



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 378 (Substitute S-2)
Sponsor: Senator Steven Bieda
Committee: Judiciary

Date Completed: 10-15-13

CONTENT

The bill would add Section 8b to Public Act 287 of 1969, which regulates pet shops, animal control shelters, and animal protection shelters, to require an animal control shelter or animal protection shelter to conduct a search using the Internet Criminal History Access Tool (ICHAT) before allowing an individual to adopt an animal, in order to determine whether he or she had a prior criminal history for an animal abuse offense.

Section 8b could be referred to as "Logan's Law".

(The Act defines "animal control shelter" as a facility operated by a municipality for the impoundment and care of animals that are found in the streets or at large, animals that are otherwise held due to the violation of a municipal ordinance or State law, or animals that are surrendered to the animal control shelter. "Animal protection shelter" means a facility operated by a person, humane society, society for the prevention of cruelty to animals, or any other nonprofit organization for the care of homeless animals.

The Internet Criminal History Access Tool is a website that allows users to search fingerprint-based criminal history records provided to the Michigan State Police by law enforcement agencies, courts, and prosecutors in the State. The searchable records include all felonies, as well as misdemeanors that are punishable by over 93 days' imprisonment. The records do not include suppressed records, Federal records, tribal records, traffic offense records, juvenile records, records of local ordinance violations, or criminal history information from other states.)

The bill is tie-barred to Senate Bills 603, 604, and 605. (Senate Bill 603 would amend Public Act 120 of 1935 to waive the fee for an ICHAT search if the requestor were an animal control shelter or animal protection shelter conducting a background check for purposes of animal adoption. Senate Bill 604 would amend Public Act 287 of 1969 to allow an animal shelter to consider an individual's criminal history when deciding whether to allow an animal adoption, and prohibit a shelter from adopting out an animal to a person who was charged with an animal abuse offense or had been convicted of an animal abuse offense in the past five years. Senate Bill 605 would amend the Code of Criminal Procedure to require the prosecuting attorney handling an animal abuse case to notify the Michigan State Police when an individual was charged with an animal abuse offense.)

Proposed MCL 287.338b

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker

S1314\sb378sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.