

# SENATE BILL No. 1403

September 5, 2006, Introduced by Senators GOSCHKA, KUIPERS, JOHNSON, GILBERT, GARCIA and BARCIA and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 50c (MCL 750.50c), as amended by 2002 PA 672.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 50c. (1) As used in this section:

2       (a) "Dog handler" means a peace officer who has successfully  
3 completed training in the handling of a police dog pursuant to a  
4 policy of the law enforcement agency that employs that peace  
5 officer.

6       (b) "Physical harm" means any injury to a dog's or horse's  
7 physical condition.

8       (c) "Police dog" means ~~a~~ **EITHER OF THE FOLLOWING:**

9       (i) **A** dog used by a law enforcement agency of this state or of  
10 a local unit of government of this state that is trained for law

1 enforcement work and subject to the control of a dog handler.

2 **(ii) A SEARCH AND RESCUE DOG.**

3 (d) "Police horse" means a horse used by a law enforcement  
4 agency of this state or of a local unit of government of this state  
5 for law enforcement work.

6 (e) "Serious physical harm" means any injury to a dog's or  
7 horse's physical condition or welfare that is not necessarily  
8 permanent but that constitutes substantial body disfigurement, or  
9 that seriously impairs the function of a body organ or limb.

10 **(F) "SEARCH AND RESCUE DOG" MEANS A DOG THAT IS TRAINED OR**  
11 **BEING TRAINED FOR THE PURPOSE OF LOCATING OR RESCUING LOST,**  
12 **INJURED, OR DECEASED INDIVIDUALS AND IS OWNED BY AN INDEPENDENT**  
13 **HANDLER OR BY A MEMBER OF A SEARCH AND RESCUE TEAM AND USED IN**  
14 **CONJUNCTION WITH LOCAL LAW ENFORCEMENT OR EMERGENCY SERVICES**  
15 **ORGANIZATIONS.**

16 (2) A person shall not intentionally kill or cause serious  
17 physical harm to a police dog or police horse.

18 (3) A person shall not intentionally cause physical harm to a  
19 police dog or police horse.

20 (4) A person shall not intentionally harass or interfere with  
21 a police dog or police horse lawfully performing its duties.

22 (5) A person who violates subsection (2) is guilty of a felony  
23 punishable by imprisonment for not more than 5 years or a fine of  
24 not more than \$2,500.00, or both.

25 (6) Except as provided in subsection (7), a person who  
26 violates subsection (3) or (4) is guilty of a misdemeanor  
27 punishable by imprisonment for not more than 1 year or a fine of

1 not more than \$1,000.00, or both.

2 (7) A person who violates subsection (3) or (4) while  
3 committing a crime is guilty of a felony punishable by imprisonment  
4 for not more than 2 years or a fine of not more than \$1,500.00, or  
5 both.

6 (8) This section does not prohibit an individual from being  
7 charged with, convicted of, or punished for any other violation of  
8 law committed by that individual while violating this section.