



Senate Fiscal Agency
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Senate Bill 352 (Substitute S-2 as reported)
Sponsor: Senator Peter J. Lucido
Committee: Judiciary and Public Safety

CONTENT

The bill would amend the Michigan Penal Code to do the following:

- Require a Child Protective Services (CPS) or Adult Protective Services (APS) employee to report suspected animal abuse or neglect, if, in the course of investigating suspected child abuse or neglect, or the abuse, neglect, or exploitation of an adult in need of protective services, he or she had reasonable cause to suspect animal abuse or neglect.
- Require the CPS or APS employee to file, within 72 hours after making an oral report, a written report with an animal control officer or law enforcement officer for the jurisdiction where the animal was found.
- Prescribe penalties for knowingly failing to make a report and for knowingly making a false report.
- Specify that the identity of the CPS or APS employee who made the report would be confidential and subject to disclosure only with his or her consent or by judicial process.
- Specify that a CPS or APS employee who made a report would be presumed to have acted in good faith, and specify that a CPS or APS employee who acted in good faith who made a report or cooperated in an investigation of the suspected animal abuse or neglect would be immune from civil or criminal liability that otherwise could be incurred by that action.

Proposed MCL 750.50d

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have a negative fiscal impact on the State and local government resulting from misdemeanor arrests. New misdemeanor arrests and convictions under the bill could increase resource demands on law enforcement, court systems, community supervision, and jails. However, it is unknown how many people would be prosecuted under the bill's provisions. Any additional revenue from imposed fines would go to local libraries.

There would be an uncertain, but likely minor, fiscal impact on the Department of Health and Human Services (DHHS). The Department indicates that, under the bill, additional training would be necessary for CPS and APS caseworkers as well as animal control officers to facilitate the reporting requirements at a cost to the Department. The DHHS also indicates that there would be a cost to reproduce printed copies of the Child Protection Law to reflect changes under the bill.

Date Completed: 11-12-19

Fiscal Analyst: Joe Carrasco
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