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House Bill 5588 (as passed by the House)  
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Sponsor: Representative TC Clements (H.B. 5588)  
Representative Ranjeev Puri (H.B. 5589)  
House Committee: Judiciary  
Senate Committee: Agriculture

Date Completed: 5-25-22

### **CONTENT**

**House Bill 5588 would amend the Dog Law to eliminate a provision requiring certain local government officials to provide information to a dog owner regarding the availability of a statewide tattoo identification registry for when issuing a dog license.**

**House Bill 5589 would amend Public Act 426 of 1988, which governs dangerous animals, to eliminate a provision allowing a court to order a dangerous animal that has not caused serious injury or death to an individual or dog, if the dangerous animal is a dog, to have an identification number tattooed on it at the owner's expense, and instead require it to be assigned a permanent identification number.**

#### **House Bill 5588**

Under the Dog Law, when issuing a dog license, a county treasurer, city clerk, city treasurer, township treasurer, or the authorized agent of a city or township treasurer, including a veterinarian, an animal control shelter, or an animal protection shelter, also must provide information to the dog owner regarding both of the following:

- The availability of microchip implantation and registration for dogs by a veterinarian, an animal control shelter, or an animal protection shelter.
- The availability of a statewide tattoo identification registry for dogs maintained by the Michigan Department of Agriculture and Rural Development (MDARD).

The bill would remove the requirement to provide information regarding a statewide tattoo identification registry for dogs maintained by MDARD.

#### **House Bill 5589**

Under Public Act 426 of 1988, upon a sworn complaint that an animal is a dangerous animal and has caused serious injury or death to an individual or dog, a district court magistrate, district court, or a municipal court must issue a summons to the owner ordering him or her to appear to show cause why the animal should not be destroyed. ("Dangerous animal" means a dog or other animal that bites or attacks a person, or a dog that bites or attacks and causes serious injury or death to another dog while the other dog is on the property or under the control of its owner. The term does not include an animal that bites or attacks a person who

is knowingly trespassing on the property of the animal's owner, an animal that bites or attacks a person who provokes or torments the animal, an animal that is responding in a manner that an ordinary and reasonable person would conclude was designed to protect a person if that person is engaged in a lawful activity or is the subject of an assault, or livestock.)

After a hearing, if the animal is found to be a dangerous animal that has not caused serious injury or death to an individual or dog, the magistrate or court must order the owner of the animal to do one or more of the following:

- Take specific steps, such as escape proof fencing or enclosure, including a top or roof, to ensure that the animal cannot escape, or an unauthorized individual cannot enter the premises.
- Have the animal sterilized.
- Obtain and maintain liability insurance coverage sufficient to protect the public from any damage or harm caused by the animal.
- Take any other action appropriate to protect the public.

In addition, the court or magistrate could order the animal, if the dangerous animal is of the *Canis familiaris* species (i.e., a domesticated dog), to have an identification number tattooed on it, at the owner's expense, under the supervision of a licensed veterinarian. Under the bill, instead, the court or magistrate could order the dangerous animal, if it were a member of the *Canis lupus familiaris* species, to have a permanent identification number assigned to it, at the owner's expense, by or under the supervision of a veterinarian.

The identification number must be assigned to the animal by MDARD and must be noted in its records under Public 309 of 1939, which related to the tattooing of dogs for registration and identification). The identification number must be tattooed on the upper inner left rear thigh of the animal by means of indelible or permanent ink. The bill would eliminate these provisions. (Public Act 253 of 2016 repealed the provisions pertaining to the tattooing of dogs (and the majority of Public Act 309 of 1939), retaining only a provision relating to the theft of a registered dog.)

MCL 287.274a (H.B. 5588)  
287.322 (H.B. 5589)

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker

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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.