

Report on Public Policy Position

Name of section:

Animal Law Section

Contact person:

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Bill Number:

[HB 5655](#) (Espinoza) Crimes; animals; forfeiture of real property used in the commission of animal fighting; allow. Amends sec. 4702 of [1961 PA 236](#) (MCL [600.4702](#)).

[HB 5656](#) (Espinoza) Crimes; animals; racketeering statute; include animal fighting as predicate offense and revise certain in rem forfeiture provisions. Amends secs. 159g, 159m & 159q of [1931 PA 328](#) (MCL [750.159g](#) et seq.).

Date position was adopted:

February 8-9, 2010

Process used to take the ideological position:

Position adopted after an electronic discussion and vote

Number of members in the decision-making body:

15

Number who voted in favor and opposed to the position:

12 Voted for position

0 Voted against position

0 Abstained from vote

3 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

Both bills deal with animal fighting. HB 5655 would expand the forfeiture provisions of real and personal property of a person involved in animal fighting, eliminate the existing exemption from forfeiture of real property that is a spouse's primary residence, and repeal a provision that required county prosecutors to reimburse the owner for certain costs if the prosecutor does not meet the burden of proof.

HB 5656 would amend the Michigan Penal Code chapter "Criminal Enterprises" to include animal fighting as a predicate crime for treatment under the racketeering provisions of that chapter.

Animal fighting has become a serious criminal and social concern in many areas of Michigan, as well as being detrimental to the animals who are used for fighting. Members of the Animal Law Section who are prosecutors believe that these bills would strengthen the ability to combat this well financed and lucrative crime.

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?2009-HB-5655>

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