

## DOG BITES: DUTIES AND RESPONSIBILITIES

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**House Bill 5252**

**Sponsor: Rep. Jeff Mayes**

**Committee: Judiciary**

**Complete to 9-18-06**

## A SUMMARY OF HOUSE BILL 5252 AS INTRODUCED 9-29-05

House Bill 5252 would amend the Michigan Penal Code to set penalties if a person having custody of a dog or wolf-dog fled the scene or failed to provide assistance when someone was bitten by the animal.

More specifically, the bill specifies that if a person has custody of a dog or wolf-dog cross, and knows (or has reason to know) that the animal has bitten any individual, then the person would be required immediately to do both of the following:

- Provide the bitten individual with his or her name and address and, if the person did not own the animal, then the name and address of the animal's owner, and with information, if known, as to whether the animal was current on all legally required vaccinations.
- If a reasonable person would determine that the bitten individual required medical attention, then one of the following: 1) assist the individual in obtaining medical attention, or 2) inform a police agency or emergency services provider that medical attention was required.

Further and under the bill, a person who knew that a dog or wolf-dog in his or her custody had bitten any individual would be required to make a diligent search to locate the person bitten. In addition, that person would be required to remain on the scene.

A person who violated this law would be guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$100, or both.

Under the bill, "dog" and "wolf-dog cross" would mean those terms as defined in Section 2 of the Wolf-Dog Cross Act, Public Act 246 of 2000. There, "dog" means an animal of the species *Canis familiaris* or *Canis lupus familiaris*. "Wolf-dog cross" means a canid resulting from the breeding of any of the following: 1) a wolf with a dog, 2) a wolf-dog cross with a wolf, 3) a wolf-dog cross with a dog; and 4) a wolf-dog cross with a wolf-dog cross.

MCL 750.66

**FISCAL IMPACT:**

The bill would have no fiscal impact on the state and an indeterminate fiscal impact on local units of government. To the extent that the bill increased the numbers of misdemeanor convictions, it could increase local costs of misdemeanor probation supervision or jail incarceration for convicted misdemeanants, both of which vary with jurisdiction. Any increase in penal fine revenues could benefit local libraries, which are the constitutionally-designated recipients of those revenues.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.