

SUBSTITUTE FOR
HOUSE BILL NO. 5822

A bill to amend 1976 PA 328, entitled
"An act to regulate animals running at large; to provide for
compensation for damage done by animals running at large; to
prescribe penalties; and to repeal certain acts and parts of acts,"
by amending section 1 (MCL 433.11) and by adding section 4a; and to
repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) ~~"Animal"~~ **"ANIMALS"** means cattle, horses, sheep, swine,
3 mules, burros, or goats.

4 (b) "Owner" means a person who has a right of property in an
5 animal, a person who keeps or harbors an animal or has it in his **OR**
6 **HER** care, or a person who permits an animal to remain on or about
7 the premises occupied by him **OR HER**.

8 (c) ~~"Animal running"~~ **"RUNNING** at large" means ~~means~~ **REFERS TO** an
9 animal not under the control of ~~the~~ **AN** owner and not on ~~the~~ **AN**

owner's premises.

SEC. 4A. (1) SWINE RUNNING AT LARGE ON PUBLIC OR PRIVATE
PROPERTY ARE A PUBLIC NUISANCE.

(2) A LOCAL ANIMAL CONTROL OFFICER APPOINTED UNDER THE DOG LAW
OF 1919, 1919 PA 339, MCL 287.261 TO 287.290, OR A LAW ENFORCEMENT
OFFICER MAY KILL A SWINE RUNNING AT LARGE ON PUBLIC OR PRIVATE
PROPERTY.

(3) A PERSON WHO POSSESSES A LICENSE TO CARRY A CONCEALED
PISTOL ISSUED UNDER 1927 PA 372, MCL 28.421 TO 28.435, OR A VALID
HUNTING LICENSE FOR ANY GAME ISSUED UNDER PART 435 OF THE NATURAL
RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL
324.43501 TO 324.43561, MAY KILL A SWINE RUNNING AT LARGE ON PUBLIC
PROPERTY. A PERSON MAY KILL SWINE RUNNING AT LARGE ON PRIVATE
PROPERTY IF THE PERSON IS, OR IS ACCOMPANIED BY OR HAS THE
PERMISSION OF, THE OWNER OR LESSEE OF THE PROPERTY.

(4) SUBSECTION (3) DOES NOT AUTHORIZE THE DISCHARGE OF A BOW
AND ARROW, CROSSBOW, OR FIREARM IN AN AREA WHERE THE DISCHARGE OF
THAT WEAPON, OR HUNTING WITH THAT WEAPON, IS PROHIBITED BY AN
ORDINANCE ADOPTED PURSUANT TO PART 419 OF THE NATURAL RESOURCES AND
ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.41901 TO
324.41905.

Enacting section 1. Section 10 of 1976 PA 328, MCL 433.20, is
repealed.