

## DOG BREED DISCRIMINATION

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

Senate Bill 741 as reported from House committee

Sponsor: Sen. Dave Robertson

House Committee: Local Government

Senate Committee: Judiciary

Complete to 12-17-18

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

Senate Bill 741 would create a new act to prohibit a *local unit of government* from enacting or enforcing an ordinance, policy, resolution, or rule regulating a dog based on its actual or perceived breed. The bill would not prohibit a local unit of government from enacting an ordinance, policy, resolution, or rule that places restrictions or imposes additional requirements on dogs or dog owners.

*Local unit of government* would mean a county, city, village, or township.

The bill would take effect 90 days after its enactment.

### HOUSE COMMITTEE ACTION:

The House Committee on Local Government reported the Senate-passed version of the bill without amendment.

### BACKGROUND INFORMATION:

The regulations the bill would prohibit local units of government from enacting are known as “breed-specific legislation.” Breed-specific legislation has been implemented in some areas to regulate pitbull-type breeds, which are thought to be distinguished by shorter snouts and square heads. There are several breed-specific local ordinances currently in place in Michigan communities. For example, Ypsilanti Charter Township requires mandatory breed-specific sterilization,<sup>1</sup> and Orchard Lake Village prohibits the prospective possession and maintenance of pitbull-type dogs.<sup>2</sup>

Laws similar to the bill (that is, laws that prohibit breed-specific legislation) have been enacted in states such as Rhode Island<sup>3</sup> and South Dakota.<sup>4</sup>

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<sup>1</sup> Chapter 14, Article 1

[https://library.municode.com/mi/ypsilanti\\_charter\\_township\\_\(washtenaw\\_co\)/codes/code\\_of\\_ordinances?nodeId=COOR\\_CH14AN](https://library.municode.com/mi/ypsilanti_charter_township_(washtenaw_co)/codes/code_of_ordinances?nodeId=COOR_CH14AN)

<sup>2</sup> Chapter 10, Article II

[https://library.municode.com/mi/orchard\\_lake\\_village/codes/code\\_of\\_ordinances?nodeId=CD\\_ORD\\_CH10AN\\_ARTIINGE](https://library.municode.com/mi/orchard_lake_village/codes/code_of_ordinances?nodeId=CD_ORD_CH10AN_ARTIINGE)

<sup>3</sup> Gen. Laws, 1956, 4-13.1-16 <http://webserver.rilin.state.ri.us/Statutes/TITLE4/4-13.1/4-13.1-16.HTM>

<sup>4</sup> SDCL 40-34-16 [http://sdlegislature.gov/Statutes/Codified\\_Laws/DisplayStatute.aspx?Type=Statute&Statute=40-34-16](http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=40-34-16)

## **FISCAL IMPACT:**

Senate Bill 741 would establish a new public act that would prohibit a local unit of government as defined in the bill from enacting or enforcing a "breed-specific" regulatory dog ordinance. The bill would establish no new regulatory responsibilities for state agencies or local units of government and no new taxes or fees and would therefore have no direct fiscal impact on either the state or local units of government.

## **POSITIONS:**

Representatives of the following entities testified in support of the bill (11-28-18):

- Best Friends Animal Society
- State Bar of Michigan Animal Law Section
- Attorneys for Animals
- Humane Society of the United States
- City of Dearborn Heights
- Stiffy's Dogs

The following entities indicated support for the bill (11-28-18):

- Michigan Pitbull Education Project
- Make Michigan Next
- Michigan Humane Society
- Humane Society of West Michigan
- Michigan Pet Fund Alliance
- National Animal Interest Alliance Trust
- American Kennel Club
- Michigan Association for Pure Bred Dogs

The following entities indicated opposition to the bill (11-28-18):

- Michigan Municipal League
- Michigan Townships Association

Legislative Analyst: Dana Adams  
Fiscal Analyst: William E. Hamilton

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.