

HOUSE BILL No. 4164

February 14, 1989, Introduced by Reps. Randall, Ostling, Bender and Owinga and referred to the Committee on Towns and Counties.

A bill to amend section 20 of Act No. 339 of the Public Acts of 1919, entitled
"Dog law of 1919,"
being section 287.280 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 20 of Act No. 339 of the Public Acts of
2 1919, being section 287.280 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 20. ~~Whenever any~~ IF A person sustains any loss or
5 damage to ~~any~~ livestock or poultry THAT IS CAUSED by dogs, or
6 ~~whenever any~~ IF THE livestock of ~~any~~ A person is necessarily
7 destroyed because of having been bitten by a dog, ~~such~~ THE
8 person or his OR HER agent or attorney ~~,~~ may complain to the
9 township supervisor or ~~appointed trustee~~ A TOWNSHIP OFFICER OR
10 OTHER QUALIFIED PERSON DESIGNATED BY THE TOWNSHIP BOARD of the

1 township ~~within~~ IN which the damage occurred. The complaint
2 shall be in writing, signed by the person making it, and shall
3 state when, where, what, and how much damage was done, and, if
4 known, by whose dog or dogs. The township supervisor or a town-
5 ship ~~trustee appointed~~ OFFICER OR OTHER QUALIFIED PERSON
6 DESIGNATED by the township board shall at once examine the place
7 where the alleged damage was sustained and the livestock or poul-
8 try injured or killed, if practicable. He OR SHE shall also
9 examine under oath, or affirmation, any witness called. ~~before~~
10 ~~him.~~ After making diligent inquiry in relation to the claim, the
11 township supervisor or ~~appointed trustee~~ A TOWNSHIP OFFICER OR
12 OTHER PERSON DESIGNATED BY THE TOWNSHIP BOARD shall determine
13 whether ~~any~~ damage has been sustained and the amount ~~thereof~~
14 OF THAT DAMAGE, and, if possible, who was the owner of the dog or
15 dogs ~~by which~~ THAT DID the damage. ~~was done.~~ If during the
16 course of the proceedings ~~it shall appear who is~~ the owner of
17 the dog causing the loss or damage to the livestock BECOMES
18 KNOWN, the township supervisor or ~~appointed trustee~~ A TOWNSHIP
19 OFFICER OR OTHER PERSON DESIGNATED BY THE TOWNSHIP BOARD shall
20 request the district court judge to ~~forthwith~~ IMMEDIATELY issue
21 a summons against the owner commanding him OR HER to appear
22 before the township supervisor or ~~appointed trustee~~ TOWNSHIP
23 OFFICER OR OTHER PERSON DESIGNATED BY THE TOWNSHIP BOARD and show
24 cause why the dog should not be killed. The summons may be
25 served anyplace within the county in which the damage occurred,
26 and shall be made returnable not less than 2 nor more than 6 days
27 from the date ~~therein~~ STATED IN THE SUMMONS and shall be served

1 at least 2 days before the time of appearance mentioned ~~therein~~
2 IN THE SUMMONS. Upon the return day fixed in the summons the
3 township supervisor or ~~appointed trustee~~ TOWNSHIP OFFICER OR
4 OTHER PERSON DESIGNATED BY THE TOWNSHIP BOARD shall proceed to
5 determine whether the loss or damage to the livestock was caused
6 by ~~said~~ THE dog, and if SO he OR SHE shall ~~so find he shall~~
7 ~~forthwith~~ IMMEDIATELY notify the sheriff or the animal control
8 officer of the county of that fact ~~whereupon it shall be the~~
9 ~~duty of~~ AND UPON NOTIFICATION the sheriff or the animal control
10 officer ~~to~~ SHALL kill the dog wherever found. Any owner or
11 keeper of the dog or dogs shall be liable to the county in a
12 civil action for all damages and costs paid by the county on any
13 ~~claims as hereinafter~~ CLAIM AS provided IN THIS SECTION.