

# HOUSE BILL NO. 5877

June 27, 2024, Introduced by Rep. Martus and referred to the Committee on Criminal Justice.

A bill to require individuals convicted of certain offenses against animals to be on a registry; to provide for the powers and duties of certain departments and agencies in connection with the registry; to prohibit certain individuals from owning, possessing, using, buying, selling, offering to buy or sell, importing, exporting, or handling animals and to prescribe penalties; and to provide for a referendum.

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

**1**           Sec. 1. This act may be cited as the "animal abuser registry  
**2**   act".

**3**           Sec. 2. As used in this act:

1 (a) "Animal" and "animal control agency" mean those terms as  
2 defined in section 49 of the Michigan penal code, 1931 PA 328, MCL  
3 750.49.

4 (b) "Animal fighting" means a violation as defined in section  
5 49 of the Michigan penal code, 1931 PA 328, MCL 750.49.

6 (c) "Convicted" means 1 or more of the following:

7 (i) Having a judgment of conviction or a probation order  
8 entered in any court that has jurisdiction over criminal offenses,  
9 including, but not limited to, a tribal court or a military court.  
10 Convicted does not include a conviction that was subsequently set  
11 aside under 1965 PA 213, MCL 780.621 to 780.624, or otherwise  
12 expunged.

13 (ii) Except as otherwise provided in this subparagraph, being  
14 assigned to youthful trainee status under the Holmes youthful  
15 trainee act, sections 11 to 15 of chapter II of the code of  
16 criminal procedure, 1927 PA 175, MCL 762.11 to 762.15. An  
17 individual who is assigned to and successfully completes a term of  
18 supervision under the Holmes youthful trainee act, sections 11 to  
19 15 of chapter II of the code of criminal procedure, 1927 PA 175,  
20 MCL 762.11 to 762.15, is not convicted for purposes of this act.  
21 This subparagraph does not apply if a petition was granted under  
22 section 11 at any time allowing the individual to discontinue  
23 registration under this act.

24 (d) "Department" means the department of state police.

25 (e) "Felony" means, except as otherwise provided in this  
26 subdivision, that term as defined in section 1 of chapter I of the  
27 code of criminal procedure, 1927 PA 175, MCL 761.1, or a violation  
28 of a law of the United States or another state that is designated  
29 as a felony or that is punishable by death or by imprisonment for

1 more than 1 year. Felony does not include a violation of a penal  
2 law of this state that is expressly designated as a misdemeanor.

3 (f) "Listed animal offense" means any of the following  
4 offenses:

5 (i) Section 3 of 1988 PA 426, MCL 287.323.

6 (ii) Section 29 of 1982 PA 239, MCL 287.679.

7 (iii) Section 15 of the wolf-dog cross act, 2000 PA 246, MCL  
8 287.1015.

9 (iv) Section 49, 50, 50a, 50b, 50c, 57, 60, 61, 437, or 467 of  
10 the Michigan penal code, 1931 PA 328, MCL 750.49, 750.50, 750.50a,  
11 750.50b, 750.50c, 750.57, 750.60, 750.61, 750.437, and 750.467.

12 (v) For an animal victim, section 158 of the Michigan penal  
13 code, 1931 PA 328, MCL 750.158.

14 (vi) For racketeering involving animal fighting, section 159i  
15 of the Michigan penal code, 1931 PA 328, MCL 750.159i.

16 (vii) A violation of section 15.

17 (viii) Except as provided in section 16, any other violation of  
18 a law of this state or a local ordinance of a municipality, that by  
19 its nature involves unlawful harm to an animal.

20 (g) "Local law enforcement agency" means the police department  
21 of a locality other than the department of state police.

22 (h) "Misdemeanor" means a violation of a penal law of this  
23 state or violation of a local ordinance substantially corresponding  
24 to a violation of a penal law of this state that is not a felony or  
25 a violation of an order, rule, or regulation of a state agency that  
26 is punishable by imprisonment, a fine that is not a civil fine, or  
27 both.

28 (i) "Registry period" means the amount of time determined  
29 under section 3 that an individual must appear on the animal abuser

1 registry after conviction for a listed animal offense.

2       Sec. 3. (1) The following individuals who are domiciled or  
3 temporarily reside in this state or who work with or without  
4 compensation or are students in this state are required to be  
5 registered on the animal abuser registry under this act:

6       (a) An individual who is convicted of a listed animal offense  
7 after the effective date of this act.

8       (b) An individual from another state who is required to  
9 register or otherwise be identified as an animal abuser under a  
10 comparable statute of that state on or after the effective date of  
11 this act.

12       (2) A nonresident who is convicted of a listed animal offense  
13 in this state on or after the effective date of this act who is not  
14 otherwise described in subsection (1) is required to be registered  
15 under this act.

16       (3) Except as otherwise provided in this act, an individual  
17 under subsection (1) must be registered for a registry period as  
18 follows:

19       (a) 2 years for a misdemeanor listed animal offense  
20 conviction.

21       (b) 5 years for a felony listed animal offense conviction.

22       (c) 7 years for a felony listed animal offense conviction  
23 after 1 prior felony listed animal offense conviction.

24       (d) The individual's lifetime for a felony listed animal  
25 offense conviction after 2 or more prior felony listed animal  
26 offense convictions.

27       (4) An individual registered under this section shall not own,  
28 possess, use, buy, sell, offer to buy or sell, import, export, or  
29 handle an animal during the registry period, unless the individual

1 is removed from the registry under section 10 or released from this  
2 requirement under section 11.

3       Sec. 4. (1) If an individual pleads guilty or nolo contendere  
4 to or is found guilty by other adjudication of a listed animal  
5 offense but alleges that the individual is not required to register  
6 under this act and the prosecuting attorney disputes that  
7 allegation, the court shall conduct a hearing on the matter before  
8 sentencing or disposition to determine whether the individual is  
9 required appear on the registry under this act.

10       (2) The individual has the burden to prove by a preponderance  
11 of the evidence in a hearing under this section that the  
12 individual's conduct falls within an exception to this act as  
13 provided in this act, other state or federal law, or a regulation  
14 and that, as a result of the exception, the individual is not  
15 required to appear on the registry under this act.

16       (3) The rules of evidence, except for those pertaining to  
17 privileges and protections set forth in section 520j of the  
18 Michigan penal code, 1931 PA 328, MCL 750.520j, do not apply to a  
19 hearing under this section.

20       (4) The court's decision to excuse or require the individual's  
21 appearance on the registry is a final order of the court and may be  
22 appealed by the prosecuting attorney or the individual as a matter  
23 of right.

24       (5) This section applies to criminal prosecutions authorized  
25 by criminal complaint filed and to criminal cases brought on and  
26 after the effective date of this act.

27       Sec. 5. (1) The court shall notify an individual that the  
28 individual shall not own, possess, use, buy, sell, offer to buy or  
29 sell, import, export, or handle an animal while on the registry,

1 and the duration of the individual's registry period under this act  
2 at both of the following, as applicable:

3 (a) Before the court accepts an individual's plea to a listed  
4 animal offense.

5 (b) At sentencing for an individual convicted of a listed  
6 animal offense.

7 (2) If, on or after the effective date of this act, an  
8 individual is convicted of a listed animal offense and required to  
9 register under section 3(1)(a) or (2), the court shall refer the  
10 individual to the probation department before the individual is  
11 sentenced. The probation department shall obtain and verify the  
12 information required for the registry under sections 8 and 9.

13 (3) For an individual convicted of a listed animal offense on  
14 or after the effective date of this act and required to register  
15 under section 3(1)(a) or (2), both of the following apply:

16 (a) Except as provided in subdivision (b) and subsection (4),  
17 a probation agent shall register the individual upon entry of the  
18 order of conviction or other applicable order.

19 (b) If the individual's probation or parole is transferred to  
20 this state after the effective date of this act, the probation or  
21 parole agent shall register the individual not later than 7 days  
22 after the transfer.

23 (4) Not later than 14 days after an individual is required to  
24 register under section 3(1)(b), the individual shall appear in  
25 person and notify the department. The department shall obtain and  
26 verify the information required for the registry under sections 8  
27 and 9.

28 Sec. 6. (1) If an individual is required to appear on the  
29 registry, the probation department officer or other authorized

1 employee shall verify any information required for the registry  
2 under sections 8 and 9. If available, a photograph of the  
3 individual may be obtained by a probation officer or authorized  
4 employee from any available source, including a law enforcement  
5 database. The probation officer or authorized employee shall  
6 determine whether the individual's photograph matches the  
7 appearance of the individual sufficiently to properly identify the  
8 individual from the photograph. If the photograph does not  
9 sufficiently match the appearance of the individual or is  
10 unavailable, the probation officer or authorized employee shall do  
11 1 of the following:

12 (a) Take a photograph the individual at the time of the  
13 presentence report investigation.

14 (b) Notify and require the individual to obtain and provide a  
15 current photograph not later than 7 days after the individual  
16 receives the notice.

17 (2) After all of the verified information has been collected,  
18 the probation officer or authorized employee shall sign and date a  
19 verification receipt. The probation officer or authorized employee  
20 shall send a copy of the signed receipt showing the date of  
21 verification to the individual. The probation officer or authorized  
22 employee shall forward verification information to the department  
23 in the manner the department prescribes. The department shall  
24 revise the law enforcement database and public website maintained  
25 under section 9 as necessary and indicate on the public website  
26 that the information has been verified.

27 (3) The department shall prescribe the form for the notices  
28 and verification procedures required under this act.

29 (4) Upon entry of an order or disposition into the law

1 enforcement information network, the department shall immediately  
2 send written notice of that entry to the individual who is the  
3 subject of the order or disposition by first-class mail to the last  
4 known address of the individual. The notice must include, but is  
5 not limited to, all of the following:

6 (a) The name of the individual.

7 (b) The date the order or disposition was entered into the law  
8 enforcement information network.

9 (c) A statement that the individual cannot own, possess, use,  
10 buy, sell, offer to buy or sell, import, export, or handle an  
11 animal during the registry period, unless the individual is removed  
12 from the registry under section 10 or released from this  
13 requirement under section 11.

14 (d) A copy of the information to be included on the registry  
15 under sections 8 and 9.

16 (e) A statement that the individual may request that the state  
17 police correct or expunge inaccurate information entered into the  
18 law enforcement information network or on the public website.

19 Sec. 7. (1) An individual who is registered and entered into  
20 the law enforcement information network under this act may request  
21 that the department do either of the following:

22 (a) Amend inaccurate information entered into the law  
23 enforcement information network under this act.

24 (b) If the individual is mistakenly identified or subject to  
25 the requirements of this act in error, expunge the individual's  
26 name and any necessary entries to remove the reference to the  
27 individual from the law enforcement information network.

28 (2) Not later than 60 days after a request is made to amend  
29 the law enforcement information network under subsection (1), the



1 department shall investigate the accuracy of the information  
2 contained in the law enforcement information network, determine  
3 whether to grant or deny the individual's request, and provide the  
4 individual with written notice of the determination. The department  
5 shall include in a notice of denial a statement specifying the  
6 basis of the denial, and that an individual may appeal the denial  
7 in accordance with the administrative procedures act of 1969, 1969  
8 PA 306, MCL 24.201 to 24.328.

9 (3) If the department denies a request under subsection (1) or  
10 fails to provide a determination or provides a determination later  
11 than 60 days after receiving the request under subsection (2), the  
12 individual may request a hearing before a hearing officer appointed  
13 by the department to determine whether the information entered into  
14 the law enforcement information network should be amended or  
15 expunged as inaccurate or false. The department shall conduct the  
16 hearing in accordance with the administrative procedures act of  
17 1969, 1969 PA 306, MCL 24.201 to 24.328.

18 Sec. 8. (1) Registrant information obtained under this act  
19 must be forwarded to the department by the probation department in  
20 a format prescribed by the department. All of the following  
21 information must be obtained or otherwise provided for registration  
22 purposes:

23 (a) The individual's legal name and any aliases, nicknames,  
24 ethnic or tribal names, or other names by which the individual is  
25 or has been known. An individual who is in a witness protection and  
26 relocation program is only required to use the name and identifying  
27 information reflecting the individual's new identity in a  
28 registration under this act. The registration and compilation  
29 databases must not contain any information identifying the

1 individual's prior identity or locale.

2 (b) The individual's Social Security number and any Social  
3 Security numbers or alleged Social Security numbers previously used  
4 by the individual.

5 (c) The individual's date of birth and any alleged dates of  
6 birth previously used by the individual.

7 (d) A brief summary of the individual's convictions for listed  
8 animal offenses that occurred on or after the effective date of  
9 this act, including where the offense occurred and the original  
10 charge if the conviction was for a lesser offense.

11 (e) The individual's photograph obtained under section 6 or  
12 subsection (3).

13 (2) The officer, court, or an employee of the agency  
14 registering the individual shall sign the registration form and  
15 send a registration and notice to the last known address of the  
16 individual.

17 (3) If an individual is required to register for the  
18 individual's lifetime under section 3(3)(d), the individual shall  
19 appear in person at the department and allow the department to  
20 obtain an updated photograph for the registry every 5 years after  
21 conviction as prescribed by the department.

22 (4) The department shall prescribe the form for a registration  
23 and notification required under this section and the format for  
24 forwarding the notification to the department.

25 (5) The department shall promptly provide registration,  
26 notice, and verification information to local law enforcement  
27 agencies, sheriff's departments, department posts, and other  
28 registering jurisdictions.

29 Sec. 9. (1) The department shall maintain a computerized law

1 enforcement database of the registrations and notices required  
2 under this act. The law enforcement database must contain all of  
3 the following information for each individual registered under this  
4 act:

5 (a) The individual's legal name and any aliases, nicknames,  
6 ethnic or tribal names, or other names by which the individual is  
7 or has been known.

8 (b) The individual's Social Security number and any Social  
9 Security numbers or alleged Social Security numbers previously used  
10 by the individual.

11 (c) The individual's date of birth and any alleged dates of  
12 birth previously used by the individual.

13 (d) A brief summary of the individual's convictions for listed  
14 animal offenses regardless of when the conviction occurred,  
15 including where the offense occurred and the original charge if the  
16 conviction was for a lesser offense.

17 (e) The individual's photograph required under this act.

18 (f) The individual's fingerprints and palm prints.

19 (g) A digital copy of the individual's driver license or state  
20 personal identification card.

21 (h) The text of the provision of law that defines the criminal  
22 offense for which the animal offender is registered.

23 (2) The department shall maintain a public website separate  
24 from the law enforcement database described in subsection (1) to  
25 implement section 14(2) and (3). Except as provided in subsections  
26 (3) and (4), the public website must be free to the public and  
27 contain all of the following information for each individual who  
28 appears on the registry under this act:

29 (a) The individual's legal name and any aliases, nicknames,

1 ethnic or tribal names, or other names by which the individual is  
2 or has been known.

3 (b) The individual's year and month of birth.

4 (c) A brief summary of the individual's convictions for listed  
5 animal offenses regardless of when the conviction occurred.

6 (d) The individual's photograph required under this act.

7 (e) The text of the provision of law that defines the criminal  
8 offense for which the animal offender is registered.

9 (f) The date the individual first appeared on the registry and  
10 the duration of the registry period required under this act for the  
11 individual.

12 (3) The following information must not be available on the  
13 public website described in subsection (2):

14 (a) The individual's Social Security number.

15 (b) Any arrests not resulting in a conviction.

16 (c) Any conviction that does not result in registration under  
17 this act.

18 (d) Any travel or immigration document numbers.

19 (e) The individual's driver license number or state personal  
20 identification card number.

21 (f) The individual's residential address.

22 (4) The public website described in subsection (2) must not  
23 include the following individuals:

24 (a) Unless the individual has been convicted as an adult by a  
25 prosecutor and a court has determined sentencing the individual as  
26 an adult is appropriate, an individual who was less than 18 years  
27 of age at the time the listed animal offense was committed.

28 (b) An individual registered solely because the individual had  
29 1 or more dispositions for a listed animal offense entered under

1 section 18 of chapter XIIA of the probate code of 1939, 1939 PA  
2 288, MCL 712A.18, if the individual was not tried as an adult under  
3 section 2d of chapter XIIA of the probate code of 1939, 1939 PA  
4 288, MCL 712A.2d.

5 (c) An individual registered solely because the individual was  
6 the subject of an order of disposition or other adjudication in a  
7 juvenile matter in another state.

8 (5) The compilation of individuals must be indexed  
9 alphabetically by the last name of the registered individuals or as  
10 otherwise determined appropriate by the department.

11 (6) The department shall update the public website with new  
12 registrations and deletions from the registry when the updates are  
13 made to the law enforcement database described in subsection (1) or  
14 when the term of registry has lapsed. The department shall make the  
15 law enforcement database available to each department post, local  
16 law enforcement agency, and sheriff's department by the law  
17 enforcement information network. Upon request by a department post,  
18 local law enforcement agency, or sheriff's department, the  
19 department shall provide to that post, agency, or sheriff's  
20 department the information from the law enforcement database in  
21 printed form for the designated areas located in whole or in part  
22 within the post's, agency's, or sheriff's department's  
23 jurisdiction.

24 (7) The department shall make the law enforcement database  
25 available to a department post, local law enforcement agency, or  
26 sheriff's department by electronic, computerized, or other similar  
27 means accessible to the post, agency, or sheriff's department. The  
28 department shall make the public website available to the public by  
29 electronic, computerized, or other similar means accessible to the

1 public. The electronic, computerized, or other similar means must  
2 provide for a search by the individual's last name.

3 (8) If a court determines that the public availability of any  
4 of the registered individuals' information under this act violates  
5 the state constitution of 1963 or the Constitution of the United  
6 States, the department shall revise the information available on  
7 the public website as necessary.

8 (9) If the department determines that an individual has  
9 completed the individual's required registration period, or that  
10 the individual otherwise is no longer required to be included on  
11 the registry under this act, the department shall remove the  
12 individual's information from both the law enforcement database and  
13 the public website not later than 7 days after the department's  
14 determination.

15 Sec. 10. (1) An individual required to be included on the  
16 registry who meets the requirements of subsection (10) may petition  
17 the court under that subsection for an order allowing the  
18 individual to discontinue registration before the end of the  
19 registration period under this act.

20 (2) This section is the only way an individual may obtain  
21 judicial review of the individual's registry under this act. This  
22 subsection does not prohibit an appeal of the conviction or  
23 sentence as otherwise provided by law or court rule. A petition  
24 filed under this section must be filed in the court in which the  
25 individual was convicted of committing the listed animal offense.  
26 However, if the conviction occurred in another state and the  
27 individual is a resident of this state, the individual may file a  
28 petition in the circuit court in the county of the individual's  
29 residence for an order that the department discontinue registry of

1 the individual under this act only. Except as permitted by special  
2 leave of the court, a petition must not be filed under this section  
3 if a previous petition that was filed under this section was denied  
4 by the court after a hearing.

5 (3) A petition filed under this section must be made under  
6 oath and contain all of the following:

7 (a) The name and address of the petitioner.

8 (b) A statement identifying the offense for which  
9 discontinuation from registration is being requested.

10 (c) A statement of whether the individual was previously  
11 convicted of a listed animal offense for which registration is  
12 required under this act.

13 (4) An individual who knowingly makes a false statement in a  
14 petition filed under this section is guilty of perjury as  
15 proscribed under section 423 of the Michigan penal code, 1931 PA  
16 328, MCL 750.423.

17 (5) A copy of the petition must be filed with the office of  
18 the prosecuting attorney that prosecuted the case against the  
19 individual or, for a conviction that occurred in another state, the  
20 prosecuting attorney for the county of the individual's residence,  
21 at least 30 days before a hearing is held on the petition. The  
22 prosecuting attorney shall appear and participate in all  
23 proceedings regarding the petition and may seek appellate review of  
24 any decision on the petition.

25 (6) The prosecuting attorney shall provide a relevant animal  
26 control agency with written notice that a petition has been filed  
27 and shall provide the animal control agency with a copy of the  
28 petition by first-class mail.

29 (7) If an individual properly files a petition with the court

1 under this section, the court shall conduct a hearing on the  
2 petition as provided in this section.

3 (8) The animal control agency or the animal control agency's  
4 designee has the right to attend all proceedings under this section  
5 and to make a written or oral statement to the court before any  
6 decision regarding the petition is made. The animal control agency  
7 is not required to appear at any proceeding under this section.

8 (9) The court shall consider all of the following to determine  
9 whether to grant a petition under subsection (10) but shall not  
10 grant the petition if the court determines that the individual is a  
11 continuing threat to animals:

12 (a) The individual's age and level of maturity at the time of  
13 the offense.

14 (b) The nature of the offense.

15 (c) The number of animals harmed by the offense.

16 (d) The severity of the offense.

17 (e) The individual's prior juvenile or criminal history.

18 (f) The individual's likelihood to commit further listed  
19 animal offenses.

20 (g) Any statement submitted by the animal control agency and a  
21 veterinarian that treated an animal harmed by the offense.

22 (h) The individual's history of domestic violence or abuse.

23 (i) Any other information considered relevant by the court.

24 (10) The court may grant a petition that was properly filed by  
25 an individual under subsection (1), if all of the following apply:

26 (a) One or more years have elapsed since the date of the  
27 individual's conviction for the listed animal offense or from the  
28 individual's release from any period of confinement for that  
29 offense, whichever occurred last.



1 (b) The petitioner has not been convicted of any felony since  
2 the date described in subdivision (a).

3 (c) The petitioner has not been convicted of any listed animal  
4 offense since the date described in subdivision (a).

5 (d) The petitioner successfully completed the assigned periods  
6 of supervised release, probation, or parole without revocation at  
7 any time of that supervised release, probation, or parole.

8 (e) The court determines that the petitioner successfully  
9 completed a certified animal abuse treatment program, or another  
10 appropriate abuse offender treatment program including appropriate  
11 therapy or mental health treatment.

12 Sec. 11. (1) An individual who is prohibited from owning,  
13 possessing, using, buying, selling, offering to buy or sell,  
14 importing, exporting, or handling animals under section 3(3)(d) may  
15 petition the circuit court in the county in which the individual  
16 resides for restoration of the rights under this subsection.

17 (2) Not more than 1 petition may be submitted under subsection  
18 (1) in any 12-month period. The circuit court shall charge a fee as  
19 provided in section 2529 of the revised judicature act of 1961,  
20 1961 PA 236, MCL 600.2529, unless the court waives that fee.

21 (3) The circuit court shall, by written order, restore the  
22 rights of an individual to own, possess, use, buy, sell, offer to  
23 buy or sell, import, export, or handle an animal if the circuit  
24 court determines, by clear and convincing evidence, that all of the  
25 following circumstances exist:

26 (a) The individual properly submitted a petition for  
27 restoration of those rights as provided under this section.

28 (b) The expiration of 5 years after all of the following  
29 circumstances:

1 (i) The individual has paid all fines and restitution imposed  
2 for the violation resulting in the prohibition.

3 (ii) The individual has served all terms of imprisonment  
4 imposed for the violation resulting in the prohibition.

5 (iii) The individual has successfully completed all conditions  
6 of probation or parole imposed for the violation resulting in the  
7 prohibition.

8 (iv) The individual's record and reputation are such that the  
9 individual is not likely to act in a manner dangerous to the safety  
10 of other individuals.

11 (v) The individual has met the requirements of section 10(10).

12 Sec. 12. If the court grants a petition filed under section 10  
13 or 11, the court shall promptly provide a copy of that order to the  
14 department and to the individual. The department shall promptly  
15 remove or update an individual's registration, as applicable, from  
16 the law enforcement database and public website maintained under  
17 section 9.

18 Sec. 13. (1) An individual required to be included on the  
19 registry under this act who willfully violates section 3(4) is  
20 guilty of the following:

21 (a) If the individual has no prior conviction for a violation  
22 of this act, a misdemeanor punishable by imprisonment for not more  
23 than 1 year, a fine of not more than \$3,000.00, or both.

24 (b) If the individual has 1 or more prior convictions for  
25 violations of this act, a felony punishable by imprisonment for not  
26 more than 2 years or a fine of not more than \$5,000.00, or both.

27 (2) The court shall strongly consider the revocation of the  
28 probation of an individual placed on probation who willfully  
29 violates this act.

1           (3) The court shall strongly consider the revocation of the  
2 youthful trainee status of an individual assigned to youthful  
3 trainee status who willfully violates this act.

4           (4) The parole board shall rescind the parole of an individual  
5 released on parole who willfully violates this act.

6           Sec. 14. (1) Except as provided in this act, a registration or  
7 report is confidential and information from that registration or  
8 report is not open to inspection except for law enforcement  
9 purposes. The registration or report and all included materials and  
10 information are exempt from disclosure under section 13 of the  
11 freedom of information act, 1976 PA 442, MCL 15.243.

12           (2) A department post, local law enforcement agency, or  
13 sheriff's department shall make information from the public website  
14 described in section 9 available for public inspection during  
15 regular business hours. A department post, local law enforcement  
16 agency, or sheriff's department is not required to make a copy of  
17 the information for a member of the public.

18           (3) Except as provided in this act, an individual other than  
19 the registrant who knows of a registration or report under this act  
20 and who divulges, uses, or publishes nonpublic information  
21 concerning the registration or report in violation of this act is  
22 guilty of a misdemeanor punishable by imprisonment for not more  
23 than 93 days, a fine of not more than \$1,000.00, or both.

24           (4) An individual whose registration or report is revealed in  
25 violation of this act has a civil cause of action against the  
26 responsible party for treble damages.

27           (5) Subsections (3) and (4) do not apply to the public website  
28 described in section 9 or information from the public website that  
29 is provided or made available under section 9 or under subsection

1 (2).

2 Sec. 15. (1) An individual subject to registration under this  
3 section shall not own, possess, use, buy, sell, offer to buy or  
4 sell, import, export, or handle an animal until the expiration of  
5 the individual's registration period.

6 (2) An individual who owns, possesses, uses, buys, sells,  
7 offers to buy or sell, imports, exports, or handles an animal in  
8 violation of subsection (1) is guilty of a misdemeanor punishable  
9 by imprisonment for not more than 1 year, a fine of not more than  
10 \$3,000.00, or both.

11 (3) A single occurrence where an individual owns, possesses,  
12 uses, buys, sells, offers to buy or sell, imports, exports, or  
13 handles an animal in violation of this section, regardless of the  
14 number of animals involved, constitutes 1 offense.

15 (4) This section does not apply to a conviction that has been  
16 expunged or set aside, or for which the individual has been  
17 pardoned, unless the expunction, order, or pardon expressly  
18 provides that the individual shall not possess an animal.

19 Sec. 16. (1) Registration under this act does not apply to the  
20 lawful killing or use of an animal under any of the following:

21 (a) Fishing.

22 (b) Hunting, trapping, or wildlife control regulated under the  
23 natural resources and environmental protection act, 1994 PA 451,  
24 MCL 324.101 to 324.90106, and orders issued under that act.

25 (c) Pest or rodent control regulated under part 83 of the  
26 natural resources and environmental protection act, 1994 PA 451,  
27 MCL 324.8301 to 324.8336.

28 (d) Section 19 of the dog law of 1919, 1919 PA 339, MCL  
29 287.279.

1 (e) A veterinarian or a veterinary technician lawfully  
2 engaging in the practice of veterinary medicine under part 188 of  
3 the public health code, 1978 PA 368, MCL 333.18801 to 333.18838.

4 (f) The animal industry act, 1988 PA 466, MCL 287.701 to  
5 287.746.

6 (2) Except for a farmer convicted of a listed animal offense,  
7 this act does not apply to a farmer who follows generally accepted  
8 agricultural and management practices as that term is defined in  
9 section 2 of the Michigan right to farm act, 1981 PA 93, MCL  
10 286.472.

11 Enacting section 1. This act does not take effect unless  
12 approved by a majority of the electors of this state voting on the  
13 question at the general election to be held November 5, 2024. This  
14 act must be submitted to the qualified electors of this state at  
15 that election as provided by the Michigan election law, 1954 PA  
16 116, MCL 168.1 to 168.992. When submitted to the electors of this  
17 state, this act must be presented with the following question:  
18 "APPROVAL OR DISAPPROVAL OF ACT TO CREATE A REGISTRY FOR  
19 INDIVIDUALS CONVICTED OF CRIMES AGAINST ANIMALS AND PREVENT THOSE  
20 INDIVIDUALS FROM ACCESS TO ANIMALS DURING THE INDIVIDUALS' TIME ON  
21 THE REGISTRY.

22 The act adopted by the Legislature would:

23 1. Require individuals convicted for offenses related to  
24 animal abuse, cruelty, torture, and fighting to be listed by  
25 limited information on a publicly available listing in order to  
26 prohibit the convicted individuals' ability to own, possess, use,  
27 buy, sell, offer to buy or sell, import, export, or handle animals.

28 2. Not impede the lawful hunting, fishing, and farming rights  
29 of individuals but apply only to individuals prosecuted under the

1 Michigan Penal Code for crimes relating to animal abuse, torture,  
2 killing, or fighting.

3 Should this law be approved?

4 Yes [ ]

5 No [ ]".

6 Enacting section 2. If approved by the electors, this act  
7 takes effect 10 days after the date of the official declaration of  
8 the vote.