

HOUSE BILL No. 6036

September 15, 1998, Introduced by Rep. Nye and referred to the Committee on Agriculture.

A bill to amend 1919 PA 339, entitled "Dog law of 1919," by amending the title and sections 6, 25, and 26a (MCL 287.266, 287.285, and 287.286a); and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

TITLE

2 An act relating to dogs and the protection of ~~live stock~~
3 LIVESTOCK and poultry from damage by dogs; providing for the
4 licensing of dogs; regulating the keeping of dogs ~~,~~ and autho-
5 rizing their destruction in certain cases; ~~providing for the~~
6 ~~determination and payment of damages done by dogs to live stock~~
7 ~~and poultry;~~ imposing powers and duties on certain state,
8 county, city, and township officers and ~~employes, and to repeal~~
9 Act No. ~~347 of the Public Acts of 1917,~~ EMPLOYEES; and
10 providing penalties for the violation of this act.

1 Sec. 6. (1) On or before March 1 of each year, the owner of
2 any dog 6 months old or over ~~, except as provided in section~~
3 ~~14,~~ shall apply IN WRITING FOR A LICENSE FOR EACH DOG OWNED OR
4 KEPT BY HIM OR HER. THE APPLICATION SHALL BE MADE to the county
5 ~~, township or~~ TREASURER, TOWNSHIP TREASURER, OR, EXCEPT AS PRO-
6 VIDED IN SECTION 14, city treasurer, or his OR HER authorized
7 agent, OF THE COUNTY, TOWNSHIP, OR CITY where the owner resides.
8 ~~, in writing, for a license for each dog owned or kept by him.~~
9 The ~~board of supervisors of any county of this state~~ COUNTY
10 BOARD OF COMMISSIONERS OF A COUNTY may by resolution extend the
11 time for application for license until June 1 of any year, and
12 wherever the date of March 1 is used in this section, ~~the same~~
13 THAT DATE shall be CONSIDERED TO BE June 1 as applied to such
14 county. ~~Such~~ THE application shall state the breed, sex, age,
15 color, and markings of ~~such~~ THE dog ~~,~~ and the name and
16 address of the last previous owner. ~~Such~~ THE application for a
17 license shall be accompanied by proof of vaccination of the dog
18 for rabies by a valid certificate of vaccination for rabies, with
19 a vaccine licensed by the United States department of agricul-
20 ture, signed by an accredited veterinarian.

21 (2) The ~~board of supervisors~~ COUNTY BOARD OF COMMISSIONERS
22 SHALL require, by resolution of a majority of the board, that at
23 the time of making the application the owner shall pay the fol-
24 lowing license fee:

25 (A) If the application is made before March 1, ~~the same~~
26 ~~shall be accompanied by a license fee of~~ \$1.00 for each male dog
27 or unsexed dog ~~and~~ OR \$2.00 for each female dog. ~~if~~

1 (B) IF the application is made on or after March 1, ~~the~~
2 ~~same shall be accompanied by a license fee of \$2.00 for each~~
3 ~~male dog or unsexed dog ; and OR \$4.00 for each female dog.~~
4 ~~The board of supervisors of any county in this state in which~~
5 ~~the collections of the fees hereinbefore prescribed shall exceed~~
6 ~~the amount of money necessary to pay the necessary fees and dam-~~
7 ~~ages caused by dogs, as provided in this act, in such county, by~~
8 ~~resolution, may reduce such fees to an amount deemed necessary by~~
9 ~~the board to bring in sufficient funds to pay the damages caused~~
10 ~~by dogs, as provided in this act, in such county. The board of~~
11 ~~supervisors of any county in this state in which the collections~~
12 ~~of the fees hereinbefore prescribed shall not be sufficient to~~
13 ~~pay the necessary fees and damages caused by dogs, as provided in~~
14 ~~this act, in such county, by resolution, may increase such fees~~
15 ~~to an amount deemed necessary by the board to bring in sufficient~~
16 ~~funds to pay the damages caused by dogs, as provided in this act,~~
17 ~~in such county.~~

18 Sec. 25. ~~Any valid claims for loss or damage to live stock~~
19 ~~which have accrued under any general or local laws, prior to the~~
20 ~~taking effect of this act, shall not abate by reason of the~~
21 ~~repeal of such laws by the operation of this act, but all such~~
22 ~~claims, and all claims arising under this act and all expense~~
23 ~~incurred in any county in enforcing the provisions of this act~~
24 ~~shall be paid out of the general fund of the county. At the time~~
25 ~~this act takes effect, all moneys then in the "dog fund" in the~~
26 ~~hands of township or city treasurers, derived from the taxation~~
27 ~~of dogs under existing laws, shall be turned into the county~~

1 ~~general fund: Provided, In all cities having~~ IF A CITY HAS a
2 well-regulated dog department, the reasonable expense of main-
3 taining the ~~same,~~ DOG DEPARTMENT shall be ~~borne by said~~
4 ~~county, duly~~ audited by the ~~board of supervisors, and in any~~
5 ~~county having~~ COUNTY BOARD OF COMMISSIONERS, OR IF THE COUNTY
6 HAS a board of county auditors, ~~said~~ BY THE board of county
7 auditors, ~~shall audit said reasonable bills, to~~ AND SHALL be
8 paid out of the general fund of the county.

9 Sec. 26a. (1) A district court magistrate or the district
10 or ~~common pleas~~ MUNICIPAL court shall issue ~~a summons similar~~
11 ~~to the summons provided for in section 20~~ AN ORDER to show cause
12 why a dog should not be killed, upon a sworn complaint that any
13 of the following ~~exist~~ EXISTS:

14 (a) After January 10 and before June 15 in each year a dog
15 over 6 months old is running at large unaccompanied by its owner
16 or is engaged in lawful hunting and is not under the reasonable
17 control of its owner without a license attached to the collar of
18 the dog.

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

22 (c) A dog, licensed or unlicensed, has attacked or bitten a
23 person.

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

26 (e) A dog ~~duly~~ licensed UNDER THIS ACT and wearing a
27 license tag has run at large contrary to this act.

1 (2) After a hearing the district court magistrate or the
2 district or ~~common pleas~~ MUNICIPAL court may ~~either order the~~
3 ~~dog killed, or~~ ORDER EITHER THAT THE DOG BE KILLED OR THAT THE
4 DOG BE confined to the premises of the owner. If the owner dis-
5 obeys this order the owner may be punished under section 26.
6 Costs as in a civil case shall be taxed against the owner of the
7 dog, and collected by the county. The county board of commis-
8 sioners shall audit and pay claims for services of officers
9 rendered pursuant to this section, unless the claims are paid by
10 the owner of the dog.

11 Enacting section 1. Sections 19 and 20 to 24 of the dog law
12 of 1919, 1919 PA 339, MCL 287.279 and 287.280 to 287.284, are
13 repealed.