



Senate Fiscal Agency  
P.O. Box 30036  
Lansing, Michigan 48909-7536

## BILL ANALYSIS



Telephone: (517) 373-5383  
Fax: (517) 373-1986

House Bill 4703 (Substitute H-1 as reported without amendment)  
House Bill 4704 (Substitute H-1 as reported without amendment)  
Sponsor: Representative Douglas C. Wozniak  
House Committee: Judiciary  
Senate Committee: Judiciary and Public Safety

**CONTENT**

House Bills 4703 (H-1) and 4704 (H-1), taken together, would amend Chapter 9 (Animals) of the Michigan Penal Code to do the following:

- Modify provisions allowing a court to order a defendant to pay restitution as part of a sentence for certain violations Chapter 9.
- Prohibit an animal that was the victim of abuse and was confiscated by a law enforcement officer from being returned to its owner or possessor if the owner or possessor were alleged to have violated Chapter 9, and require the animal to be taken to a local animal control agency.
- Require a court to award the animal to the animal control agency for evaluation and disposition if the owner or possessor were convicted under Chapter 9.
- Require an animal control agency taking custody of an animal to give notice within 72 hours after seizing the animal.
- Require a notice to include, among other things, a statement that the animal's owner or possessor could post a security deposit or bond that could prevent the forfeiture of the animal during the criminal, forfeiture, or other court proceeding until the court made a final determination regarding the animal's disposition.
- Specify that a request for a hearing within 14 days after the date on the notice would prevent forfeiture of the animal until the court made a determination whether the requirement to post a security deposit or bond was justified, whether the amount of the security deposit or bond was fair and reasonable, or both.
- Require an animal control agency that had custody of a seized animal to hold it for 14 consecutive days beginning on the date notice was given, and specify that if the owner or possessor had not posted a security deposit or bond or requested a hearing with the 14-day period, the animal would be forfeited and the animal control agency could dispose of the animal by adoption, transfer to another animal control agency, or humane euthanasia.
- Specify that if the owner or possessor that posted a security deposit or bond were found not guilty in the criminal action, the amount of the security deposit or bond posted to prevent disposition of the animal could be returned to the owner or possessor at the court's discretion, and the animal would have to be returned to the owner.
- Allow an animal control agency, after receiving a seized animal, to humanely euthanize it or have it euthanized under certain circumstances.
- Allow an animal control agency that received an animal to apply to the district court or municipal court for a hearing to determine whether the animal would have to be humanely euthanized because of its lack of any useful purpose or the public safety threat it posed.

MCL 750.50b (H.B. 4703)  
750.50 (H.B. 4704)

Legislative Analyst: Stephen P. Jackson

## **FISCAL IMPACT**

The bills would have no fiscal impact on State government. The bills could have possible fiscal impacts on local and county governments, but in amounts that cannot be determined at this time. Expenditures by local or county government-funded animal control agencies could increase with animal confiscations, but those costs could be mitigated somewhat by the allowance of cost recovery from defendants. The bills would have no fiscal impact on local court systems.

Date Completed: 6-16-22

Fiscal Analyst: Bruce R. Baker  
Michael Siracuse

SAS\Floor\hb4703

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.