

Legislative Analysis



UNAUTHORIZED REMOVAL OF DOG COLLAR

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5215 (proposed substitute H-1)

Sponsor: Rep. Triston Cole

Committee: Natural Resources

Complete to 4-25-16

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5215 would amend the Michigan Penal Code to prohibit the removal of a dog's collar by an individual who is not the owner of that dog or authorized agent of that dog's owner while that dog is engaged in lawful hunting. The bill would take effect 90 days after being enacted into law.

The new Section 70a being added would set the penalty for unauthorized removal as a civil infraction with a fine of not less than \$100 but not more than \$1,000. An individual who removes the collar with the intent to impede or interfere with hunting duties performed by that dog is guilty of a misdemeanor punishable by up to 90 days imprisonment and/or a fine of not less than \$100 but not more than \$1,000. In addition to the above penalties, restitution must be made for the value of the removed collar and the dog, if the removed collar or the dog is not recovered. The restitution amount would be determined by receipts or by an individual with expertise in determining the value of these items.

The bill also would define hunting to mean "allowing a dog to range freely within sight or sound of its owner while in the course of hunting legal game or an unprotected animal."

Owner would mean "an individual who has property rights in a dog or an individual who keeps or harbors a dog or has a dog in his or her care. Owner includes an individual who permits a dog to remain on or about any premises occupied by that individual."

FISCAL IMPACT:

To the extent that the bill results in a greater number of convictions, it could increase costs on local correctional systems. New misdemeanor convictions could increase costs related to county jails and/or local misdemeanor probation supervision. The costs of local incarceration in a county jail and local misdemeanor probation supervision vary by jurisdiction. Increases in penal fine revenues would increase funding for local libraries, which are the constitutionally-designated recipients of those revenues. Also, the bill could have an impact on the judiciary and on local court funding units. The fiscal impact would depend on how the provisions of the bill affected caseloads and related administrative costs.

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