

## ANIMAL LAW SECTION

Respectfully submits the following position on:

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SB 0285 & SB 0286

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The Animal Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Animal Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Animal Law Section is 185.

The position was adopted after discussion and vote at a scheduled meeting and an electronic discussion and vote for those members not in attendance. The number of members in the decision-making body is 15. The number who voted in favor to this position was 14. The number who voted opposed to this position was 0.

## Report on Public Policy Position

**Name of section:**

Animal Law Section

**Contact person:**

Jennifer Pierce

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**Bill Number:**

[SB 0285](#) (Bieda) Crimes; animals; penalties for crimes against animals; enhance, and make other revisions. Amends secs. 50 & 50b of [1931 PA 328](#) (MCL [750.50](#) & [750.50b](#)).

[SB 0286](#) (Jones) Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of animal cruelty; enact and amend. Amends secs. 16b, 34, 40, 46 & 49, ch. XVII of [1927 PA 175](#) (MCL [777.16b](#) et seq.).

**Date position was adopted:**

December 7, 2013

**Process used to take the ideological position:**

The position was adopted after discussion at a scheduled meeting on December 7, 2013 and then again in an electronic discussion and vote for those not able to attend the meeting.

**Number of members in the decision-making body:**

15

**Number who voted in favor and opposed to the position:**

14 Voted for position

0 Voted against position

0 Abstained from vote

1 Did not vote

**Position:**

Support

**Explanation of the position, including any recommended amendments:**

SB 285 extends neglect or cruelty prohibitions to a breeder or pet shop operator, enhances graduated penalties for animal neglect or cruelty based on the number of animals involved and/or the number of prior convictions, establishes a felony penalty for breeders and/or pet shop operators with five or more prior convictions, allows a court to include at least five years of probation as part of a sentence for a conviction involving 25 or more animals or three or more prior convictions and establishes first, second and third degrees of killing and torture of an animal and increases maximum penalties for first and second degrees. SB 286 revises the sentencing guidelines for animal

neglect or cruelty and scoring requirements for several offense variables which will provide for potentially increased sentences. The animal law section fully supports these bills as they will provide prosecutors and the courts the tools necessary to effectively charge and punish those convicted of an offense against an animal.

**The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.**

<http://legislature.mi.gov/doc.aspx?2013-SB-0285>

<http://legislature.mi.gov/doc.aspx?2013-SB-0286>