

Public Policy Position
HB 5039 – HB 5041

The Animal Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 268 members. The Animal Law Section is not the State Bar of Michigan and the position expressed herein is that of the Animal Law Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Animal Law Section has a public policy decision-making body with 15 members. On January 4, 2024, the Section adopted its position after an electronic discussion and vote. 12 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 3 members did not vote.

Support**Explanation:**

The State Bar of Michigan Animal Law Section supports HB 5039, HB 5040, and HB 5041, which would prohibit local units of government from enacting rules pertaining to dogs based on "breed or perceived breed." The bills strike a balance by expressly allowing local units of government to enact rules that "place[] restrictions or impose[] additional requirements on dogs or dog owners." However, by requiring that any restrictions or requirements be breed neutral, these bills ensure fairness and do not allow local government to interfere with residents' ownership interests in specific breeds or types of dogs based on prejudice. Breed-specific legislation should be prohibited because it has been shown to be ineffective in achieving local governments' stated goal of protecting the public, it is expensive and difficult to enforce, and it results in dogs that are not problematic being euthanized or rehomed and separated from their human families. Breed-specific legislation provides a false sense of security to a community, which should focus its efforts on responsible pet ownership, including enacting and enforcing rules regarding licensure, vaccination, anti-tethering, leashes, etc. and providing training to adults and children regarding pet selection, safe dog interactions, and humane ownership (including encouraging spay neuter, bite prevention, proper pet care, etc.). Responsible and humane dog ownership has a demonstrated connection to safer communities.

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