

# HOUSE BILL NO. 6393

November 12, 2020, Introduced by Reps. Steven Johnson and Meerman and referred to the Committee on Government Operations.

A bill to amend 1976 PA 328, entitled  
"An act to regulate animals running at large; to provide for  
compensation for damage done by animals running at large; to  
prescribe penalties; and to repeal certain acts and parts of acts,"  
by amending sections 5 and 6 (MCL 433.15 and 433.16).

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 5. A law enforcement agency ~~which~~**that** takes custody or  
2       possession of an animal under this act shall **do both of the**  
3       **following:**

4       (a) If the owner of the animal is known, return the animal to

its owner, unless the owner refuses to make reparation ~~as provided~~  
~~in~~**under** section 3.

(b) ~~If~~**Before January 1, 2022, if** the owner of the animal is not known, give notice in a newspaper of general circulation in the area that the animal is in the custody or possession of the law enforcement agency. **Beginning January 1, 2022, if the owner of the animal is not known, give public notice as provided in the local government public notice act that the animal is in the custody or possession of the law enforcement agency.** The notice ~~shall~~**required** ~~under this subsection must~~ include a description of the animal and the location where the animal was seized. If the animal is not claimed within 15 days after publication of the notice, the animal may be sold at public auction ~~pursuant to~~**under** section 6.

Sec. 6. (1) A law enforcement agency ~~which~~**that** has in its custody or possession an unclaimed animal for not less than 15 days after giving notice as required in section 5, may sell the animal at public auction.

(2) ~~Notice~~**Before January 1, 2022, notice** of the public auction ~~shall~~**must** be given in a newspaper of general circulation in the area not less than 21 ~~nor~~**and not** more than 30 days ~~prior to~~**before** the day of sale. **Beginning January 1, 2022, notice of the public auction must be given at least 14 days and not more than 30 days before the day of sale using public notice as provided in the local government public notice act.** The notice ~~shall~~**required** ~~under this subsection must~~ list the number and species of animals to be sold and ~~shall~~**must** specify the time and place of the sale.

(3) The animals ~~shall~~**must** be sold to the highest bidder at the auction. The proceeds derived from the sale of the animals ~~shall~~**must** be used first to pay any expenses incurred by the law

1 enforcement agency in caring for and keeping the animals; second,  
2 to pay the expenses of the sale; and third, any balance remaining  
3 ~~shall~~**must** be paid to the city or township treasurer of the city or  
4 township in which the animal was seized and credited to the general  
5 fund of that city or township.

6 (4) An animal sold ~~pursuant to~~**under** this section may be  
7 redeemed at any time within 3 months following the sale, if the  
8 owner pays the sale purchaser the amount paid at the sale plus a  
9 reasonable compensation for the care and keeping of the animal.

10 Enacting section 1. This amendatory act does not take effect  
11 unless Senate Bill No. \_\_\_\_ or House Bill No. 6440 (request no.  
12 02449'19) of the 100th Legislature is enacted into law.