

**SUBSTITUTE FOR  
SENATE BILL NO. 352**

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
(MCL 750.1 to 750.568) by adding section 50d.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           **Sec. 50d. (1) As used in this section:**

2           **(a) "Adult in need of protective services" means that term as**  
3 **defined in section 11 of the social welfare act, 1939 PA 280, MCL**  
4 **400.11.**

5           **(b) "Animal abuse or neglect" means any of the following:**

6           **(i) A violation of section 49(2), 50, or 50b.**

7           **(ii) A violation of section 158 committed with an animal.**

8           **(c) "Animal control officer" means an animal control officer**



1 provided for under sections 29a to 29c of the dog law of 1919, 1919  
2 PA 339, MCL 287.289a to 287.289c.

3 (d) "APS employee" means an employee in the adult protective  
4 services program or successor program of the department of health  
5 and human services.

6 (e) "Child abuse" means that term as defined in section 2 of  
7 the child protection law, 1975 PA 238, MCL 722.622.

8 (f) "Child neglect" means that term as defined in section 2 of  
9 the child protection law, 1975 PA 238, MCL 722.622.

10 (g) "CPS employee" means an employee in the child protective  
11 services program or successor program of the department of health  
12 and human services.

13 (h) "Law enforcement officer" means that term as defined in  
14 section 2 of the Michigan commission on law enforcement standards  
15 act, 1965 PA 203, MCL 28.602.

16 (2) If, in the course of investigating suspected child abuse  
17 or child neglect, or the abuse, neglect, or exploitation of an  
18 adult in need of protective services, a CPS or APS employee has  
19 reasonable cause to suspect animal abuse or neglect, the CPS or APS  
20 employee shall immediately make or cause to be made an oral report  
21 of the suspected animal abuse or neglect to an animal control  
22 officer or law enforcement officer for the jurisdiction where the  
23 animal was found.

24 (3) Within 72 hours after the oral report described in  
25 subsection (2) is made, the CPS or APS employee shall file a  
26 written report with an animal control officer or law enforcement  
27 officer for the jurisdiction where the animal was found. The  
28 written report must contain all of the following:

29 (a) A description of the animal and of the animal abuse or



1 neglect.

2 (b) The name and address of the animal's owner or keeper if  
3 that information is available to the CPS or APS employee.

4 (c) Any other information available to the CPS or APS employee  
5 that might assist an animal control officer or law enforcement  
6 officer to establish the cause of the animal abuse or neglect and  
7 the manner in which the animal abuse or neglect occurred.

8 (4) The identity of a CPS or APS employee who makes a report  
9 under this section is confidential and subject to disclosure only  
10 with the consent of that CPS or APS employee or by judicial  
11 process. A CPS or APS employee who makes a report under this  
12 section is presumed to have acted in good faith. A CPS or APS  
13 employee acting in good faith who makes a report under this section  
14 or cooperates in an investigation of the suspected animal abuse or  
15 neglect is immune from civil or criminal liability that might  
16 otherwise be incurred by that action. This immunity from civil or  
17 criminal liability does not extend to a negligent act that causes  
18 personal injury or death.

19 (5) A CPS or APS employee who is required by this section to  
20 report an instance of suspected animal abuse or neglect and who  
21 knowingly fails to do so is guilty of a misdemeanor punishable by  
22 imprisonment for not more than 93 days or a fine of not more than  
23 \$500.00, or both.

24 (6) A CPS or APS employee who knowingly makes a false report  
25 of animal abuse or neglect under this section is guilty of a  
26 misdemeanor punishable by imprisonment for not more than 93 days or  
27 a fine of not more than \$100.00, or both.

28 Enacting section 1. This amendatory act takes effect 90 days  
29 after the date it is enacted into law.

