

ANIMAL LAW SECTION

Respectfully submits the following position on:

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HB 5061, HB 5062, SB 0603, SB 0604

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The Animal Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Animal Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Animal Law Section is 185.

The position was adopted after discussion and vote at a scheduled meeting and an electronic discussion and vote for those members not in attendance. The number of members in the decision-making body is 14. The number who voted in favor to this position was 14. The number who voted opposed to this position was 0.

Report on Public Policy Position

Name of section:

Animal Law Section

Contact person:

Jennifer Pierce

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Bill Number:

[HB 5061](#) (Santana) Animals; animal shelters; animal shelters to deny adoptions under certain circumstances; require, and allow animal shelters to consider prior criminal history before adoption. Amends sec. 1 of [1969 PA 287](#) (MCL [287.331](#)) & adds sec. 8c.

[HB 5062](#) (Santana) Law enforcement; reports; access by animal shelter to certain criminal history record information through ICHAT; allow without a fee for purposes of animal adoption. Amends sec. 3 of [1935 PA 120](#) (MCL [28.273](#)).

[SB 0603](#) (Bieda) Law enforcement; reports; access by animal shelter to certain criminal history record information through ICHAT; allow without a fee for purposes of animal adoption. Amends sec. 3 of [1935 PA 120](#) (MCL [28.273](#)).

[SB 0604](#) (Bieda) Animals; animal shelters; animal shelters to deny adoptions under certain circumstances; require, and allow animal shelters to consider prior criminal history before adoption. Amends sec. 1 of [1969 PA 287](#) (MCL [287.331](#)) & adds sec. 8c.

Date position was adopted:

December 7, 2013

Process used to take the ideological position:

Position adopted at scheduled meeting on 12/7/13 and then by electronic discussion and vote for those not in attendance.

Number of members in the decision-making body:

14

Number who voted in favor and opposed to the position:

14 Voted for position

0 Voted against position

0 Abstained from vote

0 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

SB 603/HB 5062 waives the fee for accessing the ICHAT system for animal control shelters or other animal protection shelters conducting background checks for animal adoption purposes. SB 604/HB 5061 allows animal protection shelters or animal control shelters to consider an individual's criminal history in determining whether to permit that individual to adopt an animal. Additionally, it prohibits animal adoptions to any individual charged with an animal abuse offense or convicted of an animal abuse offense within the last five years. The council supports these bills as an appropriate and reasonable measure to protect animals as well as humans, given the established connection between animal abuse and other violent behavior. The bills give shelters and other agencies the tools necessary to place animals in safe homes.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2013-HB-5061>

<http://legislature.mi.gov/doc.aspx?2013-HB-5062>

<http://legislature.mi.gov/doc.aspx?2013-SB-0603>

<http://legislature.mi.gov/doc.aspx?2013-SB-0604>