

Legislative Analysis



PROHIBIT BREED-SPECIFIC LEGISLATION

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4035 (proposed substitute H-1)

Sponsor: Rep. Jim Ellison

Committee: Local Government and Municipal Finance

Complete to 2-19-20

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4035 would create a new act to prohibit a county, city, village, or township from enacting or enforcing an ordinance, policy, resolution, or rule regulating a dog based on its actual or perceived breed.

The new act would not prohibit an ordinance, policy, resolution, or rule that did any of the following:

- Placed restrictions or imposed additional requirements on dogs or dog owners.
- Regulated dogs determined to be dangerous or potentially dangerous by local units. (Such a policy could include a definition of “dangerous dog” or a similar term, rules for determining whether a dog is dangerous, requirements for ownership or possession of a dog determined to be dangerous, and penalties for a dog owner or possessor who violated the policy.)

The bill would take effect 90 days after its enactment.

BACKGROUND:

The ordinances the bill would prohibit are known as “breed-specific legislation.” Breed-specific legislation is typically implemented to regulate pit bull terriers and related breeds. There are several breed-specific local ordinances currently in place in Michigan. For example, Ypsilanti Charter Township requires sterilization on a breed-specific basis, and Orchard Lake Village prohibits the prospective possession of pit bulls. As of 2019, eight states prohibited any municipal breed-specific regulations, while 13 others prohibited the breed-specific classification or regulation of dogs as dangerous or potentially dangerous.¹

FISCAL IMPACT:

House Bill 4035 would establish no new regulatory responsibilities for state agencies or local units of government and no new taxes or fees and would therefore have no direct fiscal impact on either the state or local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

¹ See <https://www.animallaw.info/article/overview-states-prohibit-bsl>