

ANIMAL LAW SECTION

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July 29, 2013

Senator Rick Jones
Chair, Judiciary Committee

Re: July 30, 2013 Committee Hearing, Support of SB 386

Dear Senator Jones,

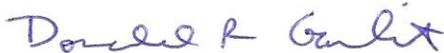
The Section Council of the Animal Law Section of the State Bar of Michigan is pleased to *support* this bill which would require courts to prohibit ownership of animals by persons convicted of certain crimes against them, for a period of at least 5 years. **The position expressed is that of the Animal Law Section only and is not the position of the State Bar of Michigan. The Section has 175 members.**

This bill protects animals and thereby is consistent with the Section's goal to "[p]romote legislation to advance animal welfare." Please find attached the Public Policy Bill Position Detail, adopted in compliance with State Bar procedure, which further outlines the Council's position. It can also be found at:

<http://www.michbar.org/publicpolicy/positionpdfs/positionPDF1350.pdf>

Thank you for considering our position, and please contact me if the Section can provide additional information.

Very truly yours,



Donald R. Garlit
Chair

Attachment: Public Policy Bill Position Detail, SB 386

ANIMAL LAW SECTION

Respectfully submits the following position on:

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SB 0386

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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 164.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 15. The number who voted in favor to this position was 13. The number who voted opposed to this position was 0.

Report on Public Policy Position

Name of section:

Animal Law Section

Contact person:

Donald Garlit

E-Mail:

donaldgarlit@yahoo.com

Bill Number:

[SB 0386](#) (Jones) Crimes; animals; ownership of animals by a person convicted by certain crimes against animals; require court to prohibit for a period of at least 5 years. Amends secs. 49, 50 & 50b of [1931 PA 328](#) (MCL [750.49](#) et seq.).

Date position was adopted:

July 26, 2013

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:

13 Voted for position

0 Voted against position

0 Abstained from vote

2 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

This bill amends the Michigan Penal Code to require a judge to order persons who are convicted of certain animal crimes not to own or possess an animal for at least five years. This strengthens existing law with regard to sentences for cases involving animal fighting (MCL 750.49); a second or subsequent conviction for animal cruelty and neglect (MCL 750.50); and killing, torturing, mutilating, maiming, disfiguring, or poisoning an animal (MCL 750.50b). The bill preserves discretion for judges to order permanent relinquishment of animal ownership.

One of the goals of the Animal Law Section is to "[p]romote legislation to advance animal protection." The bill would more strictly limit contact with animals by those convicted of the most egregious offenses toward them, thereby providing less opportunity for harm to other animals.

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-0386>