

HOUSE BILL No. 5670

May 19, 2016, Introduced by Rep. Kosowski and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 141b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 141B. (1) A PERSON WHO INFLICTS CRUEL TREATMENT ON A
2 COMPANION ANIMAL IN THE PRESENCE OF A CHILD IS GUILTY OF A
3 MISDEMEANOR PUNISHABLE BY A FINE OF \$500.00 AND NOT LESS THAN 100
4 HOURS OF COMMUNITY SERVICE. THIS SUBSECTION APPLIES WHETHER OR NOT
5 THE PERSON IS CHARGED WITH OR CONVICTED OF A VIOLATION OF THIS
6 CHAPTER FOR THE MISTREATMENT OF THE COMPANION ANIMAL.

7 (2) A CHARGE AND CONVICTION UNDER THIS SECTION DO NOT PROHIBIT
8 A PERSON FROM BEING CHARGED WITH, CONVICTED OF, OR SENTENCED FOR
9 ANY OTHER VIOLATION OF LAW ARISING OUT OF THE SAME TRANSACTION AS

1 THE VIOLATION OF THIS SECTION.

2 (3) AS USED IN THIS SECTION:

3 (A) "CHILD" MEANS AN INDIVIDUAL FEWER THAN 18 YEARS OF AGE.

4 (B) "COMPANION ANIMAL" MEANS AN ANIMAL THAT IS COMMONLY
5 CONSIDERED TO BE, OR IS CONSIDERED BY ITS OWNER TO BE, A PET.
6 COMPANION ANIMAL INCLUDES, BUT IS NOT LIMITED TO, CANINES AND
7 FELINES.

8 (C) "CRUEL TREATMENT" MEANS CONDUCT THAT IS PROHIBITED, OR
9 THAT IS SUBSTANTIALLY SIMILAR TO CONDUCT PROHIBITED, UNDER 1 OR
10 MORE OF THE FOLLOWING:

11 (i) SECTION 49, INVOLVING DOG FIGHTING OR DOG BAITING.

12 (ii) SECTION 50, INVOLVING NEGLECT OR A FAILURE TO PROVIDE
13 ADEQUATE CARE.

14 (iii) SECTION 50B, INVOLVING KILLING, TORTURING, MUTILATING,
15 MAIMING, OR DISFIGURING AN ANIMAL.

16 (iv) SECTION 158, INVOLVING A CRIME AGAINST NATURE WITH AN
17 ANIMAL.

18 Enacting section 1. This amendatory act takes effect 90 days
19 after the date it is enacted into law.