

DOG BREED DISCRIMINATION

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Senate Bill 741 as passed by the Senate
Sponsor: Sen. Dave Robertson
House Committee: Local Government
Senate Committee: Judiciary
Complete to 11-28-18

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.

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,¹ and Orchard Lake Village prohibits the prospective possession and maintenance of pitbull-type dogs.²

Laws similar to the bill (that is, laws that prohibit breed-specific legislation) have been enacted in states such as Rhode Island³ and South Dakota.⁴

¹ 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)

² Chapter 10, Article II

https://library.municode.com/mi/orchard_lake_village/codes/code_of_ordinances?nodeId=CD_ORD_CH10AN_ARTIINGE

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

⁴ SDCL 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.

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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.