



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 4355 (Substitute S-1 as reported)
Sponsor: Representative Paul Muxlow
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would add Section 8b to Public Act 287 of 1969, which regulates pet shops, animal control shelters, and animal protection shelters, to require an animal control shelter or animal protection shelter to conduct a search using the Internet Criminal History Access Tool (ICHAT) before allowing an individual to adopt an animal, in order to determine whether he or she had a prior criminal history for an animal abuse offense. A shelter would not be in violation of the Act if it searched for an individual on ICHAT and the search failed to disclose that the person had a prior criminal history for an animal abuse offense.

The requirement to conduct an ICHAT search would not apply to a pet shop that allowed an animal protection shelter to use pet shop resources, including the pet shop's premises, facilities, employees, equipment, and advertising for pet adoptions. The requirement also would not apply to a pet shop that worked with an animal protection shelter but did not perform adoptions except as an agent of the shelter. A pet shop described in these provisions would not be an animal protection shelter and would not be liable for any pet adoptions performed by an animal protection shelter.

Section 8b could be referred to as "Logan's Law".

This bill would take effect 90 days after its enactment.

Proposed MCL 287.338b

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State government, but would have a minimal impact on local units of government that operate animal shelters. These shelters would have to perform background checks of potential animal adopters, which would result in some additional administrative duties, though the cost of performing the required ICHAT search would be waived under current law.

Date Completed: 2-22-16

Fiscal Analyst: Bruce Baker