



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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House Bill 4478 (Substitute S-1 as reported)  
Sponsor: Representative Robert L. Kosowski  
House Committee: Criminal Justice  
Senate Committee: Judiciary

### **CONTENT**

The bill would amend the Revised Judicature Act to allow a domestic violence personal protection order (PPO) that restrained or enjoined a person from taking certain actions with regard to an animal owned by the protected person.

The Act allows a person to petition the court to enter a PPO to restrain or enjoin a person in a domestic violence situation from engaging in certain actions. The bill would include in those actions any of the following, with respect to an animal in which the petitioner had an ownership interest, if the action were taken with the intent to cause the petitioner mental distress or to exert control over the petitioner:

- Injuring, killing, torturing, neglecting, or threatening to injure, kill, torture, or neglect the animal.
- Removing the animal from the petitioner's possession.
- Retaining or obtaining possession of the animal.

For purposes of that provision, a petitioner would have an ownership interest in a companion animal if he or she had a right of property in the animal or kept or harbored the animal, the animal were in the petitioner's care, or the petitioner permitted the animal to remain on or about his or her premises.

The bill would take effect 90 days after its enactment.

MCL 600.2950

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bill would have a negative, although likely small, fiscal impact on State and local government. The maximum penalty for violation of a PPO by a person who is 17 years of age or older is imprisonment for up to 93 days and a fine of up to \$500. An increase in misdemeanor arrests and convictions could increase resource demands on local court systems, law enforcement, and jails. Any associated increase in fine revenue would increase funding to public libraries.

If the violation of the PPO were committed by a person less than 17 years of age, there could be a fiscal cost to State and local government depending on the placement of the juvenile offender.

Date Completed: 2-8-16

Fiscal Analyst: Ryan Bergan  
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