



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 416 (as reported without amendment)
Sponsor: Senator Tory Rocca
Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to do the following with respect to an animal that was trained or used for fighting and seized by a law enforcement officer:

- Require an animal control agency (a shelter or law enforcement agency) that took custody of the animal to notify its owner of the seizure within 72 hours.
- Allow the agency to dispose of the animal by adoption, transfer, or euthanasia after 14 days, if the owner or possessor of the animal had not posted a security deposit or bond.
- Establish a procedure for the person who owned or possessed the seized animal to post a security deposit or bond to prevent the disposition of the animal, and require the person to renew the deposit or bond if a criminal trial were continued.
- Require the security deposit or bond to be in an amount sufficient to pay for the costs of the agency to house and care for the animal, and allow the agency to draw on the security deposit or bond to cover the costs of the animal's seizure, care, and disposition.
- Allow the agency to euthanize the animal, despite the payment of a security deposit or bond, in certain cases.
- Allow the partial return of a security deposit or bond, if the person who owned or possessed the animal were found not guilty in an animal fighting criminal action.
- Allow, instead of require, an animal control agency to apply to a court for a hearing to euthanize an animal.

The bill also would do the following:

- Prohibit a person from obtaining or permitting the use of, or being present at a vehicle or any other venue for the purpose of using an animal for fighting, baiting, or target shooting.
- Specify that a prohibition against breeding, buying, selling, exchanging, importing, or exporting an animal trained or used for fighting, or its offspring, would not prohibit the adoption of an animal.
- Allow court-ordered costs assessed against a person convicted of animal fighting to include the cost of investigating the violation as well as the cost for disposition of the animal.

MCL 750.49

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have a varying fiscal impact on county animal control facilities. In the handling of seized animals, facilities could be required to hold these animals for a shorter period of time than is currently required in certain instances before disposition; in cases in which they would be required to hold an animal for a longer period (e.g., continued prosecution), facilities could recoup their holding and disposition costs from the security deposit or bond.

Date Completed: 6-8-17

Fiscal Analyst: Bruce Baker

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Bill Analysis @ www.senate.michigan.gov/sfa

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