

# HOUSE BILL No. 5231

September 27, 2005, Introduced by Rep. Caswell and referred to the Committee on Judiciary.

A bill to amend 1919 PA 339, entitled  
"Dog law of 1919,"  
by amending section 26a (MCL 287.286a).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 26a. (1) A district court magistrate, ~~or the district or~~  
2 ~~common pleas~~ **DISTRICT COURT, OR MUNICIPAL** court shall issue a  
3 summons similar to the summons provided for in section 20 **TO THE**  
4 **OWNER OF A DOG** to show cause why ~~a~~ **THE** dog should not be killed,  
5 upon a sworn complaint that any of the following exist:

6       (a) After January 10 and before June 15 in each year, a dog  
7 over 6 months old is running at large unaccompanied by its owner or  
8 is engaged in lawful hunting and is not under the reasonable

1 control of its owner without a license attached to the collar of  
2 the dog.

3 (b) A dog, licensed or unlicensed, has destroyed property or  
4 habitually causes damage by trespassing on the property of a person  
5 who is not the owner.

6 (c) A dog, licensed or unlicensed, has attacked or bitten a  
7 person.

8 (d) A dog has shown vicious habits or has molested a person  
9 when lawfully on the public highway.

10 (e) A dog duly licensed and wearing a license tag has run at  
11 large contrary to this act.

12 **(F) A DOG, LICENSED OR UNLICENSED, HAS ATTACKED AND KILLED A**  
13 **DOMESTIC ANIMAL.**

14 (2) After a hearing, the district court magistrate, ~~or the~~  
15 ~~district or common pleas~~ **DISTRICT COURT, OR MUNICIPAL** court may  
16 ~~either~~ order the dog **EITHER** killed —, or confined to the premises  
17 of the owner. If the owner disobeys this order, the owner may be  
18 punished under section 26. Costs ~~as in a civil case~~ shall be  
19 ~~taxed~~ **ASSESSED** against the owner of the dog —, and collected by  
20 the county. The county board of commissioners shall audit and pay  
21 claims for services of officers rendered pursuant to this section,  
22 unless the claims are paid by the owner of the dog.