



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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Senate Bill 301 (as reported without amendment)  
Sponsor: Senator Rick Jones  
Committee: Judiciary

### **CONTENT**

The bill would amend the Michigan Penal Code to require a court to order a person not to own or possess an animal for a period of time as part of the sentence for certain crimes against animals.

Section 49 of the Code prohibits a person from knowingly engaging in various activities related to the use of an animal for fighting, baiting, or target shooting. As part of the sentence for a violation, the court must order the offender not to own or possess an animal of the same species involved in the violation for five years after the date of sentencing. Under the bill, the prohibition would apply for at least five years after the date of sentencing or the date of release from incarceration, whichever was later.

Section 50 prohibits a person who owns, possesses, or has charge or custody of an animal from engaging in various activities constituting animal abuse, cruelty, or neglect. As part of the sentence for a violation, the court may order the defendant not to own or possess an animal for a period of time not to exceed the period of probation. If the person is convicted of a second or subsequent violation, the court may order the defendant not to own or possess an animal for any period of time. Under the bill, if a person were convicted of a violation, the court would be required to order the defendant not to own or possess an animal, as a condition of probation. If a person were convicted of a second or subsequent offense, the court would have to order the defendant not to own or possess an animal for a period of at least five years after the date of sentencing or the date of release from incarceration, whichever was later.

Under Section 50b, as part of the sentence for killing, torturing, mutilating, maiming, disfiguring, or poisoning an animal, the court may order the defendant not to own or possess an animal for any period determined by the court. Under the bill, the court would be required to order the defendant, as a condition of probation, not to own or possess an animal for at least five years after the date of sentencing or the date of release, whichever was later.

MCL 750.49 et al.

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

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

Date Completed: 5-10-17

Fiscal Analyst: Ryan Bergan