



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 4355 (as passed by the House)
Sponsor: Representative Paul Muxlow
House Committee: Judiciary
Senate Committee: Judiciary

Date Completed: 2-16-16

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 the shelter 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.

(The Act defines "animal control shelter" as a facility operated by a municipality for the impoundment and care of animals that are found in the streets or at large, animals that are otherwise held due to the violation of a municipal ordinance or State law, or animals that are surrendered to the animal control shelter. "Animal protection shelter" means a facility operated by a person, humane society, society for the prevention of cruelty to animals, or any other nonprofit organization for the care of homeless animals. "Pet shop" means a place where animals are sold or offered for sale, exchange, or transfer.)

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

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.

Fiscal Analyst: Bruce Baker

S1516\4355sa

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.