who owned or possessed the animal were found not guilty in an animal fighting criminal action.

The bill also would do the following:

- Specify that a prohibition against breeding, buying, selling, exchanging, importing, or exporting an animal trained or used for fighting, or the offspring of such an animal, would not apply to the adoption of an animal as allowed under the bill.
- Allow court-ordered costs assessed against a person convicted of animal fighting to include the cost of investigating the violation as well as the cost of food, water, shelter, and disposition of the animal.

MCL 750.49

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have a varying fiscal impact on county animal control facilities. In the handling of seized animals, facilities could be required to hold these animals for a shorter period of time than is currently required in certain instances prior to disposition; in instances when they would be required to hold an animal for a longer period (known ownership, court cases), there would be a process that would enable the facilities to recoup their holding and disposition costs from the animal's owner.

Date Completed: 10-1-14

Fiscal Analyst: Bruce Baker

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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.