

***** Act 82 of 1981 THIS TITLE, BEGINNING WITH THE FIRST INSTANCE OF "AN ACT", IS AMENDED EFFECTIVE JANUARY 18, 2016; THIS AMENDED TITLE, BEGINNING WITH THE SECOND INSTANCE OF "AN ACT", IS EFFECTIVE JANUARY 18, 2016 *****

COLLARS, HARNESES, AND LEASHES ON DOGS IN PUBLIC PLACES

Act 82 of 1981

AN ACT to prohibit the use of certain collars or harnesses and leashes on dogs in public places, except by deaf, audibly impaired, or otherwise physically limited persons; and to prescribe penalties. AN ACT to prohibit a person from representing that he or she is in possession of a service animal in public places, unless that person is a person with a disability; and to prescribe penalties.

History: 1981, Act 82, Imd. Eff. July 1, 1981;—Am. 1984, Act 111, Imd. Eff. May 24, 1984;—Am. 2015, Act 147, Eff. Jan. 18, 2016.

The People of the State of Michigan enact:

***** 752.61 THIS SECTION IS AMENDED EFFECTIVE JANUARY 18, 2016: See 752.61.amended *****

752.61 Definitions.

Sec. 1. As used in this act:

(a) "Audibly impaired" means the inability to hear air conduction thresholds at an average of 40 decibels or greater in the better ear.

(b) "Deaf person" means a person whose hearing is totally impaired or whose hearing, with or without amplification, is so seriously impaired that the primary means of receiving spoken language is through other sensory input, including but not limited to, lip reading, sign language, finger spelling, or reading.

(c) "Physically limited" means physically limited as defined in section 1 of Act No. 1 of the Public Acts of 1966, being section 125.1351 of the Michigan Compiled Laws.

History: 1981, Act 82, Imd. Eff. July 1, 1981;—Am. 1984, Act 111, Imd. Eff. May 24, 1984.

***** 752.61.amended THIS AMENDED SECTION IS EFFECTIVE JANUARY 18, 2016 *****

752.61.amended Definitions.

Sec. 1. As used in this act:

(a) "Person with a disability" means a person who has a disability as defined in section 12102 of the Americans with disabilities act of 1990, 42 USC 12102 and 28 CFR 36.104.

(b) As used in subdivision (a), "person with a disability" includes a veteran who has been diagnosed with 1 or more of the following:

(i) Post-traumatic stress disorder.

(ii) Traumatic brain injury.

(iii) Other service-related disabilities.

(c) "Service animal" means all of the following:

(i) That term as defined in 28 CFR 36.104.

(ii) A miniature horse that has been individually trained to do work or perform tasks as described in 28 CFR 36.104 for the benefit of a person with a disability.

(d) "Veteran" means any of the following:

(i) A person who performed military service in the armed forces for a period of more than 90 days and separated from the armed forces in a manner other than a dishonorable discharge.

(ii) A person discharged or released from military service because of a service-related disability.

(iii) A member of a reserve branch of the armed forces at the time he or she was ordered to military service during a period of war, or in a campaign or expedition for which a campaign badge is authorized, and was released from military service in a manner other than a dishonorable discharge.

History: 1981, Act 82, Imd. Eff. July 1, 1981;—Am. 1984, Act 111, Imd. Eff. May 24, 1984;—Am. 2015, Act 147, Eff. Jan. 18, 2016.

***** 752.62 THIS SECTION IS AMENDED EFFECTIVE JANUARY 18, 2016: See 752.62.amended *****

752.62 Use or possession of dog wearing blaze orange leash and collar or harness in public place.

Sec. 2. A person, except a person who is deaf, audibly impaired, or otherwise physically limited shall not

use or be in possession of a dog that is wearing a blaze orange leash and collar or harness in any public place.

History: 1981, Act 82, Imd. Eff. July 1, 1981;—Am. 1984, Act 111, Imd. Eff. May 24, 1984.

***** 752.62.amended THIS AMENDED SECTION IS EFFECTIVE JANUARY 18, 2016 *****

752.62.amended Possession of service animal; false representation.

Sec. 2. A person shall not falsely represent that he or she is in possession of a service animal, or a service animal in training, in any public place.

History: 1981, Act 82, Imd. Eff. July 1, 1981;—Am. 1984, Act 111, Imd. Eff. May 24, 1984;—Am. 2015, Act 147, Eff. Jan. 18, 2016.

***** 752.63 THIS SECTION IS AMENDED EFFECTIVE JANUARY 18, 2016: See 752.63.amended *****

752.63 Violation as misdemeanor; penalty.

Sec. 3. A person who knowingly violates this act is guilty of a misdemeanor, punishable by a fine of not more than \$10.00.

History: 1981, Act 82, Imd. Eff. July 1, 1981.

***** 752.63.amended THIS AMENDED SECTION IS EFFECTIVE JANUARY 18, 2016 *****

752.63.amended Violation as misdemeanor; penalty.

Sec. 3. A person who knowingly violates this act is guilty of a misdemeanor punishable by 1 or more of the following:

- (a) Imprisonment for not more than 90 days.
- (b) A fine of not more than \$500.00.
- (c) Community service for not more than 30 days.

History: 1981, Act 82, Imd. Eff. July 1, 1981;—Am. 2015, Act 147, Eff. Jan. 18, 2016.

***** 752.64.added THIS ADDED SECTION IS EFFECTIVE JANUARY 18, 2016 *****

752.64.added Telephone complaint hotline; use; referral to law enforcement agency.

Sec. 4. The department of civil rights shall use its existing telephone complaint hotline to receive reports of a person falsely representing that he or she is in possession of a service animal or a service animal in training. The department may refer an alleged violation of this act to the appropriate law enforcement agency for investigation.

History: Add. 2015, Act 147, Eff. Jan. 18, 2016.