ANIMAL LEGAL DEFENSE FUND EST 1979

Compendium of U.S. Animal Protection Laws

Michigan



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This chapter contains Michigan's general animal protection and related statutes with an effective date on or before September 1, 2023. It begins with a detailed overview of the provisions contained in these laws, followed by the full text of the statutes themselves. The various provisions are organized into categories with the relevant part of each statute italicized.

Michigan may employ similar provisions within other non-animal-specific criminal and civil statutes, may have other more specific statutes in addition to those included, and may have a variety of animal-related regulations in effect. Because the law is continually evolving, always review an official source for the most current language of any statute.

Michigan Laws

SUBSTANTIVE PROHIBITIONS AND EXEMPTIONS

1. Definition of "Animal"	"[A] vertebrate other than a human being." MICH. COMP. LAWS § 750.50(1)(b) MICH. COMP. LAWS § 750.50b(1)(a) "'Companion animal' means an animal that is commonly considered to be, or is considered by its owner to be, a pet, or that is a service animal as that term is defined in section 50a. Companion animal includes, but is not limited to, dogs and cats." MICH. COMP. LAWS § 750.50b(1)(b) "[A]ll brute creatures." MICH. COMP. LAWS § 750.56
2. General Cruelty	Animal cruelty. MICH. COMP. LAWS § 750.50 ***1st offense and 1 victim:*** *93 days imprisonment, $1,000 fine, 200 hours community service, and costs of prosecution* ***1st offense and 2-3 victims OR death of an animal victim:*** *1 year imprisonment, $2,000 fine, 300 hours community service, and costs of prosecution* ***4-9 victims OR one prior offense:*** *2 years imprisonment, $2,000 fine, 300 hours community service, and costs of prosecution* ***10-24 victims OR 2 prior offenses:*** *4 years imprisonment, $5,000 fine, 500 hours community service, and costs of prosecution* ***25 or more victims OR 3 or more prior offenses:*** *7 years imprisonment, $10,000 fine, 500 community service, and costs of prosecution* **Killing or torturing animals in the 1st degree.** (*Intentionally* kill, torture, mutilate, maim, disfigure, or poison a *companion animal*, with the intent to cause another person distress/exert control). MICH. COMP. LAWS § 750.50b(2),(3),(6) *Felony: 10 years imprisonment, $5,000 fine, and/or 500 hours community service* **Killing or torturing in the 2nd degree.** (*Intentionally* kill, torture, mutilate, maim, disfigure or poison a *companion animal*; OR *Intentionally* do any of those things to a *non-companion animal* with the intent to

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	cause another person distress/exert control). MICH. COMP. LAWS § 750.50b(2),(4),(7) *Felony: 7 years imprisonment, $5,000 fine, and/or 5000 hours community service* **Killing or torturing in the 3rd degree.** Knowingly or recklessly killing, torturing, mutilating, maiming, or disfiguring; or knowingly poisoning an animal (not otherwise covered above). MICH. COMP. LAWS § 750.50b(2),(5),(8) *Felony: 4 years imprisonment, $5,000 fine, and/or 500 hours community service* Definitions. MICH. COMP. LAWS § 750.56 Felonies enumerated in Chapter 750 of the Michigan Compiled Laws. MICH. COMP. LAWS § 777.16b **Exemptions:** Veterinary practice, research animals, lawful hunting, accepted farm animal husbandry practices, slaughter, pest control, zoos/circuses, other. MICH. COMP. LAWS § 750.50(12),(13) Veterinary practice, research animals, lawful hunting, accepted farm animal husbandry practices, slaughter, pest control, other. MICH. COMP. LAWS § 750.50b(14)-(18)
3. Animal Fighting	Fighting animals, providing facilities for animal fights or organizing/promoting animal fights. MICH. COMP. LAWS § 750.49(2)(a)-(e) *4 years imprisonment, $5,000-$50,000 fine, and/or 500-1,000 hours community service* Attending an animal fight, breeding or selling fighting animal, selling or possessing equipment for fighting animals. MICH. COMP. LAWS § 750.49(2)(f)-(h) *4 years imprisonment, $1,000-$5,000 fine, and/or 250-500 hours community service* Dogfighting is a RICO offense. MICH. COMP. LAWS § 750.159g A person shall not knowingly conduct, or participate in, racketeering activity. MICH. COMP. LAWS § 750.159i

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ANIMAL PROTECTION LAWS OF MICHIGAN

	Felonies enumerated in Chapter 750 of the Michigan Compiled Laws; fighting animals, attending animal fights, organizing or promoting animal fights. MICH. COMP. LAWS § 777.16b
4. Sexual Assault	The sexual assault of an animal. MICH. COMP. LAWS § 750.158 *Generally: 15 years imprisonment* *If person was a "sexually delinquent" person at time of assault: life imprisonment*
5. Cruelty to Working Animals	Injuring or interfering with a service animal. MICH. COMP. LAWS § 750.50a *90 days imprisonment and/or $500 fine* Killing or seriously harming a police animal or rescue dog. MICH. COMP. LAWS § 750.50c(2) *5 years imprisonment and/or $10,000 fine* Intentionally harming or interfering with a police animal or rescue dog. MICH. COMP. LAWS § 750.50c(3),(4) *Generally: 1 year imprisonment and/or $5,000 fine* *While committing a crime: 2 years imprisonment and/or $15,000 fine*
6. Laws Specific to Farmed Animals	Horses, docking tails. MICH. COMP. LAWS § 750.60 *Misdemeanor: 1 year imprisonment or $1,000 fine* **Exemptions:** Veterinarian certifies docking of tail necessary for the health and safety of horse. MICH. COMP. LAWS § 750.60
7. Cruel Hunting, Trapping, and Fishing	Use of snowmobile to hunt, pursue, worry, or kill a wild bird or animal. MICH. COMP. LAWS § 324.82121
REPORTING LAWS	
8. Cross Reporting	[None]
9. Veterinary Reporting	A veterinarian or veterinary technician is immune from civil or criminal liability for reporting an animal they suspect is abandoned, neglected, or abused. MICH. COMP. LAWS § 333.18827
10. "Ag-Gag" Laws	[None]

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ANIMAL PROTECTION LAWS OF MICHIGAN

CIVIL AND CIVILIAN INTERVENTION	
11. Emergency Rescue and Relief	[None]
12. Civil Enforcement	[None]
13. Domestic Violence and Protection Orders	Injuring, killing, torturing, neglecting, or threatening to injure, kill, torture, or neglect an animal, or removing or retaining an animal, with intent to cause petitioner mental distress or exert control over petitioner is grounds for protection order. MICH. COMP. LAWS § 600.2950(1)(k)
CRIMINAL JUSTICE INTERVENTION	
14. Maximum Penalties and Statute of Limitations	***NOTE:*** All penalties are defined in the substantive statutes, available in the General Cruelty, Fighting & Racketeering, and Sexual Assault sections of this document. Statute of Limitations. *Misdemeanor and felony: 6 years* Mich. Comp. Laws § 767.24(10)
15. Law Enforcement Policies	Law enforcement officers may be issued search warrants to investigate animal abuse. MICH. COMP. LAWS § 750.54 Each humane society may have persons appointed deputy sheriffs with power to enforce animal cruelty laws. MICH. COMP. LAWS § 750.55
16. Seizure	It is the duty of the person making an arrest for animal cruelty to seize all animals found in the custody of the person arrested. MICH. COMP. LAWS § 750.53 Search warrants shall be issued for reasonable cause to any sheriff, deputy sheriff, constable or public officer. MICH. COMP. LAWS § 750.54
17. Courtroom Animal Advocate Program	[None]
18. Restitution	Defendant must post bond to cover costs of care to avoid pre-trial forfeiture. MICH. COMP. LAWS § 750.50(3)

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	Court may order reimbursement for costs of care upon conviction. MICH. COMP. LAWS §§ 750.50(8), 750.50b(10) Court may order payment of costs of prosecution. MICH. COMP. LAWS §§ 750.50(4), 750.50b(10)
19. Forfeiture and Possession Bans	Prosecuting attorney may file petition with the court requesting forfeiture. MICH. COMP. LAWS § 750.50(3) Court may order defendant not to own or possess an animal as a condition of probation. MICH. COMP. LAWS § 750.50(9) Court may order permanent relinquishment of animal possession for second and subsequent violations. MICH. COMP. LAWS § 750.50(9) Court may revoke probation of anyone who violates a forfeiture order and charge them with contempt. MICH. COMP. LAWS §§ 750.50(10), 750.50b(13) Court may order forfeiture for any period of time, including permanent relinquishment. MICH. COMP. LAWS § 750.50b(12)
20. Rehabilitative Sentencing	Mandatory psychological evaluations for juveniles. MICH. COMP. LAWS § 712A.18l Court may order offender to have a mental health evaluation and treatment if warranted, at offender's expense. MICH. COMP. LAWS § 750.50(5) Court may order counseling as a condition of probation. MICH. COMP. LAWS § 750.50b(11)

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1. DEFINITION OF "ANIMAL"

MICH. COMP. LAWS § 750.50. Definitions; crimes against animals, cruel treatment, abandonment, failure to provide adequate care, etc.; penalties; multiple prosecutions; payment of costs; exceptions.

(1) *As used in this section and section 50b*:

(a) "Adequate care" means the provision of sufficient food, water, shelter, sanitary conditions, exercise, and veterinary medical attention in order to maintain an animal in a state of good health.

(b) *"Animal" means a vertebrate other than a human being.*

(c) "Animal control shelter" means a facility operated by a county, city, village, or township to impound and care for animals found in streets or otherwise at large contrary to an ordinance of the county, city, village, or township or state law.

(d) "Animal protection shelter" means a facility operated by a person, humane society, society for the prevention of cruelty to animals, or any other nonprofit organization, for the care of homeless animals.

(e) "Breeder" means a person that breeds animals other than livestock or dogs for remuneration, or that is a large-scale dog breeding kennel as that term is defined in section 1 of 1969 PA 287, MCL 287.331.

(f) "Licensed veterinarian" means a person licensed or otherwise authorized to practice veterinary medicine under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

(g) "Livestock" means that term as defined in section 3 of the animal industry act, 1988 PA 466, MCL 287.703.

(h) "Neglect" means to fail to sufficiently and properly care for an animal to the extent that the animal's health is jeopardized.

(i) "Person" means an individual, partnership, limited liability company, corporation, association, governmental entity, or other legal entity.

(j) "Pet shop" means that term as defined in section 1 of 1969 PA 287, MCL 287.331.

(k) "Sanitary conditions" means space free from health hazards including excessive animal waste, overcrowding of animals, or other conditions that endanger the animal's health. This definition does not include any condition resulting from a customary and reasonable practice pursuant to farming or animal husbandry.

(l) "Shelter" means adequate protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal so as to maintain the animal in a state of good health. Shelter, for livestock, includes structures or natural features such as trees or topography. Shelter, for a dog, includes 1 or more of the following:

(i) The residence of the dog's owner or other individual.

(ii) A doghouse that is an enclosed structure with a roof and of appropriate dimensions for the breed and size of the dog. The doghouse must have dry bedding when the outdoor temperature is or is predicted to drop below freezing.

(iii) A structure, including a garage, barn, or shed, that is sufficiently insulated and ventilated to protect the dog from exposure to extreme temperatures or, if not sufficiently

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insulated and ventilated, contains a doghouse as provided under subparagraph (ii) that is accessible to the dog.

(m) "State of good health" means freedom from disease and illness, and in a condition of proper body weight and temperature for the age and species of the animal, unless the animal is undergoing appropriate treatment.

(n) "Tethering" means the restraint and confinement of a dog by use of a chain, rope, or similar device.

(o) "Water" means potable water that is suitable for the age and species of animal that is made regularly available unless otherwise directed by a licensed veterinarian.

(2) An owner, possessor, breeder, operator of a pet shop, or person having the charge or custody of an animal shall not do any of the following:

(a) Fail to provide an animal with adequate care.

(b) Cruelly drive, work, or beat an animal, or cause an animal to be cruelly driven, worked, or beaten.

(c) Carry or cause to be carried in or upon a vehicle or otherwise any live animal having the feet or legs tied together, other than an animal being transported for medical care, or a horse whose feet are hobbled to protect the horse during transport, or in any other cruel and inhumane manner.

(d) Carry or cause to be carried a live animal in or upon a vehicle or otherwise without providing a secure space, rack, car, crate, or cage, in which livestock may stand, and in which all other animals may stand, turn around, and lie down during transportation, or while awaiting slaughter. As used in this subdivision, for purposes of transportation of sled dogs, "stand" means sufficient vertical distance to allow the animal to stand without its shoulders touching the top of the crate or transportation vehicle.

(e) Abandon an animal or cause an animal to be abandoned, in any place, without making provisions for the animal's adequate care, unless premises are vacated for the protection of human life or the prevention of injury to a human. An animal that is lost by an owner or custodian while traveling, walking, hiking, or hunting is not abandoned under this section when the owner or custodian has made a reasonable effort to locate the animal.

(f) Negligently allow any animal, including one who is aged, diseased, maimed, hopelessly sick, disabled, or nonambulatory to suffer unnecessary neglect, torture, or pain.

(g) Tether a dog unless the tether is at least 3 times the length of the dog as measured from the tip of its nose to the base of its tail and is attached to a harness or nonchoke collar designed for tethering. This subdivision does not apply if the tethering of the dog occurs while the dog is being groomed, trained, transported, or used in a hunt or event where a shorter tether is necessary for the safety and well-being of the dog and others.

(3) If an animal is impounded and is being held by an animal control shelter or its designee or an animal protection shelter or its designee or a licensed veterinarian pending the outcome of a criminal action charging a violation of this section or section 50b, before final disposition of the criminal charge, the prosecuting attorney may file a civil action in the court that has jurisdiction of the criminal action, requesting that the court issue an order forfeiting the animal to the animal control shelter or animal protection shelter or to a licensed veterinarian before final disposition of the criminal charge. The prosecuting attorney shall serve a true copy of the summons and complaint upon the defendant and upon a person with a known ownership interest or known security interest in the animal or a person

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who has filed a lien with the secretary of state on the animal. The forfeiture of an animal under this section encumbered by a security interest is subject to the interest of the holder of the security interest if he or she did not have prior knowledge of or did not consent to the commission of the crime. Upon the filing of the civil action, the court shall set a hearing on the complaint. The hearing must be conducted within 14 days of the filing of the civil action, or as soon as practicable. The hearing must be before a judge without a jury. At the hearing, the prosecuting attorney has the burden of establishing by a preponderance of the evidence that a violation of this section or section 50b occurred. If the court finds that the prosecuting attorney has met this burden, the court shall order immediate forfeiture of the animal to the animal control shelter or animal protection shelter or the licensed veterinarian unless the defendant, within 72 hours of the hearing, submits to the court clerk cash or other form of security in an amount determined by the court to be sufficient to repay all reasonable costs incurred, and anticipated to be incurred, by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal from the date of initial impoundment to the date of trial. If cash or other security has been submitted, and the trial in the action is continued at a later date, any order of continuance must require the defendant to submit additional cash or security in an amount determined by the court to be sufficient to repay all additional reasonable costs anticipated to be incurred by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal until the new date of trial. If the defendant submits cash or other security to the court under this subsection the court may enter an order authorizing the use of that cash or other security before final disposition of the criminal charges to pay the reasonable costs incurred by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal from the date of impoundment to the date of final disposition of the criminal charges. The testimony of a person at a hearing held under this subsection is not admissible against him or her in any criminal proceeding except in a criminal prosecution for perjury. The testimony of a person at a hearing held under this subsection does not waive the person's constitutional right against self-incrimination. An animal seized under this section or section 50b is not subject to any other civil action pending the final judgment of the forfeiture action under this subsection.

(4) A person who violates subsection (2) is guilty of a crime as follows:
   (a) Except as otherwise provided in subdivisions (c) to (f), if the violation involved 1 animal, the person is guilty of a misdemeanor punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
      (i) Imprisonment for not more than 93 days.
      (ii) A fine of not more than $1,000.00.
      (iii) Community service for not more than 200 hours.
   (b) Except as otherwise provided in subdivisions (c) to (f), if the violation involved 2 or 3 animals or the death of any animal, the person is guilty of a misdemeanor punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
      (i) Imprisonment for not more than 1 year.
      (ii) A fine of not more than $2,000.00.
      (iii) Community service for not more than 300 hours.
   (c) If the violation involved 4 or more animals but fewer than 10 animals or the person had 1 prior conviction under subsection (2), the person is guilty of a felony punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
      (i) Imprisonment for not more than 2 years.

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(ii) A fine of not more than $2,000.00.
(iii) Community service for not more than 300 hours.

(d) If the violation involved 10 or more animals but fewer than 25 animals or the person had 2 prior convictions for violating subsection (2), the person is guilty of a felony punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
(i) Imprisonment for not more than 4 years.
(ii) A fine of not more than $5,000.00.
(iii) Community service for not more than 500 hours.

(e) If the violation involved 25 or more animals or the person has had 3 prior or more prior convictions for violating subsection (2), the person is guilty of a felony punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
(i) Imprisonment for not more than 7 years.
(ii) A fine of not more than $10,000.00.
(iii) Community service for not more than 500 hours.

(f) If the person is a breeder, or if the person is an operator of a pet shop and he or she had had 5 or more prior convictions for violating 1936 PA 287, MCL 287.331 to 287.340, the person is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than $5,000.00, or both.

(5) The court may order a person convicted of violating subsection (2) to be evaluated to determine the need for psychiatric or psychological counseling and, if determined appropriate by the court, to receive psychiatric or psychological counseling. The evaluation and counseling must be at the defendant's own expense.

(6) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law arising out of the same transaction as the violation of this section.

(7) The court may order a term of imprisonment imposed for a violation of this section to be served consecutively to a term of imprisonment imposed for any other crime including any other violation of law arising out of the same transaction as the violation of this section.

(8) As a part of the sentence for a violation of subsection (2), the court may order the defendant to pay the costs of the care, housing, and veterinary medical care for the animal, as applicable. If the court does not order a defendant to pay all of the applicable costs listed in this subsection, or orders only partial payment of these costs, the court shall state on the record the reason for that action.

(9) As a part of the sentence for a violation of subsection (2), the court may, as a condition of probation, order the defendant not to own or possess an animal for a period of time not to exceed the period of probation. If a person is convicted of a second or subsequent violation of subsection (2), the court may order the defendant not to own or possess an animal for any period of time, including permanent relinquishment of animal ownership.

(10) A person who owns or possesses an animal in violation of an order issued under subsection (9) is subject to revocation of probation if the order is issued as a condition of probation. A person who owns or possesses an animal in violation of an order issued under subsection (9) is also subject to the civil and criminal contempt power of the court, and if found guilty of criminal contempt, may be punished by imprisonment for not more than 90 days or a fine of not more than $500.00, or both.

(11) As part of the sentence imposed under subsection (4)(e), the court may place the defendant on probation for any term of years, but not less than 5 years.

(12) This section does not prohibit the lawful killing or other use of an animal, including the following:

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(a) Fishing.
(b) Hunting, trapping, or wildlife control regulated under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106.
(c) Horse racing.
(d) The operation of a zoological park or aquarium.
(e) Pest or rodent control regulated under part 83 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.8301 to 324. 8336.
(f) Farming or a generally accepted animal husbandry or farming practice involving livestock.
(g) Scientific research under 1969 PA 224, MCL 287.381 to 287.395.
(h) Scientific research or the lawful killing of an animal under sections 2226, 2671, 2676, and 7333 of the public health code, 1978 PA 368, MCL 333.2226, 333.2671, 333.2676, and 333.7333.
(i) The lawful killing or use of an animal under the animal industry act, 1988 PA 466, MCL 287.701 to 287.746.

(13) This section does not apply to a veterinarian or a veterinary technician lawfully engaging in the practice of veterinary medicine under part 188 of the public health code, 1978 PA 368, MCL 333.18801 to 333.18838.

MICH. COMP. LAWS § 750.50b. Animal defined; prohibited acts; violation; penalty; exceptions.

(1) As used in this section:
(a) *"Animal" means a vertebrate other than a human being.*
(b) *"Companion animal" means an animal that is commonly considered to be, or is considered by its owner to be, a pet, or that is a service animal as that term is defined in section 50a. Companion animal includes, but is not limited to, dogs and cats.*

(2) Except as otherwise provided in this section, a person shall not do any of the following without just cause:
(a) Knowingly kill, torture, mutilate, maim, or disfigure an animal.
(b) Commit a reckless act knowing or having reason to know that the act will cause an animal to be killed, tortured, mutilated, maimed, or disfigured.
(c) Knowingly administer poison to an animal, or knowingly expose an animal to any poisonous substance, with the intent that the substance be taken or swallowed by the animal.
(d) Violate or threaten to violate subdivision (a) or (c) with the intent to cause mental suffering or distress to a person or to exert control over a person.

(3) If the animal is a companion animal and if a person violates subsection (2)(d) and intentionally violates subsection (2)(a) or (c), the person is guilty of killing or torturing animals in the first degree.

(4) If the animal is a companion animal and a person violates subsection (2)(d), or if a person intentionally violates subsection (2)(a) or (c), the person is guilty of killing or torturing animals in the second degree.

(5) Except as otherwise provided in subsections (3) and (4), a person who violates subsection (2) is guilty of killing or torturing animals in the third degree.

(6) Killing or torturing animals in the first degree is a felony punishable by 1 or more of the following:
(a) Imprisonment for not more than 10 years.
(b) A fine of not more than $5,000.00 .
(c) Community service for not more than 500 hours.

(7) Killing or torturing animals in the second degree is a felony punishable by 1 or more of the following:

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(a) Imprisonment for not more than 7 years.
(b) A fine of not more than $5,000.00.
(c) Community service for not more than 500 hours.

(8) Killing or torturing animals in the third degree is a felony punishable by 1 or more of the following:
(a) Imprisonment for not more than 4 years.
(b) A fine of not more than $5,000.00.
(c) Community service for not more than 500 hours.

(9) The court may order a term of imprisonment imposed for a violation of this section to be served consecutively to a term of imprisonment imposed for any other crime including any other violation of law arising out of the same transaction as the violation of this section.

(10) As a part of the sentence for a violation of subsection (2), the court may order the defendant to pay the costs of the prosecution and the costs of the care, housing, and veterinary medical care for the animal victim, as applicable. If the court does not order a defendant to pay all of the applicable costs listed in this subsection, or orders only partial payment of these costs, the court shall state on the record the reasons for that action.

(11) If a term of probation is ordered for a violation of subsection (2), the court may include as a condition of that probation that the defendant be evaluated to determine the need for psychiatric or psychological counseling and, if determined appropriate by the court, to receive psychiatric or psychological counseling at his or her own expense.

(12) As a part of the sentence for a violation of subsection (2), the court may order the defendant not to own or possess an animal for any period of time determined by the court, which may include permanent relinquishment.

(13) A person who owns or possesses an animal in violation of an order issued under subsection (12) is subject to revocation of probation if the order is issued as a condition of probation. A person who owns or possesses an animal in violation of an order issued under subsection (12) is also subject to the civil and criminal contempt power of the court and, if found guilty of criminal contempt, may be punished by imprisonment for not more than 90 days or a fine of not more than $500.00, or both.

(14) This section does not prohibit the lawful killing of livestock or a customary animal husbandry or farming practice involving livestock. As used in this subsections, “livestock” means that term as defined in section 5 of the animal industry act, 1988 PA 466, MCL 287.705.

(15) This section does not prohibit the lawful killing of an animal pursuant to any of the following:
(a) Fishing.
(b) Hunting, trapping, or wildlife control regulated under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, and orders issued under that act.
(c) Pest or rodent control regulated under part 83 or the natural resources and environmental protection act, 1994 PA 451, MCL 324.8301 to 324.8336.
(d) Section 19 of the dog law of 1919, 1919 PA 339, MCL 287.279.

(16) This section does not prohibit the lawful killing or use of an animal for scientific research under any of the following or a rule promulgated under any of the following:
(a) 1969 PA 224, MCL 287.381 to 287.395.
(b) Sections 2226, 2671, 2676, 7109, and 7333 of the public health code, 1978 PA 368, MCL 333.2226, 333.2671, 333.2676, 333.7109, and 333.7333.

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(17) This section does not apply to a veterinarian or a veterinary technician lawfully engaging in the practice of veterinary medicine under part 188 of the public health code, 1978 PA 368, MCL 333.18801 to 333.1883.
(18) This section does not prohibit the lawful killing or use of an animal under the animal industry act, 1988 PA 466, MCL 287.107 to 287.746.

MICH. COMP. LAWS § 750.56. Definitions.

Sec. 56. In the preceding sections of this chapter the word "animal" or "animals" shall be held to include all brute creatures, and the words "owner", "person", and "whoever" shall be held to include corporations as well as individuals, and the knowledge and acts of agents of any persons employed by corporations in regard to animals transported, owned, or employed by, or in the custody of such corporations, shall be held to be the acts and knowledge of such corporations.

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2. GENERAL CRUELTY

MICH. COMP. LAWS § 750.50. Definitions; crimes against animals, cruel treatment, abandonment, failure to provide adequate care, etc.; penalties; multiple prosecutions; payment of costs; exceptions.

(1) *As used in this section and section 50b:*

(a) *"Adequate care" means the provision of sufficient food, water, shelter, sanitary conditions, exercise, and veterinary medical attention in order to maintain an animal in a state of good health.*

(b) *"Animal" means a vertebrate other than a human being.*

(c) *"Animal control shelter" means a facility operated by a county, city, village, or township to impound and care for animals found in streets or otherwise at large contrary to an ordinance of the county, city, village, or township or state law.*

(d) *"Animal protection shelter" means a facility operated by a person, humane society, society for the prevention of cruelty to animals, or any other nonprofit organization, for the care of homeless animals.*

(e) *"Breeder" means a person that breeds animals other than livestock or dogs for remuneration, or that is a large-scale dog breeding kennel as that term is defined in section 1 of 1969 PA 287, MCL 287.331.*

(f) *"Licensed veterinarian" means a person licensed or otherwise authorized to practice veterinary medicine under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.*

(g) *"Livestock" means that term as defined in section 3 of the animal industry act 1988 PA 466, MCL 287.703.*

(h) *"Neglect" means to fail to sufficiently and properly care for an animal to the extent that the animal's health is jeopardized.*

(i) *"Person" means an individual, partnership, limited liability company, corporation, association, governmental entity, or other legal entity.*

(j) *"Pet shop" means that term as defined in section 1 of 1969 PA 287, MCL 287.331.*

(k) *"Sanitary conditions" means space free from health hazards including excessive animal waste, overcrowding of animals, or other conditions that endanger the animal's health. This definition does not include any condition resulting from a customary and reasonable practice pursuant to farming or animal husbandry.*

(l) *"Shelter" means adequate protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal so as to maintain the animal in a state of good health. Shelter, for livestock, includes structures or natural features such as trees or topography. Shelter, for a dog, includes 1 or more of the following:*

(i) *The residence of the dog's owner or other individual.*

(ii) *A doghouse that is an enclosed structure with a roof and of appropriate dimensions for the breed and size of the dog. The doghouse must have dry bedding when the outdoor temperature is or is predicted to drop below freezing.*

(iii) *A structure, including a garage, barn, or shed, that is sufficiently insulated and ventilated to protect the dog from exposure to extreme temperatures or, if not sufficiently*

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insulated and ventilated, contains a doghouse as provided under subparagraph (ii) that is accessible to the dog.

(m) *"State of good health" means freedom from disease and illness, and in a condition of proper body weight and temperature for the age and species of the animal, unless the animal is undergoing appropriate treatment.*

(n) *"Tethering" means the restraint and confinement of a dog by use of a chain, rope, or similar device.*

(o) *"Water" means potable water that is suitable for the age and species of animal that is made regularly available unless otherwise directed by a licensed veterinarian.*

(2) *An owner, possessor, breeder, operator of a pet shop, or person having the charge or custody of an animal shall not do any of the following:*

(a) *Fail to provide an animal with adequate care.*

(b) *Cruelly drive, work, or beat an animal, or cause an animal to be cruelly driven, worked, or beaten.*

(c) *Carry or cause to be carried in or upon a vehicle or otherwise any live animal having the feet or legs tied together, other than an animal being transported for medical care, or a horse whose feet are hobbled to protect the horse during transport, or in any other cruel and inhumane manner.*

(d) *Carry or cause to be carried a live animal in or upon a vehicle or otherwise without providing a secure space, rack, car, crate, or cage, in which livestock may stand, and in which all other animals may stand, turn around, and lie down during transportation, or while awaiting slaughter. As used in this subdivision, for purposes of transportation of sled dogs, "stand" means sufficient vertical distance to allow the animal to stand without its shoulders touching the top of the crate or transportation vehicle.*

(e) *Abandon an animal or cause an animal to be abandoned, in any place, without making provisions for the animal's adequate care, unless premises are vacated for the protection of human life or the prevention of injury to a human. An animal that is lost by an owner or custodian while traveling, walking, hiking, or hunting is not abandoned under this section when the owner or custodian has made a reasonable effort to locate the animal.*

(f) *Negligently allow any animal, including one who is aged, diseased, maimed, hopelessly sick, disabled, or nonambulatory to suffer unnecessary neglect, torture, or pain.*

(g) *Tether a dog unless the tether is at least 3 times the length of the dog as measured from the tip of its nose to the base of its tail and is attached to a harness or nonchoke collar designed for tethering. This subdivision does not apply if the tethering of the dog occurs while the dog is being groomed, trained, transporter, or used in a hunt or event where a shorter tether is necessary for the safety and well-being of the dog and others.*

(3) If an animal is impounded and is being held by an animal control shelter or its designee or an animal protection shelter or its designee or a licensed veterinarian pending the outcome of a criminal action charging a violation of this section or section 50b, before final disposition of the criminal charge, the prosecuting attorney may file a civil action in the court that has jurisdiction of the criminal action, requesting that the court issue an order forfeiting the animal to the animal control shelter or animal protection shelter or to a licensed veterinarian before final disposition of the criminal charge. The prosecuting attorney shall serve a true copy of the summons and complaint upon the defendant and upon a person with a known ownership interest or known security interest in the animal or a person who has filed a lien with the secretary of state on the animal involved. The forfeiture of an animal under this section encumbered by a security interest is subject to the interest of the holder of the

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security interest if he or she did not have prior knowledge of or did not consent to the commission of the crime. Upon the filing of the civil action, the court shall set a hearing on the complaint. The hearing must be conducted within 14 days of the filing of the civil action, or as soon as practicable. The hearing must be before a judge without a jury. At the hearing, the prosecuting attorney has the burden of establishing by a preponderance of the evidence that a violation of this section or section 50b occurred. If the court finds that the prosecuting attorney has met this burden, the court shall order immediate forfeiture of the animal to the animal control shelter or animal protection shelter or the licensed veterinarian unless the defendant, within 72 hours of the hearing, submits to the court clerk cash or other form of security in an amount determined by the court to be sufficient to repay all reasonable costs incurred, and anticipated to be incurred, by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal from the date of initial impoundment to the date of trial. If cash or other security has been submitted, and the trial in the action is continued at a later date, any order of continuance must require the defendant to submit additional cash or security in an amount determined by the court to be sufficient to repay all additional reasonable costs anticipated to be incurred by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal until the new date of trial. If the defendant submits cash or other security to the court under this subsection the court may enter an order authorizing the use of that cash or other security before final disposition of the criminal charges to pay the reasonable costs incurred by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal from the date of impoundment to the date of final disposition of the criminal charges. The testimony of a person at a hearing held under this subsection is not admissible against him or her in any criminal proceeding except in a criminal prosecution for perjury. The testimony of a person at a hearing held under this subsection does not waive the person's constitutional right against self-incrimination. An animal seized under this section or section 50b is not subject to any other civil action pending the final judgment of the forfeiture action under this subsection.

(4) *A person who violates subsection (2) is guilty of a crime as follows:*

(a) *Except as otherwise provided in subdivisions (c) to (f), if the violation involved 1 animal, the person is guilty of a misdemeanor punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:*

(i) *Imprisonment for not more than 93 days.*

(ii) *A fine of not more than $1,000.00.*

(iii) *Community service for not more than 200 hours.*

(b) *Except as otherwise provided in subdivisions (c) to (f), if the violation involved 2 or 3 animals or the death of any animal, the person is guilty of a misdemeanor punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:*

(i) *Imprisonment for not more than 1 year.*

(ii) *A fine of not more than $2,000.00.*

(iii) *Community service for not more than 300 hours.*

(c) *If the violation involved 4 or more animals but fewer than 10 animals or the person had 1 prior conviction under subsection (2), the person is guilty of a felony punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:*

(i) *Imprisonment for not more than 2 years.*

(ii) *A fine of not more than $2,000.00.*

(iii) *Community service for not more than 300 hours.*

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(d) *If the violation involved 10 or more animals but fewer than 25 animals or the person had 2 prior convictions for violating subsection (2), the person is guilty of a* felony punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
  (i) Imprisonment for not more than 4 years.
  (ii) A fine of not more than $5,000.00.
  (iii) Community service for not more than 500 hours.

(e) *If the violation involved 25 or more animals or the person has had 3 or more prior convictions for violating subsection (2), the person is guilty of a felony punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:*
  (i) *Imprisonment for not more than 7 years.*
  (ii) *A fine of not more than $10,000.00.*
  (iii) *Community service for not more than 500 hours.*

(f) If the person is a breeder, or if the person is an operator of a pet shop and he or she has had 5 or more prior convictions for violating 1969 PA 287, MCL 287.331 to 287.340, the person is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than $5,000.00, or both.

(5) The court may order a person convicted of violating subsection (2) to be evaluated to determine the need for psychiatric or psychological counseling and, if determined appropriate by the court, to receive psychiatric or psychological counseling. The evaluation and counseling must be at the defendant's own expense.

(6) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law arising out of the same transaction as the violation of this section.

(7) The court may order a term of imprisonment imposed for a violation of this section to be served consecutively to a term of imprisonment imposed for any other crime including any other violation of law arising out of the same transaction as the violation of this section.

(8) As a part of the sentence for a violation of subsection (2), the court may order the defendant to pay the costs of the care, housing, and veterinary medical care for the animal, as applicable. If the court does not order a defendant to pay all of the applicable costs listed in this subsection, or orders only partial payment of these costs, the court shall state on the record the reason for that action.

(9) As a part of the sentence for a violation of subsection (2), the court may, as a condition of probation, order the defendant not to own or possess an animal for a period of time not to exceed the period of probation. If a person is convicted of a second or subsequent violation of subsection (2), the court may order the defendant not to own or possess an animal for any period of time, including permanent relinquishment of animal ownership.

(10) A person who owns or possesses an animal in violation of an order issued under subsection (9) *is subject to revocation of probation if the order is issued as a condition of probation. A person who owns or possesses an animal in violation of an order issued under subsection (9) is also subject to the civil and criminal contempt power of the court*, and if found guilty of criminal contempt, may be punished by imprisonment for not more than 90 days or a fine of not more than $500.00, or both.

(11) As part of the sentence imposed under subsection (4)(e), the court may place the defendant on probation for any term of years, but not less than 5 years.

(12) This section does not prohibit the lawful killing or other use of an animal, including the following:
  (a) Fishing.

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(b) Hunting, trapping, or wildlife control regulated under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106.
(c) Horse racing.
(d) The operation of a zoological park or aquarium.
(e) Pest or rodent control regulated under part 83 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.8301 to 324. 8336.
(f) Farming or a generally accepted animal husbandry or farming practice involving livestock.
(g) Scientific research under 1969 PA 224, MCL 287.381 to 287.395.
(h) Scientific research or the lawful killing of an animal under sections 2226, 2671, 2676, and 7333 of the public health code, 1978 PA 368, MCL 333.2226, 333.2671, 333.2676, and 333.7333.
(i) The lawful killing of use of an animal under the animal industry act, 1988 PA 466, MCL 287.701 to 287.746.

(13) This section does not apply to a veterinarian or a veterinary technician lawfully engaging in the practice of veterinary medicine under part 188 of the public health code, 1978 PA 368, MCL 333.18801 to 333.18838.

MICH. COMP. LAWS § 750.50b. Animal defined; prohibited acts; violation; penalty; exceptions.

(1) As used in this section:
(a) "Animal" means a vertebrate other than a human being.
(b) "Companion animal" means an animal that is commonly considered to be, or is considered by its owner to be, a pet, or that is a service animal as that term is defined in section 50a. Companion animal includes, but is not limited to, dogs and cats.

(2) *Except as otherwise provided in this section, a person shall not do any of the following without just cause:*
(a) *Knowingly kill, torture, mutilate, maim, or disfigure an animal.*
(b) *Commit a reckless act knowing or having reason to know that the act will cause an animal to be killed, tortured, mutilated, maimed, or disfigured.*
(c) *Knowingly administer poison to an animal, or knowingly expose an animal to any poisonous substance, with the intent that the substance be taken or swallowed by the animal.*
(d) *Violate or threaten to violate subdivision (a) or (c) with the intent to cause mental suffering or distress to a person or to exert control over a person.*

(3) *If the animal is a companion animal and if a person violates subsection (2)(d) and intentionally violates subsection (2)(a) or (c), the person is guilty of killing or torturing animals in the first degree.*

(4) *If the animal is a companion animal and a person violates subsection (2)(d), or if a person intentionally violates subsection (2)(a) or (c), the person is guilty of killing or torturing animals in the second degree.*

(5) *Except as otherwise provided in subsections (3) and (4), a person who violates subsection (2) is guilty of killing or torturing animals in the third degree.*

(6) *Killing or torturing animals in the first degree is a felony punishable by 1 or more of the following:*
(a) *Imprisonment for not more than 10 years.*
(b) *A fine of not more than $5,000.00.*
(c) *Community service for not more than 500 hours.*

(7) *Killing or torturing animals in the second degree is a felony punishable by 1 or more of the following:*

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(a) *Imprisonment for not more than 7 years.*
(b) *A fine of not more than $5,000.00.*
(c) *Community service for not more than 500 hours.*

(8) *Killing or torturing animals in the third degree is a felony punishably by 1 or more of the following:*
(a) *Imprisonment for not more than 4 years.*
(b) *A fine of not more than $5,000.00.*
(c) *Community service for not more than 500 hours.*

(9) The court may order a term of imprisonment imposed for a violation of this section to be served consecutively to a term of imprisonment imposed for any other crime including any other violation of law arising out of the same transaction as the violation of this section.

(10) As a part of the sentence for a violation of subsection (2), the court may order the defendant to pay the costs of the prosecution and the costs of the care, housing, and veterinary medical care for the animal victim, as applicable. If the court does not order a defendant to pay all of the applicable costs listed in this subsection, or orders only partial payment of these costs, the court shall state on the record the reasons for that action.

(11) If a term of probation is ordered for a violation of subsection (2), the court may include as a condition of that probation that the defendant be evaluated to determine the need for psychiatric or psychological counseling and, if determined appropriate by the court, to receive psychiatric or psychological counseling at his or her own expense.

(12) As a part of the sentence for a violation of subsection (2), the court may order the defendant not to own or possess an animal for any period of time determined by the court, which may include permanent relinquishment.

(13) A person who owns or possesses an animal in violation of an order issued under subsection (12) is subject to revocation of probation if the order is issued as a condition of probation. A person who owns or possesses an animal in violation of an order issued under subsection (12) is also subject to the civil and criminal contempt power of the court and, if found guilty of criminal contempt, may be punished by imprisonment for not more than 90 days or a fine of not more than $500.00, or both.

(14) This section does not prohibit the lawful killing of livestock or a customary animal husbandry or farming practice involving livestock.

(15) This section does not prohibit the lawful killing of an animal pursuant to any of the following:
(a) Fishing.
(b) Hunting, trapping, or wildlife control regulated under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, and orders issued under that act.
(c) Pest or rodent control regulated under part 83 or the natural resources and environmental protection act, 1994 PA 451, MCL 324.8301 to 324.8336.
(d) Section 19 of the dog law of 1919, 1919 PA 339, MCL 287.279.

(16) This section does not prohibit the lawful killing or use of an animal for scientific research under any of the following or a rule promulgated under any of the following:
(a) 1969 PA 224, MCL 287.381 to 287.395.
(b) Sections 2226, 2671, 2676, 7109, and 7333 of the public health code, 1978 PA 368, MCL 333.2226, 333.2671, 333.2676, 333.7109, and 333.7333.

(17) This section does not apply to a veterinarian or a veterinary technician lawfully engaging in the practice of veterinary medicine under part 188 of the public health code, 1978 PA 368, MCL 333.18801 to 333.1883.

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(18) This section does not prohibit the lawful killing or use an animal under the animal industry act, 1988 PA 466, MCL 287.701 to 287.746.

MICH. COMP. LAWS § 750.56. Definitions.

In the preceding sections of this chapter the word "animal" or "animals" shall be held to include all brute creatures, and the words "owner", "person", and "whoever" shall be held to include corporations as well as individuals, and the knowledge and acts of agents of any persons employed by corporations in regard to animals transported, owned, or employed by, or in the custody of such corporations, shall be held to be the acts and knowledge of such corporations.

MICH. COMP. LAWS § 777.16b. Application of chapter to Michigan Compiled Laws chapter 750, sections 750.49 to 750.68; enumerated felonies.

This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	*Category*	*Class*	*Description*	*Stat Max*
750.43a	Pub saf	E	Aiming a beam of directed energy emitted from a directed energy device at or into path of aircraft or a moving train	*5*
750.45a(1)	Pub saf	F	Using an unmanned aircraft in a manner that interferes with certain facilities	4
750.45a(2)	Pub saf	F	Flying over or causing an unmanned aircraft to hover over facility designated on federal registry	4
750.49(2)(a) to (d)	Pub ord	F	Fighting animals or providing facilities for animal fights	*4*
750.49(2)(e)	Pub ord	F	Organizing or promoting animal fights	*4*
750.49(2)(f)	Pub ord	H	Attending animal fight	*4*
750.49(2)(g)	Pub ord	F	Breeding or selling fighting animals	*4*
750.49(2)(h)	Pub ord	F	Selling or possessing equipment for animal fights	*4*
750.49(8)	Person	A	Inciting fighting animal resulting in death	*Life*
750.49(9)	Person	F	Inciting fighting animal to attack	*4*

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750.49(10)	Person	D	Fighting animal attacking without provocation and death resulting	*15*
750.50(4)(c)	*Pub ord*	*G*	*Animal neglect or cruelty involving 4 or more animals but fewer than 10 animals or with 1 prior conviction*	2
750.50(4)(d)	*Pub ord*	*F*	*Animal neglect or cruelty involving 10 or more animals but fewer than 25 animals or with 2 prior convictions*	4
750.50(4)(e)	*Pub ord*	*E*	*Animal neglect or cruelty involving 25 or more animals or with 3 or more prior convictions*	7
750.50(4)(f)	*Pub ord*	*G*	*Animal neglect or cruelty by breeder or pet shop operator with 5 or more prior violations of 1969 PA 287, MCL 287.331 to 287.340*	2
750.50b(3)	*Property*	*D*	*First degree killing or torturing animals*	10
750.50b(4)	*Property*	*E*	*Second degree killing or torturing animals*	7
750.50b(5)	*Property*	*F*	*Third degree killing or torturing animals*	4
750.50c(5)	*Pub ord*	*E*	*Killing or causing serious physical harm to law enforcement animal or search and rescue dog*	5
750.50c(7)	*Pub saf*	*H*	*Harassing or causing harm to law enforcement animal or search and rescue dog while committing crime*	2
750.68	Property	G	Changing brands with intent to steal	4

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3. ANIMAL FIGHTING

MICH. COMP. LAWS § 750.49. Animal; definition; fighting, baiting, or shooting; prohibited conduct; violation as felony; costs; dog trained or used for fighting or offspring of dog trained or used for fighting; prohibited conduct; exceptions; confiscation of dog; award of dog to animal welfare agency; euthanasia; expenses; forfeiture of animals, equipment, devices, and money; disposition of money seized; additional exceptions.

(1) As used in this section:
- (a) *"Animal" means a vertebrate other than a human being.*
- (b) "Animal control agency" means an animal control shelter, an animal protection shelter, or a law enforcement agency. As used in this subdivision, "animal control shelter" and "animal protection shelter" mean those terms as defined in section 1 of 1969 PA 287, MCL 287.331.

(2) *A person shall not knowingly do any of the following:*
- (a) *Own, possess, use, buy, sell, offer to buy or sell, import, or export an animal for fighting or baiting, or as a target to be shot at as a test of skill in marksmanship.*
- (b) *Be a party to or cause the fighting, baiting, or shooting of an animal as described in subdivision (a).*
- (c) *Rent or otherwise obtain the use of a building, shed, room, yard, ground, premises, vehicle, or any other venue for fighting, baiting, or shooting an animal as described in subdivision (a).*
- (d) *Permit the use of a building, shed, room, yard, ground, premises, vehicle, or any other venue belonging to him or her or under his or her control for any of the purposes described in this section.*
- (e) *Organize, promote, or collect money, property, or any other thing of value for the fighting, baiting, or shooting of an animal as described in subdivisions (a) to (d).*
- (f) *Be present at a building, shed, room, yard, ground, premises, vehicle, or any other venue where preparations are being made for an exhibition described in subdivisions (a) to (d), or be present at the exhibition, knowing that an exhibition is taking place or about to take place.*
- (g) *Breed, buy, sell, offer to buy or sell, exchange, import, or export an animal the person knows has been trained or used for fighting as described in subdivisions (a) to (d), or breed, buy, sell, offer to buy or sell, exchange, import, or export the offspring of an animal the person knows has been trained or used for fighting as described in subdivisions (a) to (d). This subdivision does not prohibit owning, breeding, buying, selling, offering to buy or sell, exchanging, importing, or exporting an animal for agricultural or agricultural exposition purposes. This subdivision does not prohibit an animal control agency from owning, adopting, or transferring ownership of an animal for the purpose of adoption of an animal trained or used for fighting as described in subdivisions (a) to (d) or an animal that is the first-or second-generation offspring of an animal trained or used for fighting as described in subdivisions (a) to (d). If an animal is found fit for placement and is transferred or adopted, the animal control agency that transfer or adopts the animal shall do all of the following:*
  - (i) *Sterilize the animal or collect a good-faith deposit for sterilization as required under section 8a of 1969 PA 287, MCL 287.338a.*

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(ii) *Provide a copy of the animal's history, including, but not limited to, a description of why the animal was seized, veterinary records, and a copy of subsections (8) to (14) to the person to whom the animal is transferred or adopted.*

(h) *Own, possess, use, buy, sell, offer to buy or sell, transport, or deliver any device or equipment intended for use in the fighting, baiting, or shooting of an animal as described in subdivisions (a) to (d).*

(3) *A person who violates subsection (2)(a) to (e) is guilty of a felony punishable by 1 or more of the following:*

(a) *Imprisonment for not more than 4 years.*

(b) *A fine of not less than $5,000.00 or more than $50,000.00.*

(c) *Not less than 500 or more than 1,000 hours of community service.*

(4) *A person who violates subsection (2)(f) to (h) is guilty of a felony punishable by 1 or more of the following:*

(a) *Imprisonment for not more than 4 years.*

(b) *A fine of not less than $1,000.00 or more than $5,000.00.*

(c) *Not less than 250 or more than 500 hours of community service.*

(5) The court may order a person convicted of violating this section to pay the costs of prosecution.

(6) The court may order a person convicted of violating this section to pay the costs for investigating the violation of this section, disposition of the animal, and housing and caring for the animal, including, but not limited to, providing veterinary medical treatment. As used in this subsection, "disposition" includes the transfer, euthanasia, or adoption of an animal.

(7) As part of the sentence for a violation of subsection (2), the court shall order the person convicted not to own or possess an animal of the same species involved in the violation of this section for 5 years after the date of sentencing. Failure to comply with the order of the court pursuant to this subsection is punishable as contempt of court.

(8) *If a person incites an animal trained or used for fighting or an animal that is the first- or second-generation offspring of an animal trained or used for fighting to attack a person and the attack causes the death of that person, the owner is guilty of a felony punishable by imprisonment for life or for a term of years greater than 15 years.*

(9) *If a person incites an animal trained or used for fighting or an animal that is the first- or second-generation offspring of an animal trained or used for fighting to attack a person, but the attack does not result in the death of the person, the owner is guilty of a felony punishable by imprisonment for not more than 4 years or a fine of not more than $2,000.00, or both.*

(10) *If an animal trained or used for fighting or an animal that is the first-or second-generation offspring of an animal trained or used for fighting attacks a person without provocation and causes the death of that person, the owner of the animal is guilty of a felony punishable by imprisonment for not more than 15 years.*

(11) *If an animal trained or used for fighting or an animal that is the first- or second-generation offspring of an animal trained or used for fighting attacks a person without provocation, but the attack does not cause the death of the person, the owner is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00, or both.*

(12) Subsections (8) to (11) do not apply if the person attacked was committing or attempting to commit an unlawful act on the property of the owner of the animal.

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(13) *If an animal trained or used for fighting or an animal that is the first- or second-generation offspring of a dog trained or used for fighting goes beyond the property limits of its owner without being securely restrained, the owner is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not less than $50.00 nor more than $500.00, or both.*

(14) *If an animal trained or used for fighting or an animal that is the first- or second- generation offspring of a dog trained or used for fighting is not securely enclosed or restrained on the owner's property, the owner is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than $500.00, or both.*

(15) Subsections (8) to (14) do not apply to any of the following:

(a) A dog trained or used for fighting, or the first- or second- generation offspring of a dog trained or used for fighting, that is used by a law enforcement agency of this state or a county, city, village, or township.

(b) A certified leader dog recognized and trained by a national guide dog association for the blind or for persons with disabilities.

(c) A corporation licensed under the private security business and security alarm act, 1968 PA 330, MCL 338.1051 to 338.1092, when a dog trained or used for fighting, or the first- or second-generation offspring of a dog trained or used for fighting, is used in accordance with the private security business and security alarm act, 1968 PA 330, MCL 338.1051 to 338.1092.

(16) Except as provided in subsection (20, an animal that has been used to fight in violation of this section or that is involved in a violation of subsections (8) to (14) must be confiscated by a law enforcement officer and must not be returned to the owner, trainer, or possessor of the animal. The animal must be taken to a local animal control agency. If an animal owner, trainer, or possessor is convicted of violating subsection (2) or subsections (8) to (14), the court shall award the animal involved in the violation to the animal control agency for evaluation and disposition.

(17) An animal control agency taking custody of an animal under subsection (16) shall give notice within 72 hours after seizure of the animal by registered mail to the last known address of the animal's owner, if the owner of the animal is known. If the owner of the animal is unknown, an animal control agency taking custody of an animal under subsection (16) shall give notice within 72 hours after seizure of the animal by 1 of the following methods:

(a) Posting at the location of the seizure.

(b) Delivery to a person residing at the location of the seizure.

(c) Registered mail to the location of the seizure.

(18) The notice required under subsection (17) must include all of the following:

(a) A description of each animal seized.

(b) The time, date, location, and description of circumstances under which the animal was seized.

(c) The address and telephone number of the location where the animal is being held and contact information for the individual present at that location from whom security deposit or bond information may be obtained.

(d) A statement that the owner or possessor of the animal may post a security deposit or bond that may prevent the forfeiture of the animal for the duration of the criminal, forfeiture, or other court proceeding until the court makes a final determination regarding the animal's disposition, that failure to post a security deposition or bond within 14 days after the date on the notice will result in forfeiture or the animal, and that the owner or possessor of the animal, may before the expiration of the 14-day period in this subdivision, request a hearing on whether the

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requirement to post a security deposit or bond is justified or whether the cost associated with the security deposit or bond is fair and reasonable for the care of and provision for the seized animal. Notice of a request for a hearing under this subdivision shall be served on the animal control agency holding the animal before the expiration of the 14-day period described in this subdivision. At a hearing on whether the requirement to post a security deposit or bond is justified, the prosecuting attorney has the burden to establish by a preponderance of evidence that a violation of this section occurred. If the court finds that the prosecuting attorney has met its burden, the animal will be forfeited to the animal control agency that seized the animal unless the owner or possessor of the animal posts the required security deposit or bond. An owner or possessor's failure to appear at a scheduled hearing requested under this subdivision will result in automatic forfeiture of the animal if the date of the scheduled hearing is more than 14 days after the date on the notice described in this subdivision.

(e) A statement that the owner or possessor of the animal is responsible for all costs described in subsection (6), unless the court determines that the seizure of the animal was not substantially justified by law.

(19) An animal control agency that has custody of a seized animal under subsection (16) shall hold the animal for a period of 14 consecutive days, including weekends and holidays, beginning on the date notice was given under subsection (17). After the expiration of the 14 days, if the owner or a possessor of the animal has not posted a security deposit or bond as provided in subsection (20), the animal is forfeited, and the animal control agency may dispose of the animal by adoption, transfer to another animal control agency, or humane euthanasia.

(20) The owner or possessor of an animal seized under subsection (16) may prevent forfeiture and disposition of the animal by an animal control agency for the duration of the criminal, forfeiture, or other court proceeding until the court makes a final determination regarding the animal's disposition by posting a security deposit or bond with the court within 14 days after the date on the notice described in subsection (18). The bond must be in a sufficient amount to secure payment of all costs described in subsection (6) during a 30-day period of boarding and veterinary treatment of the animal after examination by a licensed veterinarian. The animal control agency shall determine the amount of the bond no later than 72 hours after the seizure of the animal, and shall make the amount of the bond available to the owner or possessor of the animal upon request. The owner or possessor of the animal shall provide proof of the security deposit or bond to the animal control agency no later than 14 days after the date on the notice described in subsection (18).

(21) An animal control agency that is holding or requiring to be held a seized animal provided in this section may draw on a security deposit or bond posted under subsection (20) or (22) to cover the actual reasonable costs incurred in the seizure, care, keeping, and disposition of the animal as described in subsection (6) from the date of the seizure to the date of the official disposition of the animal in the criminal action.

(22) If a security deposit or bond has been posted under subsection (20), and trial in the criminal action does not occur within the initial 30-day bond period or is continued to a later date, the owner or possessor shall post an additional security deposit or bond in an amount determined sufficient to cover the costs described in subsection (6) as anticipated to be incurred by the animal control agency caring for the animal. The additional security deposit or bond must be calculated in 30-day increments and continue until the criminal action is resolved. If the owner or possessor of the animal fails to post a

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new security deposit or bond with the court before the previous security deposit or bond expires, the animal is forfeited to the animal control agency caring for the animal.

(23) If the owner or possessor that posted a security deposit or bond under subsection (20) or (22) is found not guilty in the criminal action, the amount of the security deposit or bond posted to prevent disposition of the animal may be returned to the owner or possessor at the court's discretion, and, subject to subsections (25) and (26), the animal must be returned to the owner.

(24) If a security deposit or bond is posted by an owner or possessor of an animal under subsection (20) or (22) and the court determines that the animal is a dangerous animal or lacks any useful purpose under subsection (26), the posting of the security deposit or bond must not prevent disposition of the animal.

(25) Upon receiving an animal seized under this section, or at any time thereafter, an animal control agency may humanely euthanize the animal or have the animal euthanized if, in the opinion of a licensed veterinarian, the animal is injured or diseased past recovery or the animal's continued existence is inhumane so that euthanasia is necessary to relieve pain and suffering. This subsection applies to an animal whether or not a security deposit or bond has been posted under subsection (20) or (22).

(26) An animal control agency that receives an animal under this section may apply to the district court or municipal court for a hearing to determine whether the animal must be humanely euthanized because of its lack of any useful purpose or the public safety threat it poses. The court shall hold a hearing not more than 30 days after the filing of the application and shall give notice of the hearing to the owner of the animal. Upon a finding by the court that the animal lacks any useful purpose or poses a threat to public safety, the animal control agency shall humanely euthanize the animal or have the animal euthanized. Expenses incurred in connection with the housing, care, upkeep, or euthanasia of the animal by an animal control agency, or by a person, firm, partnership, corporation, or other entity, may, in the court's discretion, be assessed against the owner of the animal.

(27) Subject to subsections (16), (25), and (26), all animals being used or to be used in fighting, equipment, devices and money involved in a violation of subsection (2) must be forfeited to this state. All other instrumentalities, proceeds, and substituted proceeds of a violation of subsection (2) are subject to forfeiture under chapter 47 of the revised judicature act of 1961, 1961 PA 236, MCL 600.4701 to 600.4710.

(28) The seizing agency may deposit money seized under subsection (27) into an interest-bearing account in a financial institution. As used in this subsection, "financial institution" means a state or nationally chartered bank or a state or federally chartered savings and loan association, savings bank, or credit union whose deposits are insured by an agency of the United States government and that maintains a principal office or branch office located in this state under the laws of this state or the United States.

(29) An attorney for a person who is charged with a violation of subsection (2) involving or related to money seized under subsection (27) must be afforded a period of 60 days within which to examine that money. This 60-day period will begin to run after notice of forfeiture is given but before the money is deposited into a financial institution under subsection (28). If the attorney general, prosecuting attorney, or city or township attorney fails to sustain his or her burden of proof in forfeiture proceedings under subsection (27), the court shall order the return of the money, including any interest earned on money deposited into a financial institution under subsection (28).

(30) This section does not apply to conduct that is permitted by and is in compliance with any of the following:

(a) Part 401 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.40101 to 324.40120.

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(b) Part 435 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43501 to 324.43561.
(c) Part 427 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.42701 to 324.42714.
(d) Part 417 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.41701 to 324.41712.

(31) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law that is committed by that person while violating this section.

MICH. COMP. LAWS § 750.159g. Definitions; racketeering.

NOTE: *Portions of the following statute have been omitted.*

As used in this chapter, "racketeering" means committing, attempting to commit, conspiring to commit, or aiding or abetting, soliciting, coercing, or intimidating a person to commit an offense for financial gain by obtaining money, property, or any other thing of value, involving any of the following:

* * * * *

(k) A violation of section 49, concerning animal fighting.

* * * * *

MICH. COMP. LAWS § 750.159i. A person shall not knowingly conduct or participate from racketeering.

(1) *A person employed by, or associated with, an enterprise shall not knowingly conduct or participate in the affairs of the enterprise directly or indirectly through a pattern of racketeering activity.*

(2) *A person shall not knowingly acquire or maintain an interest in or control of an enterprise or real or personal property used or intended for use in the operation of an enterprise, directly or indirectly, through a pattern of racketeering activity.*

(3) A person who has knowingly received any proceeds derived directly or indirectly from a pattern of racketeering activity shall not directly or indirectly use or invest any part of those proceeds, or any proceeds derived from the use or investment of any of those proceeds, in the establishment or operation of an enterprise, or the acquisition of any title to, or a right, interest, or equity in, real or personal property used or intended for use in the operation of an enterprise.

(4) A person shall not conspire or attempt to violate subsection (1), (2), or (3).

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MICH. COMP. LAWS § 777.16b. Application of chapter to Michigan Compiled Laws chapter 750, sections 750.49 to 750.68; enumerated felonies.

Sec. 16b. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	*Category*	*Class*	*Description*	*Stat Max*
750.43a	Pub saf	E	Aiming a beam of directed energy emitted from a directed energy device at or into path of aircraft or a moving train	5
750.45a(1)	Pub saf	F	Using an unmanned aircraft in a manner that interferes with certain facilities	4
750.45a(2)	Pub saf	F	Flying over or causing an unmanned aircraft to hover over facility designated on federal registry	4
750.49(2)(a) to (d)	*Pub ord*	*F*	*Fighting animals or providing facilities for animal fights*	*4*
750.49(2)(e)	*Pub ord*	*F*	*Organizing or promoting animal fights*	*4*
750.49(2)(f)	*Pub ord*	*H*	*Attending animal fight*	*4*
750.49(2)(g)	*Pub ord*	*F*	*Breeding or selling fighting animals*	*4*
750.49(2)(h)	*Pub ord*	*F*	*Selling or possessing equipment for animal fights*	*4*
750.49(8)	*Person*	*A*	*Inciting fighting animal resulting in death*	*Life*
750.49(9)	*Person*	*F*	*Inciting fighting animal to attack*	*4*
750.49(10)	*Person*	*D*	*Fighting animal attacking without provocation and death resulting*	*15*
750.50(4)(c)	Pub ord	G	Animal neglect or cruelty involving 4 or more animals but fewer than 10 animals or with 1 prior conviction	2

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750.50(4)(d)	Pub ord	F	Animal neglect or cruelty involving 10 or more animals but fewer than 25 animals or with 2 prior convictions	4
750.50(4)(e)	Pub ord	E	Animal neglect or cruelty involving 25 or more animals or with 3 or more prior convictions	7
750.50(4)(f)	Pub ord	G	Animal neglect or cruelty by breeder or pet shop operator with 5 or more prior violations of 1969 PA 287, MCL 287.331 to 287.340	2
750.50b(3)	Property	D	First degree killing or torturing animals	10
750.50b(4)	Property	E	Second degree killing or torturing animals	7
750.50b(5)	Property	F	Third degree killing or torturing animals	4
750.50c(5)	Pub ord	E	Killing or causing serious physical harm to law enforcement animal or search and rescue dog	5
750.50c(7)	Pub saf	H	Harassing or causing harm to law enforcement animal or search and rescue dog while committing crime	2
750.68	Property	G	Changing brands with intent to steal	4

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4. SEXUAL ASSAULT

MICH. COMP. LAWS § 750.158. Crime against nature or sodomy; penalty.

Sec. 158. Any person who shall commit the abominable and detestable crime against nature either with mankind or with any animal shall be guilty of a felony, punishable by imprisonment in the state prison not more than 15 years, or if such person was at the time of the said offense a sexually delinquent person, may be punishable by imprisonment in the state prison for an indeterminate term, the minimum of which shall be 1 day and the maximum of which shall be life.

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5. CRUELTY TO WORKING ANIMALS

MICH. COMP. LAWS § 750.50a. Service animals; prohibited conduct; violation; penalties; rebuttable presumption.

(1) An individual shall not do either of the following:
  (a) *Willfully and maliciously assault, beat, harass, injure, or attempt to assault, beat, harass, or injure a service animal that he or she knows or has reason to believe is a service animal used by a person with a disability.*
  (b) *Willfully and maliciously impede or interfere with, or attempt to impede or interfere with duties performed by a service animal that he or she knows or has reason to believe is a service animal used by a person with a disability.*

(2) *An individual who violates subsection (1) is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than $500.00, or both.*

(3) *In a prosecution for a violation of subsection (1), evidence that the defendant initiated or continued conduct directed toward a service animal described in subsection (1) after being requested to avoid or discontinue that conduct or similar conduct by a person with a disability being served or assisted by the service animal shall give rise to a rebuttable presumption that the conduct was initiated or continued maliciously*.

(4) A conviction and imposition of a sentence under this section does not prevent a conviction and imposition of a sentence under any other applicable provision of law.

(5) *As used in this section:*
  (a) *"Harass" means to engage in any conduct directed toward a service animal described in subsection (1) that is likely to impede or interfere with the service animal's performance of its duties or that places the person with a disability being served or assisted by the service animal in danger of injury.*
  (b) *"Injure" means to cause any physical injury to a service animal described in subsection (1).*
  (c) *"Maliciously" means any of the following:*
    (i) With intent to assault, beat, harass, or injure a service animal described in subsection (1).
    (ii) With intent to impede or interfere with duties performed by a service animal described in subsection (1).
    (iii) With intent to disturb, endanger, or cause emotional distress to a person with a disability being served or assisted by a service animal described in subsection (1).
    (iv) With knowledge that the individual's conduct will or is likely to harass or injure a service animal described in subsection (1).
    (v) With knowledge that the individual's conduct will or is likely to impede or interfere with duties performed by a service animal described in subsection (1).
    (vi) With knowledge that the individual's conduct will or is likely to disturb, endanger, or cause emotional distress to a person with a disability being served or assisted by a service animal described in subsection (1).
  (d) "Person with a disability" means a person who has a disability as defined in section 12102 of the Americans with disabilities act of 1990, 42 USC 12102, and 28 CFR 36.104.

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(e) As used in subdivision (d), "person with a disability" includes a veteran who has been diagnosed with 1 or more of the following:
  (i) Post-traumatic stress disorder.
  (ii) Traumatic brain injury.
  (iii) Other service-related disabilities.

(f) *"Service animal" means all of the following:*
  (i) That term as defined in 28 CFR 36.104.
  (ii) *A miniature horse that has been individually trained to do work or perform tasks as described in 28 CFR 36.104 for the benefit of a person with a disability*.

(g) "Veteran" means any of the following:
  (i) A person who performed military service in the armed forces for a period of more than 90 days and separated from the armed forces in a manner other than a dishonorable discharge.
  (ii) A person discharged or released from military service because of a service-related disability.
  (iii) A member of a reserve branch of the armed forces at the time he or she was ordered to military service during a period of war, or in a campaign or expedition for which a campaign badge is authorized, and was released from military service in a manner other than a dishonorable discharge.

MICH. COMP. LAWS § 750.50c. Intentionally killing, causing physical harm to, harassing, or interfering with police dog, police horse, or search and rescue dog.

(1) As used in this section:
  (a) "Dog handler" means a peace officer who has successfully completed training in the handling of a police dog pursuant to a policy of the law enforcement agency that employs that peace officer.
  (b) "Physical harm" means any injury to a dog's or horse's physical condition.
  (c) "Police dog" means a dog used by a law enforcement agency of this state or of a local unit of government of this state that is trained for law enforcement work and subject to the control of a dog handler.
  (d) "Police horse" means a horse used by a law enforcement agency of this state or of a local unit of government of this state for law enforcement work.
  (e) "Search and rescue dog" means a dog that is trained for, being trained for, or engaged in a search and rescue operation.
  (f) "Search and rescue operation" means an effort conducted at the direction of an agency of this state or of a political subdivision of this state to locate or rescue a lost, injured, or deceased individual.
  (g) "Serious physical harm" means any injury to a dog's or horse's physical condition or welfare that is not necessarily permanent but that constitutes substantial body disfigurement, or that seriously impairs the function of a body organ or limb.

(2) *A person shall not intentionally kill or cause serious physical harm to a police dog or police horse or a search and rescue dog.*

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(3) *A person shall not intentionally cause physical harm to a police dog or police horse or a search and rescue dog.*
(4) *A person shall not intentionally harass or interfere with a police dog or police horse or search and rescue dog lawfully performing its duties.*
(5) *A person who violates subsection (2) is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than $10,000.00, or both.*
(6) *Except as provided in subsection (7), a person who violates subsection (3) or (4) is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $5,000.00, or both.*
(7) *A person who violates subsection (3) or (4) while committing a crime is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than $15,000.00, or both*.
(8) This section does not prohibit an individual from being charged with, convicted of, or punished for any other violation of law committed by that individual while violating this section.

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6. LAWS SPECIFIC TO FARMED ANIMALS

Editor's Note: *This section does **not** contain all state or territorial laws regarding farmed animals. This section contains only criminal statutes with the primary purpose of preventing individual farmed animals from suffering unnecessary pain or suffering.*

MICH. COMP. LAWS § 750.60. Horses, docking tails; prima facie evidence of offense.

(1) *A person who cuts the bone of the tail of a horse for the purpose of docking the tail, or who causes or knowingly permits the cutting to be done upon the premises of which he or she is the owner, lessee, proprietor, or user, or who assists in or is present at such cutting, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00*. However, this subsection does not apply to the cutting of the bone of the tail of a horse for the purpose of docking the tail when a certificate of a regularly qualified veterinary surgeon is first obtained certifying that the cutting is necessary for the health or safety of the horse.

(2) If a horse is found with its tail cut and with the wound resulting from the cutting unhealed, upon the premises of any person, those facts shall be prima facie evidence that the person occupying or using the premises on which that horse is found has committed the offense described in subsection (1).

(3) If a horse is found with its tail cut and with the wound resulting therefrom unhealed, in the charge or custody of any person, that fact shall be prima facie evidence that the person having the charge or custody of that horse has committed the offense charged in subsection (1).

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7. CRUEL HUNTING, TRAPPING, AND FISHING

Editor's Note: *This section does **not** contain all state or territorial laws regarding hunting, trapping, and fishing. This section contains only criminal statutes with the primary purpose of preventing individual wild animals from suffering unnecessary pain or suffering.*

MICH. COMP. LAWS § 324.82121. Hunting or pursuing birds or animals, prohibition.

A snowmobile shall not be used to hunt, pursue, worry, or kill a wild bird or animal.

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8. CROSS REPORTING

[None]

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9. VETERINARY REPORTING

MICH. COMP. LAWS § 333.18827. Veterinarian or veterinary technician; reporting animal to be abandoned, neglected, or abused; immunity.

Sec. 18827. A veterinarian or veterinary technician who in good faith reports to a peace officer, an animal control officer, or an officer of a private organization devoted to the humane treatment of animals an animal that the veterinarian or veterinary technician knows or reasonably believes to be abandoned, neglected, or abused is immune from civil or criminal liability for making the report.

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10. "AG-GAG" LAWS

[None]

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11. EMERGENCY RESCUE AND RELIEF

[None]

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12. CIVIL ENFORCEMENT

[None]

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13. DOMESTIC VIOLENCE AND PROTECTION ORDERS

MICH. COMP. LAWS § 600.2950. Personal protection order.

(1) Except as otherwise provided in subsections (26) and (27), by commencing an independent action to obtain relief under this section, by joining a claim to an action, or by filing a motion in an action in which the petitioner and the individual to be restrained or enjoined are parties, an individual may petition the family division of circuit court to enter a personal protection order to restrain or enjoin a spouse, a former spouse, an individual with whom he or she has had a child in common, an individual with whom he or she has or has had a dating relationship, or an individual residing or having resided in the same household as the petitioner from doing 1 or more of the following:
   (a) Entering onto premises.
   (b) Assaulting, attacking, beating, molesting, or wounding a named individual.
   (c) Threatening to kill or physically injure a named individual.
   (d) Removing minor children from the individual having legal custody of the children, except as otherwise authorized by a custody or parenting time order issued by a court of competent jurisdiction.
   (e) Purchasing or possessing a firearm.
   (f) Interfering with petitioner's efforts to remove petitioner's children or personal property from premises that are solely owned or leased by the individual to be restrained or enjoined.
   (g) Interfering with petitioner at petitioner's place of employment or education or engaging in conduct that impairs petitioner's employment or educational relationship or environment.
   (h) If the petitioner is a minor who has been the victim of sexual assault, as that term is defined in section 2950a, by the respondent and if the petitioner is enrolled in a public or nonpublic school that operates any grades of K to 12, attending school in the same building as the petitioner.
   (i) Having access to information in records concerning a minor child of both petitioner and respondent that will inform respondent about the address or telephone number of petitioner and petitioner's minor child or about petitioner's employment address.
   (j) Engaging in conduct that is prohibited under section 411h or 411i of the Michigan penal code, 1931 PA 328, MCL 750.411h and 750.411i.
   (k) *Any of the following with the intent to cause the petitioner mental distress or to exert control over the petitioner with respect to an animal in which the petitioner has an ownership interest:*
      (i) *Injuring, killing, torturing, neglecting, or threatening to injure, kill, torture, or neglect the animal. A restraining order that enjoins conduct under this subparagraph does not prohibit the lawful killing or other use of the animal as described in section 50(11) of the Michigan penal code, 1931 PA 328, MCL 750.50.*
      (ii) *Removing the animal from the petitioner's possession.*
      (iii) *Retaining or obtaining possession of the animal.*
   (l) Any other specific act or conduct that imposes upon or interferes with personal liberty or that causes a reasonable apprehension of violence.

(2) If the respondent is a person who is issued a license to carry a concealed weapon and is required to carry a weapon as a condition of his or her employment, a police officer licensed or certified by the

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Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615, a sheriff, a deputy sheriff or a member of the Michigan department of state police, a local corrections officer, department of corrections employee, or a federal law enforcement officer who carries a firearm during the normal course of his or her employment, the petitioner shall notify the court of the respondent's occupation before issuance of the personal protection order. This subsection does not apply to a petitioner who does not know the respondent's occupation.

(3) A petitioner may omit his or her address of residence from documents filed with the court under this section. If a petitioner omits his or her address of residence, the petitioner shall provide the court with a mailing address.

(4) The court shall issue a personal protection order under this section if the court determines that there is reasonable cause to believe that the individual to be restrained or enjoined may commit 1 or more of the acts listed in subsection (1). In determining whether reasonable cause exists, the court shall consider all of the following:
   (a) Testimony, documents, or other evidence offered in support of the request for a personal protection order.
   (b) Whether the individual to be restrained or enjoined has previously committed or threatened to commit 1 or more of the acts listed in subsection (1).

(5) A court shall not issue a personal protection order that restrains or enjoins conduct described in subsection (1)(a) if all of the following apply:
   (a) The individual to be restrained or enjoined is not the spouse of the moving party.
   (b) The individual to be restrained or enjoined or the parent, guardian, or custodian of the minor to be restrained or enjoined has a property interest in the premises.
   (c) The moving party or the parent, guardian, or custodian of a minor petitioner has no property interest in the premises.

(6) A court shall not refuse to issue a personal protection order solely because of the absences of any of the following:
   (a) A police report.
   (b) A medical report.
   (c) A report or finding of an administrative agency.
   (d) Physical signs of abuse or violence.

(7) If the court refuses to grant a personal protection order, it shall state immediately in writing the specific reasons it refused to issue a personal protection order. If a hearing is held, the court shall also immediately state on the record the specific reasons it refuses to issue a personal protection order.

(8) A court shall not issue a mutual personal protection order. Correlative separate personal protection orders are prohibited unless both parties have properly petitioned the court under subsection (1).

(9) A personal protection order is effective and immediately enforceable anywhere in this state after being signed by a judge. Upon service, a personal protection order may also be enforced by another state, an Indian tribe, or a territory of the United States.

(10) The issuing court shall designate a law enforcement agency that is responsible for entering a personal protection order into the law enforcement information network as provided by the C.J.I.S. policy council act, 1974 PA 163, MCL 28.211 to 28.215.

(11) A personal protection order must include all of the following, to the extent practicable-in a single form:

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(a) A statement that the personal protection order has been entered to restrain or enjoin conduct listed in the order and that violation of the personal protection order will subject the individual restrained or enjoined to 1 or more of the following:
  (i) If the respondent is 17 years of age or older, immediate arrest and the civil and criminal contempt powers of the court and, if he or she is found guilty of criminal contempt, imprisonment for not more than 93 days and a fine of not more than $500.00.
  (ii) If the respondent is less than 17 years of age, immediate apprehension or being taken into custody and the dispositional alternatives listed in section 18 of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18.
  (iii) If the respondent violates the personal protection order in a jurisdiction other than this state the enforcement procedures and penalties of the state, Indian tribe, or United States territory under whose jurisdiction the violation occurred.
(b) A statement that the personal protection order is effective and immediately enforceable anywhere in this state after being signed by a judge and that, upon service, a personal protection order also may be enforced by another state, an Indian tribe, or a territory of the United States.
(c) A statement listing the type or types of conduct enjoined.
(d) An expiration date stated clearly on the face of the order.
(e) A statement that the personal protection order is enforceable anywhere in this state by any law enforcement agency.
(f) The name of the law enforcement agency designated by the court to enter the personal protection order into the law enforcement information network.
(g) For ex parte orders, a statement that the individual restrained or enjoined may file a motion to modify or rescind the personal protection order and request a hearing within 14 days after the individual restrained or enjoined has been served or has received actual notice of the order and that motion forms and filing instructions are available from the clerk of the court.

(12) A court shall issue an ex parte personal protection order without written or oral notice to the individual restrained or enjoined or his or her attorney if it clearly appears from specific facts shown by a verified complaint, written motion, or affidavit that immediate and irreparable injury, loss, or damage will result from the delay required to effectuate notice or that the notice will itself precipitate adverse action before a personal protection order can be issued.

(13) A personal protection order issued under subsection (12) is valid for not less than 182 days. The individual restrained or enjoined may file a motion to modify or rescind the personal protection order and request a hearing under the Michigan court rules. A motion to modify or rescind the personal protection order must be filed within 14 days after the order is served or after the individual restrained or enjoined has received actual notice of the personal protection order unless good cause is shown for filing the motion after the 14 days have elapsed.

(14) Except as otherwise provided in this subsection, the court shall schedule a hearing on a motion to modify or rescind the ex parte personal protection order within 14 days after the motion is filed. If the respondent is a person described in subsection (2) and the personal protection order prohibits him or her from purchasing or possessing a firearm, the court shall schedule a hearing on the motion to modify or rescind the ex parte personal protection order within 5 days after the motion is filed.

(15) The clerk of the court that issues a personal protection order shall do all of the following immediately upon issuance and without requiring a proof of service on the individual restrained or enjoined:

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(a) File a true copy of the personal protection order with the law enforcement agency designated by the court in the personal protection order.
(b) Provide the petitioner with 2 or more true copies of the personal protection order.
(c) If the respondent is identified in the pleadings as a law enforcement officer, notify the officer's employing law enforcement agency, if known, about the existence of the personal protection order.
(d) If the personal protection order prohibits the respondent from purchasing or possessing a firearm, notify the county clerk of the respondent's county of residence about the existence and contents of the personal protection order.
(e) If the respondent is identified in the pleadings as a department of corrections employee, notify the state department of corrections about the existence of the personal protection order.
(f) If the respondent is identified in the pleadings as being a person who may have access to information concerning the petitioner or a child of the petitioner or respondent and that information is contained in friend of the court records, notify the friend of the court for the county in which the information is located about the existence of the personal protection order.

(16) The clerk of the court shall inform the petitioner that he or she may take a true copy of the personal protection order to the law enforcement agency designated by the court under subsection (10) to be immediately entered into the law enforcement information network.

(17) The law enforcement agency that receives a true copy of the personal protection order under subsection (15) or (16) shall immediately and without requiring proof of service enter the personal protection order into the law enforcement information network as provided by the C.J.I.S. policy council act, 1974 PA 163, MCL 28.211 to 28.215.

(18) A personal protection order issued under this section must be served personally or by registered or certified mail, return receipt requested, delivery restricted to the addressee at the last known address or addresses of the individual restrained or enjoined or by any other manner allowed by the Michigan court rules. If the individual restrained or enjoined has not been served, a law enforcement officer or clerk of the court who knows that a personal protection order exists may, at any time, serve the individual restrained or enjoined with a true copy of the order or advise the individual restrained or enjoined of the existence of the personal protection order, the specific conduct enjoined, the penalties for violating the order, and where the individual restrained or enjoined may obtain a copy of the order. If the respondent is less than 18 years of age, the parent, guardian, or custodian of the individual must also be served personally or by registered or certified mail, return receipt requested, delivery restricted to the addressee at the last known address or addresses of the parent, guardian, or custodian. A proof of service or proof of oral notice must be filed with the clerk of the court issuing the personal protection order. This subsection does not prohibit the immediate effectiveness of a personal protection order or its immediate enforcement under subsections (21) and (22).

(19) The clerk of the court that issued the personal protection order shall immediately notify the law enforcement agency that received the personal protection order under subsection (15) or (16) if either of the following occurs:
(a) The clerk of the court receives proof that the individual restrained or enjoined has been served.
(b) The personal protection order is rescinded, modified, or extended by court order.

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(20) The law enforcement agency that receives information under subsection (19) shall enter the information or cause the information to be entered into the law enforcement information network as provided by the C.J.I.S. policy council act, 1974 PA 163, MCL 28.211 to 28.215.

(21) Subject to subsection (22), a personal protection order is immediately enforceable anywhere in this state by any law enforcement agency that has received a true copy of the order, is shown a copy of it, or has verified its existence on the law enforcement information network as provided by the C.J.I.S. policy council act, 1974 PA 163, MCL 28.211 to 28.215.

(22) If the individual restrained or enjoined has not been served, a law enforcement agency or officer responding to a call alleging a violation of a personal protection order shall serve the individual restrained or enjoined with a true copy of the order or advise the individual restrained or enjoined of the existence of the personal protection order, the specific conduct enjoined, the penalties for violating the order, and where the individual restrained or enjoined may obtain a copy of the order. The law enforcement officer shall enforce the personal protection order and immediately enter or cause to be entered into the law enforcement information network that the individual restrained or enjoined has actual notice of the personal protection order. The law enforcement officer also shall file a proof of service or proof of oral notice with the clerk of the court issuing the personal protection order. If the individual restrained or enjoined has not received notice of the personal protection order, the individual restrained or enjoined must be given an opportunity to comply with the personal protection order before the law enforcement officer makes a custodial arrest for violation of the personal protection order. The failure to immediately comply with the personal protection order is grounds for an immediate custodial arrest. This subsection does not preclude an arrest under section 15 or 15a of chapter IV of the code of criminal procedure, 1927 PA 175, MCL 764.15 and 764.15a, or a proceeding under section 14 of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.14.

(23) An individual who is 17 years of age or older and who refuses or fails to comply with a personal protection order under this section is subject to the criminal contempt powers of the court and, if found guilty, must be imprisoned for not more than 93 days and may be fined not more than $500.00. An individual who is less than 17 years of age and who refuses or fails to comply with a personal protection order issued under this section is subject to the dispositional alternatives listed in section 18 of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18. The criminal penalty provided under this section may be imposed in addition to a penalty that may be imposed for another criminal offense arising from the same conduct.

(24) An individual who knowingly and intentionally makes a false statement to the court in support of his or her petition for a personal protection order is subject to the contempt powers of the court.

(25) A personal protection order issued under this section is also enforceable under chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.1 to 712A.32, and section 15b of chapter IV of the code of criminal procedure, 1927 PA 175, MCL 764.15b, and chapter 17.

(26) A court shall not issue a personal protection order that restrains or enjoins conduct described in subsection (1) if any of the following apply:
   (a) The respondent is the unemancipated minor child of the petitioner.
   (b) The petitioner is the unemancipated minor child of the respondent.
   (c) The respondent is a minor child less than 10 years of age.

(27) If the respondent is less than 18 years of age, issuance of a personal protection order under this section is subject to chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.1 to 712A.32.

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(28) A personal protection order that is issued before March 1, 1999 is not invalid on the ground that it does not comply with 1 or more of the requirements added by 1998 PA 477.

(29) For purposes of subsection (1)(k) a petitioner has an ownership interest in an animal if 1 or more of the following are applicable:

(a) The petitioner has a right of property in the animal.

(b) The petitioner keeps or harbors the animal.

(c) The animal is in the petitioner's care.

(d) The petitioner permits the animal to remain on or about premises occupied by the petitioner.

(30) As used in this section:

(a) "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional involvement. Dating relationship does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.

(b) "Federal law enforcement officer" means an officer or agent employed by a law enforcement agency of the United States government whose primary responsibility is the enforcement of laws of the United States.

(c) "Neglect" means that term as defined in section 50 of the Michigan penal code, 1931 PA 328, MCL 750.50.

(d) "Personal protection order" means an injunctive order issued by the family division of circuit court restraining or enjoining activity and individuals listed in subsection (1).

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14. MAXIMUM PENALTIES AND STATUTE OF LIMITATIONS

NOTE: All penalties are defined in the substantive statutes, available in the General Cruelty, Fighting & Racketeering, and Sexual Assault sections of this document.

MICH. COMP. LAWS § 767.24. Limitations of actions; extension or tolling.

Sec. 24.

(1) An indictment for any of the following crimes may be found and filed at any time:
   (a) Murder, conspiracy to commit murder, or solicitation to commit murder, or criminal sexual conduct in the first degree.
   (b) A violation of chapter XXXIII of the Michigan penal code, 1931 PA 328, MCL 750.200 to 750.212a, that is punishable by imprisonment for life.
   (c) A violation of chapter LXVIIA of the Michigan penal code, 1931 PA 328, MCL 750.462a to 750.462h, that is punishable by imprisonment for life.
   (d) A violation of the Michigan anti-terrorism act, chapter LXXXIII-A of the Michigan penal code, 1931 PA 328, MCL 750.543a to 750.543z, that is punishable by imprisonment for life.

(2) An indictment for a violation or attempted violation of section 13, 462b, 462c, 462d, or 462e of the Michigan penal code, 1931 PA 328, MCL 750.13, 750.462b, 750.462c, 750.462d, and 750.462e, may be found and filed within 25 years after the offense is committed. This subsection shall be known as "Theresa Flores's Law".

(3) Except as provided in subsection (4) for violation of section 520c or 520d of the Michigan penal code, 1931 PA 328, MCL 750.520c and 750.520d, in which the victim is under 18 years of age, an indictment for a violation or attempted violation of section 136, 136a, 145c, 520c, 520d, 520e, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.136, 750.136a, 750.145c, 750.520c, 750.520d, 750.520e, and 750.520g, may be found and filed as follows:
   (a) Except as otherwise provided in subdivision (b), an indictment may be found and filed within 10 years after the offense is committed or by the alleged victim's twenty-first birthday, whichever is later.
   (b) If evidence of the offense is obtained and that evidence contains DNA that is determined to be from an unidentified individual, an indictment against that individual for the offense may be found and filed at any time after the offense is committed. However, after the individual is identified, the indictment may be found and filed within 10 years after the individual is identified or by the alleged victim's twenty-first birthday, whichever is later.

(4) An indictment for a violation of section 520 or 520d of the Michigan penal code, 1931 PA 328, MCL 750.520c and 750520d, in which the victim is under 18 years of age may be found and files as follows:
   (a) Except as otherwise provided in subdivision (b), an indictment may be found and filed within 15 years after the offense is committed or by the alleged victim's twenty-eighth birthday, whichever is later.
   (b) If evidence of the offense is obtained and that evidence contains DNA that is determined to be from an unidentified individual, an indictment against the individual for the offense may be found and filed at any time after the offense is committed. However, after the individual is

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identified, the indictment may be found and filed with 15 years after the individual is identified or by the alleged victim's twenty-eighth birthday, whichever is later.

(5) As used in subsections (3) and (4):
   (a) "DNA" means human deoxyribonucleic acid.
   (b) "Identified" means the individual's legal name is known and he or she has been determined to be the source of the DNA.

(6) An indictment for kidnapping, extortion, assault with intent to commit murder, attempted murder, manslaughter, armed robbery, or first-degree home invasion may be found and filed as follows:
   (a) Except as otherwise provided in subdivision (b), an indictment may be found and filed within 10 years after the offense is committed.
   (b) If the offense is reported to a police agency within 1 year after the offense is committed and the individual who committed the offense is unknown, an indictment for that offense may be found and filed within 10 years after the individual is identified. This subsection shall be known as Brandon D'Annunzio's law. As used in this subsection, "identified" means the individual's legal name is known.

(7) An indictment for identity theft or attempted identity theft may be found and filed as follows:
   (a) Except as otherwise provided in subdivision (b), an indictment may be found and filed within 6 years after the offense is committed.
   (b) If evidence of the offense is obtained and the individual who committed the offense has not been identified, an indictment may be found and filed at any time after the offense is committed, but not more than 6 years after the individual is identified.

(8) As used in subsection (7):
   (a) "Identified" means the individual's legal name is known.
   (b) "Identity theft" means 1 or more of the following:
      (i) Conduct prohibited in section 5 or 7 of the identity theft protection act, 2004 PA 452, MCL 445.65 and 445.67.
      (ii) Conduct prohibited under former section 285 of the Michigan penal code, 1931 PA 328.

(9) An indictment for false pretenses involving real property, forgery or uttering and publishing of an instrument affecting an interest in real property, or mortgage fraud may be found and filed within 10 years after the offense was committed or within 10 years after the instrument affecting real property was recorded, whichever occurs later.

(10) *All other indictments may be found and filed within 6 years after the offense is committed.*

(11) Any period during which the party charged did not usually and publicly reside within this state is not part of the time within which the respective indictments may be found and filed.

(12) The extension or tolling, as applicable, of the limitations period provided in this section applies to any of those violations for which the limitations period has not expired at the time the extension or tolling takes effect.

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15. LAW ENFORCEMENT POLICIES

MICH. COMP. LAWS § 750.54. Search warrants.

Sec. 54. When complaint is made, on oath or affirmation, to any magistrate authorized to issue warrants in criminal cases, that the complainant believes that any of the provisions of the preceding sections of this chapter are being, or are about to be violated in any particular building or place, such magistrate, if satisfied that there is reasonable cause for such belief, shall issue and deliver a search warrant to any sheriff, deputy sheriff, constable or public officer, authorizing him to search such building or place and to arrest any person or persons engaged in violating any of the provisions of the preceding sections of this chapter, as well as any person or persons there present, and aiding or abetting therein, and to bring such person or persons before some magistrate of competent jurisdiction, to be dealt with according to law. Such officer shall, at the same time, seize and bring to said magistrate every article or instrument found in said building or place especially designed or adapted to torture or inflict wounds upon any animal or to aid in the fighting or baiting of any animal; and unless within 10 days after the trial of the person or persons so arrested, the owner of said article or instrument shall show, to the satisfaction of said magistrate, that the same is not designed or adapted to the wounding or torture of animals, or if so designed or adapted, is not intended to be used or employed for such purpose, the magistrate shall destroy such article or instrument.

MICH. COMP. LAWS § 750.55. Incorporated society, representative deputy sheriff.

Sec. 55. Any society incorporated in this state for the purpose of preventing cruelty to animals may designate 1 or more persons in each county of the state to discover and prosecute all cases of the violation of the provisions of this chapter; and the sheriff of such county may appoint each person so designated a deputy sheriff, provided such person shall be of good moral character, and each person so appointed by the sheriff shall possess all the powers of a sheriff of the county in enforcement of the provisions of this chapter. The sheriff shall not be responsible for any of the acts of such person or persons, but the society, if incorporated, and if not, then the officers and members of the society, on the request of which such person was appointed, shall be liable in the degree of a principal for the acts of an agent.

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16. SEIZURE

MICH. COMP. LAWS § 750.53. Arrest of persons; seizure of animals.

Sec. 53. *Arrest of persons and seizure of animals-Persons found violating any of the provisions of the preceding sections of this chapter may be arrested and held without warrant, in like manner as in the case of persons found breaking the peace, and it shall be the duty of the person making the arrest to seize all animals and fowls found in the keeping or custody of the person arrested, and which are then being used, or held for use in violation of any of the provisions of the preceding sections of this chapter, and the person making such seizure shall cause such animals or fowls to be at once delivered to a poundmaster of the city, village or township in which the same may be, and it shall be the duty of such poundmaster to receive such animals or fowls, and to hold the same and proceed in regard to them in all respects as provided by law in other cases of animals impounded.*

MICH. COMP. LAWS § 750.54. Search warrants.

Sec. 54. When complaint is made, on oath or affirmation, to any magistrate authorized to issue warrants in criminal cases, that the complainant believes that any of the provisions of the preceding sections of this chapter are being, or are about to be violated in any particular building or place, such magistrate, if satisfied that there is reasonable cause for such belief, shall issue and deliver a search warrant to any sheriff, deputy sheriff, constable or public officer, authorizing him to search such building or place and to arrest any person or persons engaged in violating any of the provisions of the preceding sections of this chapter, as well as any person or persons there present, and aiding or abetting therein, and to bring such person or persons before some magistrate of competent jurisdiction, to be dealt with according to law. Such officer shall, at the same time, seize and bring to said magistrate every article or instrument found in said building or place especially designed or adapted to torture or inflict wounds upon any animal or to aid in the fighting or baiting of any animal; and unless within 10 days after the trial of the person or persons so arrested, the owner of said article or instrument shall show, to the satisfaction of said magistrate, that the same is not designed or adapted to the wounding or torture of animals, or if so designed or adapted, is not intended to be used or employed for such purpose, the magistrate shall destroy such article or instrument.

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17. COURTROOM ANIMAL ADVOCATE PROGRAM

[None]

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18. RESTITUTION

MICH. COMP. LAWS § 750.50. Definitions; crimes against animals, cruel treatment, abandonment, failure to provide adequate care, etc.; penalties; multiple prosecutions; payment of costs; exceptions.

(1) As used in this section and section 50b:

(a) "Adequate care" means the provision of sufficient food, water, shelter, sanitary conditions, exercise, and veterinary medical attention in order to maintain an animal in a state of good health.

(b) "Animal" means a vertebrate other than a human being.

(c) "Animal control shelter" means a facility operated by a county, city, village, or township to impound and care for animals found in streets or otherwise at large contrary to an ordinance of the county, city, village, or township or state law.

(d) "Animal protection shelter" means a facility operated by a person, humane society, society for the prevention of cruelty to animals, or any other nonprofit organization, for the care of homeless animals.

(e) "Breeder" means a person that breeds animals other than livestock or dogs for remuneration, or that is a large-scale dog breeding kennel as that term is defined in section 1 of 1969 PA 287, MCL 287.331.

(f) "Licensed veterinarian" means a person licensed or otherwise authorized to practice veterinary medicine under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

(g) "Livestock" means that term as defined in section 5 of the animal industry act, 1988 PA 466, MCL 287.705.

(h) "Neglect" means to fail to sufficiently and properly care for an animal to the extent that the animal's health is jeopardized.

(i) "Person" means an individual, partnership, limited liability company, corporation, association, governmental entity, or other legal entity.

(j) "Pet shop" means that term as defined in section 1 of 1969 PA 287, MCL 287.331.

(k) "Sanitary conditions" means space free from health hazards including excessive animal waste, overcrowding of animals, or other conditions that endanger the animal's health. This definition does not include any condition resulting from a customary and reasonable practice pursuant to farming or animal husbandry.

(l) "Shelter" means adequate protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal so as to maintain the animal in a state of good health. Shelter, for livestock, includes structures or natural features such as trees or topography. Shelter, for a dog, includes 1 or more of the following:

(i) The residence of the dog's owner or other individual.

(ii) A doghouse that is an enclosed structure with a roof and of appropriate dimensions for the breed and size of the dog. The doghouse must have dry bedding when the outdoor temperature is or is predicted to drop below freezing.

(iii) A structure, including a garage, barn, or shed, that is sufficiently insulated and ventilated to protect the dog from exposure to extreme temperatures or, if not sufficiently

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insulated and ventilated, contains a doghouse as provided under subparagraph (ii) that is accessible to the dog.

(m) "State of good health" means freedom from disease and illness, and in a condition of proper body weight and temperature for the age and species of the animal, unless the animal is undergoing appropriate treatment.

(n) "Tethering" means the restraint and confinement of a dog by use of a chain, rope, or similar device.

(o) "Water" means potable water that is suitable for the age and species of animal that is made regularly available unless otherwise directed by a licensed veterinarian.

(2) An owner, possessor, breeder, operator of a pet shop, or person having the charge or custody of an animal shall not do any of the following:

(a) Fail to provide an animal with adequate care.

(b) Cruelly drive, work, or beat an animal, or cause an animal to be cruelly driven, worked, or beaten.

(c) Carry or cause to be carried in or upon a vehicle or otherwise any live animal having the feet or legs tied together, other than an animal being transported for medical care, or a horse whose feet are hobbled to protect the horse during transport or in any other cruel and inhumane manner.

(d) Carry or cause to be carried a live animal in or upon a vehicle or otherwise without providing a secure space, rack, car, crate, or cage, in which livestock may stand, and in which all other animals may stand, turn around, and lie down during transportation, or while awaiting slaughter. As used in this subdivision, for purposes of transportation of sled dogs, "stand" means sufficient vertical distance to allow the animal to stand without its shoulders touching the top of the crate or transportation vehicle.

(e) Abandon an animal or cause an animal to be abandoned, in any place, without making provisions for the animal's adequate care, unless premises are vacated for the protection of human life or the prevention of injury to a human. An animal that is lost by an owner or custodian while traveling, walking, hiking, or hunting is not abandoned under this section when the owner or custodian has made a reasonable effort to locate the animal.

(f) Negligently allow any animal, including one who is aged, diseased, maimed, hopelessly sick, disabled, or nonambulatory to suffer unnecessary neglect, torture, or pain.

(g) Tether a dog unless the tether is at least 3 times the length of the dog as measured from the tip of its nose to the base of its tail and is attached to a harness or nonchoke collar designed for tethering. This subdivision does not apply if the tethering of the dog occurs while the dog is being groomed, trained, transported, or used in a hunt or event where a shorter tether is necessary for the safety and well-being of the dog and others.

(3) *If an animal is impounded and is being held by an animal control shelter or its designee or an animal protection shelter or its designee or a licensed veterinarian pending the outcome of a criminal action charging a violation of this section or section 50b, before final disposition of the criminal charge, the prosecuting attorney may file a civil action in the court that has jurisdiction of the criminal action, requesting that the court issue an order forfeiting the animal to the animal control shelter or animal protection shelter or to a licensed veterinarian before final disposition of the criminal charge. The prosecuting attorney shall serve a true copy of the summons and complaint upon the defendant and upon a person with a known ownership interest or known security interest in the animal or a person*

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who has filed a lien with the secretary of state on the animal. The forfeiture of an animal under this section encumbered by a security interest is subject to the interest of the holder of the security interest if he or she did not have prior knowledge of or did not consent to the commission of the crime. Upon the filing of the civil action, the court shall set a hearing on the complaint. The hearing must be conducted within 14 days of the filing of the civil action, or as soon as practicable. The hearing must be before a judge without a jury. At the hearing, the prosecuting attorney has the burden of establishing by a preponderance of the evidence that a violation of this section or section 50b occurred. If the court finds that the prosecuting attorney has met this burden, the court shall order immediate forfeiture of the animal to the animal control shelter or animal protection shelter or the licensed veterinarian unless the defendant, within 72 hours of the hearing, submits to the court clerk cash or other form of security in an amount determined by the court to be sufficient to repay all reasonable costs incurred, and anticipated to be incurred, by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal from the date of initial impoundment to the date of trial. If cash or other security has been submitted, and the trial in the action is continued at a later date, any order of continuance must require the defendant to submit additional cash or security in an amount determined by the court to be sufficient to repay all additional reasonable costs anticipated to be incurred by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal until the new date of trial. If the defendant submits cash or other security to the court under this subsection the court may enter an order authorizing the use of that cash or other security before final disposition of the criminal charges to pay the reasonable costs incurred by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal from the date of impoundment to the date of final disposition of the criminal charges. The testimony of a person at a hearing held under this subsection is not admissible against him or her in any criminal proceeding except in a criminal prosecution for perjury. The testimony of a person at a hearing held under this subsection does not waive the person's constitutional right against self-incrimination. An animal seized under this section or section 50b is not subject to any other civil action pending the final judgment of the forfeiture action under this subsection.

(4) A person who violates subsection (2) is guilty of a crime as follows:

(a) Except as otherwise provided in subdivisions (c) to (f), if the violation involved 1 animal, the person is guilty of a misdemeanor punishable by 1 or more of the following *and may be ordered to pay the costs of prosecution:*

(i) Imprisonment for not more than 93 days.

(ii) A fine of not more than $1,000.00.

(iii) Community service for not more than 200 hours.

(b) Except as otherwise provided in subdivisions (c) to (f), if the violation involved 2 or 3 animals or the death of any animal, the person is guilty of a misdemeanor punishable by 1 or more of the following *and may be ordered to pay the costs of prosecution*:

(i) Imprisonment for not more than 1 year.

(ii) A fine of not more than $2,000.00.

(iii) Community service for not more than 300 hours.

(c) If the violation involved 4 or more animals but fewer than 10 animals or the person had 1 prior conviction under subsection (2), the person is guilty of a felony punishable by 1 or more of the following *and may be ordered to pay the costs of prosecution*:

(i) Imprisonment for not more than 2 years.

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(ii) A fine of not more than $2,000.00.
(iii) Community service for not more than 300 hours.

(d) If the violation involved 10 or more animals but fewer than 25 animals or the person had 2 convictions for violating subsection (2), the person is guilty of a felony punishable by 1 or more of the following *and may be ordered to pay the costs of prosecution:*
(i) Imprisonment for not more than 4 years.
(ii) A fine of not more than $5,000.00.
(iii) Community service for not more than 500 hours.

(e) If the violation involved 25 or more animals or the person has had 3 or more prior convictions for violating subsection (2), the person is guilty of a felony punishable by 1 or more of the following *and may be ordered to pay the costs of prosecution*:
(i) Imprisonment for not more than 7 years.
(ii) A fine of not more than $10,000.00.
(iii) Community service for not more than 500 hours.

(f) If the person is a breeder, or if the person is an operator of a pet shop and he or she has had 5 or more prior convictions for violating 1969 PA 287, MCL 287.331 to 287.340, the person is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than $5,000.00, or both.

(5) The court may order a person convicted of violating subsection (2) to be evaluated to determine the need for psychiatric or psychological counseling and, if determined appropriate by the court, to receive psychiatric or psychological counseling. *The evaluation and counseling must be at the defendant's own expense.*

(6) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law arising out of the same transaction as the violation of this section.

(7) The court may order a term of imprisonment imposed for a violation of this section to be served consecutively to a term of imprisonment imposed for any other crime including any other violation of law arising out of the same transaction as the violation of this section.

(8) *As a part of the sentence for a violation of subsection (2), the court may order the defendant to pay the costs of the care, housing, and veterinary medical care for the animal, as applicable. If the court does not order a defendant to pay all of the applicable costs listed in this subsection, or orders only partial payment of these costs, the court shall state on the record the reason for that action.*

(9) As a part of the sentence for a violation of subsection (2), the court may, as a condition of probation, order the defendant not to own or possess an animal for a period of time not to exceed the period of probation. If a person is convicted of a second or subsequent violation of subsection (2), the court may order the defendant not to own or possess an animal for any period of time, including permanent relinquishment of animal ownership.

(10) A person who owns or possesses an animal in violation of an order issued under subsection (9) is subject to revocation of probation if the order is issued as a condition of probation. A person who owns or possesses an animal in violation of an order issued under subsection (9) is also subject to the civil and criminal contempt power of the court, and if found guilty of criminal contempt, may be punished by imprisonment for not more than 90 days or a fine of not more than $500.00, or both.

(11) As part of the sentence imposed under subsection (4)(e), the court may place the defendant on probation for any term of years, but not less than 5 years.

(12) This section does not prohibit the lawful killing or other use of an animal, including the following:

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(a) Fishing.
(b) Hunting, trapping, or wildlife control regulated under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106.
(c) Horse racing.
(d) The operation of a zoological park or aquarium.
(e) Pest or rodent control regulated under part 83 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.8301 to 324.8336.
(f) Farming or a generally accepted animal husbandry or farming practice involving livestock.
(g) Scientific research under 1969 PA 224, MCL 287.381 to 287.395.
(h) Scientific research or the lawful killing of an animal under sections 2226, 2671, 2676, and 7333 of the public health code, 1978 PA 368, MCL 333.2226, 333.2671, 333.2676, and 333.7333.
(i) The lawful killing or use of an animal under the animal industry act, 1988 PA 466, MCL 287.701 to 287.746.

(13) This section does not apply to a veterinarian or a veterinary technician lawfully engaging in the practice of veterinary medicine under part 188 of the public health code, 1978 PA 368, MCL 333.18801 to 333.18838.

MICH. COMP. LAWS § 750.50b. Animal defined; prohibited acts; violation; penalty; exceptions.

(1) As used in this section:
(a) "Animal" means a vertebrate other than a human being.
(b) "Companion animal" means an animal that is commonly considered to be, or is considered by its owner to be, a pet, or that is a service animal as that term is defined in section 50a. Companion animal includes, but is not limited to, dogs and cats.

(2) Except as otherwise provided in this section, a person shall not do any of the following without just cause:
(a) Knowingly kill, torture, mutilate, maim, or disfigure an animal.
(b) Commit a reckless act knowing or having reason to know that the act will cause an animal to be killed, tortured, mutilated, maimed, or disfigured.
(c) Knowingly administer poison to an animal, or knowingly expose an animal to any poisonous substance, with the intent that the substance be taken or swallowed by the animal.
(d) Violate or threaten to violate subdivision (a) or (c) with the intent to cause mental suffering or distress to a person or to exert control over a person.

(3) If the animal is a companion animal and if a person violates subsection (2)(d) and intentionally violates subsection (2)(a) or (c), the person is guilty of killing or torturing animals in the first degree.

(4) If the animal is a companion animal and a person violates subsection (2)(d), or if a person intentionally violates subsection (2)(a) or (c), the person is guilty of killing or torturing animals in the second degree.

(5) Except as otherwise provided in subsections (3) and (4), a person who violates subsection (2) is guilty of killing or torturing animals in the third degree.

(6) Killing or torturing animals in the first degree is a felony punishable by 1 or more of the following:
(a) Imprisonment for not more than 10 years.
(b) A fine of not more than $5,000.00.
(c) Community service for not more than 500 hours.

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(7) Killing or torturing animals in the second degree is a felony punishable by 1 or more of the following:
   (a) Imprisonment for not more than 7 years.
   (b) A fine of not more than $5,000.00.
   (c) Community service for not more than 500 hours.

(8) Killing or torturing animals in the third degree is a felony punishably by 1 or more of the following:
   (a) Imprisonment for not more than 4 years.
   (b) A fine of not more than $5,000.00.
   (c) Community service for not more than 500 hours.

(9) The court may order a term of imprisonment imposed for a violation of this section to be served consecutively to a term of imprisonment imposed for any other crime including any other violation of law arising out of the same transaction as the violation of this section.

(10) *As a part of the sentence for a violation of subsection (2), the court may order the defendant to pay the costs of the prosecution and the costs of the care, housing, and veterinary medical care for the animal victim, as applicable. If the court does not order a defendant to pay all of the applicable costs listed in this subsection, or orders only partial payment of these costs, the court shall state on the record the reasons for that action.*

(11) If a term of probation is ordered for a violation of subsection (2), the court may include as a condition of that probation that the defendant be evaluated to determine the need for psychiatric or psychological counseling and, if determined appropriate by the court, to receive psychiatric or psychological counseling at his or her own expense.

(12) As a part of the sentence for a violation of subsection (2), the court may order the defendant not to own or possess an animal for any period of time determined by the court, which may include permanent relinquishment.

(13) A person who owns or possesses an animal in violation of an order issued under subsection (12) is subject to revocation of probation if the order is issued as a condition of probation. A person who owns or possesses an animal in violation of an order issued under subsection (12) is also subject to the civil and criminal contempt power of the court and, if found guilty of criminal contempt, may be punished by imprisonment for not more than 90 days or a fine of not more than $500.00, or both.

(14) This section does not prohibit the lawful killing of livestock or a customary animal husbandry or farming practice involving livestock.

(15) This section does not prohibit the lawful killing of an animal pursuant to any of the following:
   (a) Fishing.
   (b) Hunting, trapping, or wildlife control regulated under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, and orders issued under that act.
   (c) Pest or rodent control regulated under part 83 or the natural resources and environmental protection act, 1994 PA 451, MCL 324.8301 to 324.8336.
   (d) Section 19 of the dog law of 1919, 1919 PA 339, MCL 287.279.

(16) This section does not prohibit the lawful killing or use of an animal for scientific research under any of the following or a rule promulgated under any of the following:
   (a) 1969 PA 224, MCL 287.381 to 287.395.
   (b) Sections 2226, 2671, 2676, 7109, and 7333 of the public health code, 1978 PA 368, MCL 333.2226, 333.2671, 333.2676, 333.7109, and 333.7333.

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(17) This section does not apply to a veterinarian or a veterinary technician lawfully engaging in the practice of veterinary medicine under part 188 of the public health code, 1978 PA 368, MCL 333.18801 to 333.1883.

(18) This section does not prohibit the lawful killing or use an animal under the animal industry act, 1988 PA 466, MCL 287.701 to 287.746.

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19. FORFEITURE AND POSSESSION BANS

MICH. COMP. LAWS § 750.50. Definitions; crimes against animals, cruel treatment, abandonment, failure to provide adequate care, etc.; penalties; multiple prosecutions; payment of costs; exceptions.

(1) As used in this section and section 50b:
- (a) "Adequate care" means the provision of sufficient food, water, shelter, sanitary conditions, exercise, and veterinary medical attention in order to maintain an animal in a state of good health.
- (b) "Animal" means a vertebrate other than a human being.
- (c) "Animal control shelter" means a facility operated by a county, city, village, or township to impound and care for animals found in streets or otherwise at large contrary to an ordinance of the county, city, village, or township or state law.
- (d) "Animal protection shelter" means a facility operated by a person, humane society, society for the prevention of cruelty to animals, or any other nonprofit organization, for the care of homeless animals.
- (e) "Breeder" means a person that breeds animals other than livestock or dogs for remuneration, or that is a large-scale dog breeding kennel as that term is defined in section 1 of 1969 PA 287, MCL 287.331.
- (f) "Licensed veterinarian" means a person licensed or otherwise authorized to practice veterinary medicine under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.
- (g) "Livestock" means that term as defined in section 5 of the animal industry act, 1988 PA 466, MCL 287.705.
- (h) "Neglect" means to fail to sufficiently and properly care for an animal to the extent that the animal's health is jeopardized.
- (i) "Person" means an individual, partnership, limited liability company, corporation, association, governmental entity, or other legal entity.
- (j) "Pet shop" means that term as defined in section 1 of 1969 PA 287, MCL 287.331.
- (k) "Sanitary conditions" means space free from health hazards including excessive animal waste, overcrowding of animals, or other conditions that endanger the animal's health. This definition does not include any condition resulting from a customary and reasonable practice pursuant to farming or animal husbandry.
- (l) "Shelter" means adequate protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal so as to maintain the animal in a state of good health. Shelter, for livestock, includes structures or natural features such as trees or topography. Shelter, for a dog, includes 1 or more of the following:
  - (i) The residence of the dog's owner or other individual.
  - (ii) A doghouse that is an enclosed structure with a roof and of appropriate dimensions for the breed and size of the dog. The doghouse must have dry bedding when the outdoor temperature is or is predicted to drop below freezing.
  - (iii) A structure, including a garage, barn, or shed, that is sufficiently insulated and ventilated to protect the dog from exposure to extreme temperatures or, if not sufficiently

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insulated and ventilated, contains a doghouse as provided under subparagraph (ii) that is accessible to the dog.

(m) "State of good health" means freedom from disease and illness, and in a condition of proper body weight and temperature for the age and species of the animal, unless the animal is undergoing appropriate treatment.

(n) "Tethering" means the restraint and confinement of a dog by use of a chain, rope, or similar device.

(o) "Water" means potable water that is suitable for the age and species of animal that is made regularly available unless otherwise directed by a licensed veterinarian.

(2) An owner, possessor, breeder, operator of a pet shop, or person having the charge or custody of an animal shall not do any of the following:

(a) Fail to provide an animal with adequate care.

(b) Cruelly drive, work, or beat an animal, or cause an animal to be cruelly driven, worked, or beaten.

(c) Carry or cause to be carried in or upon a vehicle or otherwise any live animal having the feet or legs tied together, other than an animal being transported for medical care, or a horse whose feet are hobbled to protect the horse during transport or in any other cruel and inhumane manner.

(d) Carry or cause to be carried a live animal in or upon a vehicle or otherwise without providing a secure space, rack, car, crate, or cage, in which livestock may stand, and in which all other animals may stand, turn around, and lie down during transportation, or while awaiting slaughter. As used in this subdivision, for purposes of transportation of sled dogs, "stand" means sufficient vertical distance to allow the animal to stand without its shoulders touching the top of the crate or transportation vehicle.

(e) Abandon an animal or cause an animal to be abandoned, in any place, without making provisions for the animal's adequate care, unless premises are vacated for the protection of human life or the prevention of injury to a human. An animal that is lost by an owner or custodian while traveling, walking, hiking, or hunting is not abandoned under this section when the owner or custodian has made a reasonable effort to locate the animal.

(f) Negligently allow any animal, including one who is aged, diseased, maimed, hopelessly sick, disabled, or nonambulatory to suffer unnecessary neglect, torture, or pain.

(g) Tether a dog unless the tether is at least 3 times the length of the dog as measured from the tip of its nose to the base of its tail and is attached to a harness or nonchoke collar designed for tethering. This subdivision does not apply if the tethering of the dog occurs while the dog is being groomed, trained, transported, or used in a hunt or event where a shorter tether is necessary for the safety and well-being of the dog and others.

(3) If an animal is impounded and is being held by an animal control shelter or its designee or an animal protection shelter or its designee or a licensed veterinarian pending the outcome of a criminal action charging a violation of this section or section 50b, before final disposition of the criminal charge, the prosecuting attorney may file a civil action in the court that has jurisdiction of the criminal action, requesting that the court issue an order forfeiting the animal to the animal control shelter or animal protection shelter or to a licensed veterinarian before final disposition of the criminal charge. The prosecuting attorney shall serve a true copy of the summons and complaint upon the defendant and upon a person with a known ownership interest or known security interest in the animal or a person

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who has filed a lien with the secretary of state on the animal. The forfeiture of an animal under this section encumbered by a security interest is subject to the interest of the holder of the security interest if he or she did not have prior knowledge of or did not consent to the commission of the crime. Upon the filing of the civil action, the court shall set a hearing on the complaint. The hearing must be conducted within 14 days of the filing of the civil action, or as soon as practicable. The hearing must be before a judge without a jury. At the hearing, the prosecuting attorney has the burden of establishing by a preponderance of the evidence that a violation of this section or section 50b occurred. If the court finds that the prosecuting attorney has met this burden, the court shall order immediate forfeiture of the animal to the animal control shelter or animal protection shelter or the licensed veterinarian unless the defendant, within 72 hours of the hearing, submits to the court clerk cash or other form of security in an amount determined by the court to be sufficient to repay all reasonable costs incurred, and anticipated to be incurred, by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal from the date of initial impoundment to the date of trial. If cash or other security has been submitted, and the trial in the action is continued at a later date, any order of continuance must require the defendant to submit additional cash or security in an amount determined by the court to be sufficient to repay all additional reasonable costs anticipated to be incurred by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal until the new date of trial. If the defendant submits cash or other security to the court under this subsection the court may enter an order authorizing the use of that cash or other security before final disposition of the criminal charges to pay the reasonable costs incurred by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal from the date of impoundment to the date of final disposition of the criminal charges. The testimony of a person at a hearing held under this subsection is not admissible against him or her in any criminal proceeding except in a criminal prosecution for perjury. The testimony of a person at a hearing held under this subsection does not waive the person's constitutional right against self-incrimination. An animal seized under this section or section 50b is not subject to any other civil action pending the final judgment of the forfeiture action under this subsection.

(4) A person who violates subsection (2) is guilty of a crime as follows:
   (a) Except as otherwise provided in subdivisions (c) to (f), if the violation involved 1 animal, the person is guilty of a misdemeanor punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
      (i) Imprisonment for not more than 93 days.
      (ii) A fine of not more than $1,000.00.
      (iii) Community service for not more than 200 hours.
   (b) Except as otherwise provided in subdivisions (c) to (f), if the violation involved 2 or 3 animals or the death of any animal, the person is guilty of a misdemeanor punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
      (i) Imprisonment for not more than 1 year.
      (ii) A fine of not more than $2,000.00.
      (iii) Community service for not more than 300 hours.
   (c) If the violation involved 4 or more animals but fewer than 10 animals or the person had 1 prior conviction under subsection (2), the person is guilty of a felony punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:

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(i) Imprisonment for not more than 2 years.
(ii) A fine of not more than $2,000.00.
(iii) Community service for not more than 300 hours.

(d) If the violation involved 10 or more animals but fewer than 25 animals or the person had 2 convictions for violating subsection (2), the person is guilty of a felony punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
(i) Imprisonment for not more than 4 years.
(ii) A fine of not more than $5,000.00.
(iii) Community service for not more than 500 hours.

(e) If the violation involved 25 or more animals or the person has had 3 or more prior convictions for violating subsection (2), the person is guilty of a felony punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
(i) Imprisonment for not more than 7 years.
(ii) A fine of not more than $10,000.00.
(iii) Community service for not more than 500 hours.

(f) If the person is a breeder, or if the person is an operator of a pet shop and he or she has had 5 or more prior convictions for violating 1969 PA 287, MCL 287.331 to 287.340, the person is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than $5,000.00, or both.

(5) The court may order a person convicted of violating subsection (2) to be evaluated to determine the need for psychiatric or psychological counseling and, if determined appropriate by the court, to receive psychiatric or psychological counseling. The evaluation and counseling must be at the defendant's own expense.

(6) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law arising out of the same transaction as the violation of this section.

(7) The court may order a term of imprisonment imposed for a violation of this section to be served consecutively to a term of imprisonment imposed for any other crime including any other violation of law arising out of the same transaction as the violation of this section.

(8) As a part of the sentence for a violation of subsection (2), the court may order the defendant to pay the costs of the care, housing, and veterinary medical care for the animal, as applicable. If the court does not order a defendant to pay all of the applicable costs listed in this subsection, or orders only partial payment of these costs, the court shall state on the record the reason for that action.

(9) *As a part of the sentence for a violation of subsection (2), the court may, as a condition of probation, order the defendant not to own or possess an animal for a period of time not to exceed the period of probation. If a person is convicted of a second or subsequent violation of subsection (2), the court may order the defendant not to own or possess an animal for any period of time, including permanent relinquishment of animal ownership.*

(10) *A person who owns or possesses an animal in violation of an order issued under subsection (9) is subject to revocation of probation if the order is issued as a condition of probation. A person who owns or possesses an animal in violation of an order issued under subsection (9) is also subject to the civil and criminal contempt power of the court, and if found guilty of criminal contempt, may be punished by imprisonment for not more than 90 days or a fine of not more than $500.00, or both.*

(11) As part of the sentence imposed under subsection (4)(e), the court may place the defendant on probation for any term of years, but not less than 5 years.

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(12) This section does not prohibit the lawful killing or other use of an animal, including the following:
  (a) Fishing.
  (b) Hunting, trapping, or wildlife control regulated under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106.
  (c) Horse racing.
  (d) The operation of a zoological park or aquarium.
  (e) Pest or rodent control regulated under part 83 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.8301 to 324.8336.
  (f) Farming or a generally accepted animal husbandry or farming practice involving livestock.
  (g) Scientific research under 1969 PA 224, MCL 287.381 to 287.395.
  (h) Scientific research or the lawful killing of an animal under sections 2226, 2671, 2676, and 7333 of the public health code, 1978 PA 368, MCL 333.2226, 333.2671, 333.2676, and 333.7333.
  (i) The lawful killing or use of an animal under the animal industry act, 1988 PA 466, MCL 287.701 to 287.746.

(13) This section does not apply to a veterinarian or a veterinary technician lawfully engaging in the practice of veterinary medicine under part 188 of the public health code, 1978 PA 368, MCL 333.18801 to 333.18838.

MICH. COMP. LAWS § 750.50b. Animal defined; prohibited acts; violation; penalty; exceptions.

(1) As used in this section:
  (a) "Animal" means any vertebrate other than a human being.
  (b) "Companion animal" means an animal that is commonly considered to be, or is considered by its owner to be, a pet, or that is a service animal as that term is defined in section 50a. Companion animal includes, but is not limited to, dogs and cats.

(2) Except as otherwise provided in this section, a person shall not do any of the following without just cause:
  (a) Knowingly kill, torture, mutilate, maim, or disfigure an animal.
  (b) Commit a reckless act knowing or having reason to know that the act will cause an animal to be killed, tortured, mutilated, maimed, or disfigured.
  (c) Knowingly administer poison to an animal, or knowingly expose an animal to any poisonous substance, with the intent that the substance be taken or swallowed by the animal.
  (d) Violate or threaten to violate subdivision (a) or (c) with the intent to cause mental suffering or distress to a person or to exert control over a person.

(3) If the animal is a companion animal and if a person violates subsection (2)(d) and intentionally violates subsection (2)(a) or (c), the person is guilty of killing or torturing animals in the first degree.

(4) If the animal is a companion animal and a person violates subsection (2)(d), or if a person intentionally violates subsection (2)(a) or (c), the person is guilty of killing or torturing animals in the second degree.

(5) Except as otherwise provided in subsections (3) and (4), a person who violates subsection (2) is guilty of killing or torturing animals in the third degree.

(6) Killing or torturing animals in the first degree is a felony punishable by 1 or more of the following:
  (a) Imprisonment for not more than 10 years.

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(b) A fine of not more than $5,000.00.
(c) Community service for not more than 500 hours.

(7) Killing or torturing animals in the second degree is a felony punishable by 1 or more of the following:
(a) Imprisonment for not more than 7 years.
(b) A fine of not more than $5,000.00.
(c) Community service for not more than 500 hours.

(8) Killing or torturing animals in the third degree is a felony punishable by 1 or more of the following:
(a) Imprisonment for not more than 4 years.
(b) A fine of not more than $5,000.00.
(c) Community service for not more than 500 hours.

(9) The court may order a term of imprisonment imposed for a violation of this section to be served consecutively to a term of imprisonment imposed for any other crime including any other violation of law arising out of the same transaction as the violation of this section.

(10) As a part of the sentence for a violation of subsection (2), the court may order the defendant to pay the costs of the prosecution and the costs of the care, housing, and veterinary medical care for the animal victim, as applicable. If the court does not order a defendant to pay all of the applicable costs listed in this subsection, or orders only partial payment of these costs, the court shall state on the record the reasons for that action.

(11) If a term of probation is ordered for a violation of subsection (2), the court may include as a condition of that probation that the defendant be evaluated to determine the need for psychiatric or psychological counseling and, if determined appropriate by the court, to receive psychiatric or psychological counseling at his or her own expense.

(12) *As a part of the sentence for a violation of subsection (2), the court may order the defendant not to own or possess an animal for any period of time determined by the court, which may include permanent relinquishment.*

(13) *A person who owns or possesses an animal in violation of an order issued under subsection (12) is subject to revocation of probation if the order is issued as a condition of probation. A person who owns or possesses an animal in violation of an order issued under subsection (12) is also subject to the civil and criminal contempt power of the court and, if found guilty of criminal contempt, may be punished by imprisonment for not more than 90 days or a fine of not more than $500.00, or both.*

(14) This section does not prohibit the lawful killing of livestock or a customary animal husbandry or farming practice involving livestock.

(15) This section does not prohibit the lawful killing of an animal pursuant to any of the following:
(a) Fishing.
(b) Hunting, trapping, or wildlife control regulated under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, and orders issued under that act.
(c) Pest or rodent control regulated under part 83 or the natural resources and environmental protection act, 1994 PA 451, MCL 324.8301 to 324.8336.
(d) Section 19 of the dog law of 1919, 1919 PA 339, MCL 287.279.

(16) This section does not prohibit the lawful killing or use of an animal for scientific research under any of the following or a rule promulgated under any of the following:
(a) 1969 PA 224, MCL 287.381 to 287.395.
(b) Sections 2226, 2671, 2676, 7109, and 7333 of the public health code, 1978 PA 368, MCL 333.2226, 333.2671, 333.2676, 333.7109, and 333.7333.

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(17) This section does not apply to a veterinarian or a veterinary technician lawfully engaging in the practice of veterinary medicine under part 188 of the public health code, 1978 PA 368, MCL 333.18801 to 333.1883.

This section does not prohibit the lawful killing or use of an animal under the animal industry act, 1988 PA 466, MCL 287.702 to 287.746.

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20. REHABILITATIVE SENTENCING

MICH. COMP. LAWS § 712A.18l. Juveniles, guilty of cruelty to animals or arson; court ordered psychiatric or psychological treatment.

If a juvenile is found to be within the court's jurisdiction under section 2(a)(1) of this chapter1 for an offense that, if committed by an adult, would be a violation of section 50b of the Michigan penal code, 1931 PA 328, MCL 750.50b, having to do with cruelty to animals, or would be a violation of sections 71 to 80 of the Michigan penal code, 1931 PA 328, MCL 750.71 to 750.80, having to do with arson, *the court shall order that the juvenile be evaluated to determine the need for psychiatric or psychological treatment. If the court determines that psychiatric or psychological treatment is appropriate for that juvenile, the court may order that treatment.* This section does not preclude the court from entering any other order of disposition allowed under this chapter.

MICH. COMP. LAWS § 750.50. Definitions; crimes against animals, cruel treatment, abandonment, failure to provide adequate care, etc.; penalties; multiple prosecutions; payment of costs; exceptions.

(1) As used in this section and section 50b:

(a) "Adequate care" means the provision of sufficient food, water, shelter, sanitary conditions, exercise, and veterinary medical attention in order to maintain an animal in a state of good health.

(b) "Animal" means a vertebrate other than a human being.

(c) "Animal protection shelter" means a facility operated by a person, humane society, society for the prevention of cruelty to animals, or any other nonprofit organization, for the care of homeless animals.

(d) "Animal control shelter" means a facility operated by a county, city, village, or township to impound and care for animals found in streets or otherwise at large contrary to any ordinance of the county, city, village, or township or state law.

(e) "Breeder" means a person that breeds animals other than livestock or dogs for remuneration, or that is a large-scale dog breeding kennel as that term is defined in section 1 of 1969 PA 287, MCL 287.331.

(f) "Licensed veterinarian" means a person licensed or otherwise authorized to practice veterinary medicine under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

(g) "Livestock" means that term as defined in section 5 of the animal industry act, 1988 PA 466, MCL 287.705.

(h) "Person" means an individual, partnership, limited liability company, corporation, association, governmental entity, or other legal entity.

(i) "Pet shop" means that term as defined in section 1 of 1969 PA 287, MCL 287.331.

(j) "Neglect" means to fail to sufficiently and properly care for an animal to the extent that the animal's health is jeopardized.

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(k) "Sanitary conditions" means space free from health hazards including excessive animal waste, overcrowding of animals, or other conditions that endanger the animal's health. This definition does not include any condition resulting from a customary and reasonable practice pursuant to farming or animal husbandry.

(l) "Shelter" means adequate protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal so as to maintain the animal in a state of good health. Shelter, for livestock, includes structures or natural features such as trees or topography. Shelter, for a dog, includes 1 or more of the following:

(i) The residence of the dog's owner or other individual.

(ii) A doghouse that is an enclosed structure with a roof and of appropriate dimensions for the breed and size of the dog. The doghouse must have dry bedding when the outdoor temperature is or is predicted to drop below freezing.

(iii) A structure, including a garage, barn, or shed, that is sufficiently insulated and ventilated to protect the dog from exposure to extreme temperatures or, if not sufficiently insulated and ventilated, contains a doghouse as provided under subparagraph (ii) that is accessible to the dog.

(m) "State of good health" means freedom from disease and illness, and in a condition of proper body weight and temperature for the age and species of the animal, unless the animal is undergoing appropriate treatment.

(n) "Tethering" means the restraint and confinement of a dog by use of a chain, rope, or similar device.

(o) "Water" means potable water that is suitable for the age and species of animal that is made regularly available unless otherwise directed by a licensed veterinarian.

(2) An owner, possessor, breeder, operator of a pet shop, or person having the charge or custody of an animal shall not do any of the following:

(a) Fail to provide an animal with adequate care.

(b) Cruelly drive, work, or beat an animal, or cause an animal to be cruelly driven, worked, or beaten.

(c) Carry or cause to be carried in or upon a vehicle or otherwise any live animal having the feet or legs tied together, other than an animal being transported for medical care, or a horse whose feet are hobbled to protect the horse during transport or in any other cruel and inhumane manner.

(d) Carry or cause to be carried a live animal in or upon a vehicle or otherwise without providing a secure space, rack, car, crate, or cage, in which livestock may stand, and in which all other animals may stand, turn around, and lie down during transportation, or while awaiting slaughter. As used in this subdivision, for purposes of transportation of sled dogs, "stand" means sufficient vertical distance to allow the animal to stand without its shoulders touching the top of the crate or transportation vehicle.

(e) Abandon an animal or cause an animal to be abandoned, in any place, without making provisions for the animal's adequate care, unless premises are vacated for the protection of human life or the prevention of injury to a human. An animal that is lost by an owner or custodian while traveling, walking, hiking, or hunting is not abandoned under this section when the owner or custodian has made a reasonable effort to locate the animal.

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(f) Negligently allow any animal, including one who is aged, diseased, maimed, hopelessly sick, disabled, or nonambulatory to suffer unnecessary neglect, torture, or pain.

(g) Tether a dog unless the tether is at least 3 times the length of the dog as measured from the tip of its nose to the base of its tail and is attached to a harness or nonchoke collar designed for tethering. This subdivision does not apply if the tethering of the dog occurs while the dog is being groomed, trained, transported, or used in a hunt or event where a shorter tether is necessary for the safety and well-being of the dog and others.

(3) If an animal is impounded and is being held by an animal control shelter or its designee or an animal protection shelter or its designee or a licensed veterinarian pending the outcome of a criminal action charging a violation of this section or section 50b, before final disposition of the criminal charge, the prosecuting attorney may file a civil action in the court that has jurisdiction of the criminal action, requesting that the court issue an order forfeiting the animal to the animal control shelter or animal protection shelter or to a licensed veterinarian before final disposition of the criminal charge. The prosecuting attorney shall serve a true copy of the summons and complaint upon the defendant and upon a person with a known ownership interest or known security interest in the animal or a person who has filed a lien with the secretary of state on the animal. The forfeiture of an animal under this section encumbered by a security interest is subject to the interest of the holder of the security interest if he or she did not have prior knowledge of or did not consent to the commission of the crime. Upon the filing of the civil action, the court shall set a hearing on the complaint. The hearing must be conducted within 14 days of the filing of the civil action, or as soon as practicable. The hearing must be before a judge without a jury. At the hearing, the prosecuting attorney has the burden of establishing by a preponderance of the evidence that a violation of this section or section 50b occurred. If the court finds that the prosecuting attorney has met this burden, the court shall order immediate forfeiture of the animal to the animal control shelter or animal protection shelter or the licensed veterinarian unless the defendant, within 72 hours of the hearing, submits to the court clerk cash or other form of security in an amount determined by the court to be sufficient to repay all reasonable costs incurred, and anticipated to be incurred, by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal from the date of initial impoundment to the date of trial. If cash or other security has been submitted, and the trial in the action is continued at a later date, any order of continuance must require the defendant to submit additional cash or security in an amount determined by the court to be sufficient to repay all additional reasonable costs anticipated to be incurred by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal until the new date of trial. If the defendant submits cash or other security to the court under this subsection the court may enter an order authorizing the use of that cash or other security before final disposition of the criminal charges to pay the reasonable costs incurred by the animal control shelter or animal protection shelter or the licensed veterinarian in caring for the animal from the date of impoundment to the date of final disposition of the criminal charges. The testimony of a person at a hearing held under this subsection is not admissible against him or her in any criminal proceeding except in a criminal prosecution for perjury. The testimony of a person at a hearing held under this subsection does not waive the person's constitutional right against self-incrimination. An animal seized under this section or section 50b is not subject to any other civil action pending the final judgment of the forfeiture action under this subsection.

(4) A person who violates subsection (2) is guilty of a crime as follows:

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(a) Except as otherwise provided in subdivisions (c) to (f), if the violation involved 1 animal, the person is guilty of a misdemeanor punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
  (i) Imprisonment for not more than 93 days.
  (ii) A fine of not more than $1,000.00.
  (iii) Community service for not more than 200 hours.

(b) Except as otherwise provided in subdivisions (c) to (f), if the violation involved 2 or 3 animals or the death of any animal, the person is guilty of a misdemeanor punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
  (i) Imprisonment for not more than 1 year.
  (ii) A fine of not more than $2,000.00.
  (iii) Community service for not more than 300 hours.

(c) If the violation involved 4 or more animals but fewer than 10 animals or the person had 1 prior conviction under subsection (2), the person is guilty of a felony punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
  (i) Imprisonment for not more than 2 years.
  (ii) A fine of not more than $2,000.00.
  (iii) Community service for not more than 300 hours.

(d) If the violation involved 10 or more animals but fewer than 25 animals or the person had 2 or more prior convictions for violating subsection (2), the person is guilty of a felony punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
  (i) Imprisonment for not more than 4 years.
  (ii) A fine of not more than $5,000.00.
  (iii) Community service for not more than 500 hours.

(e) If the violation involved 25 or more animals or the person has had 3 or more prior convictions for violating subsection (2), the person is guilty of a felony punishable by 1 or more of the following and may be ordered to pay the costs of prosecution:
  (i) Imprisonment for not more than 7 years.
  (ii) A fine of not more than $10,000.00.
  (iii) Community service for not more than 500 hours.

(f) If the person is a breeder, or if the person is an operator of a pet shop and he or she has had 5 or more prior convictions for violating 1969 PA 287, MCL 287.331 to 287.340, the person is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than $5,000.00, or both.

(5) *The court may order a person convicted of violating subsection (2) to be evaluated to determine the need for psychiatric or psychological counseling and, if determined appropriate by the court, to receive psychiatric or psychological counseling. The evaluation and counseling must be at the defendant's own expense.*

(6) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law arising out of the same transaction as the violation of this section.

(7) The court may order a term of imprisonment imposed for a violation of this section to be served consecutively to a term of imprisonment imposed for any other crime including any other violation of law arising out of the same transaction as the violation of this section.

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(8) As a part of the sentence for a violation of subsection (2), the court may order the defendant to pay the costs of the care, housing, and veterinary medical care for the animal, as applicable. If the court does not order a defendant to pay all of the applicable costs listed in this subsection, or orders only partial payment of these costs, the court shall state on the record the reason for that action.

(9) As a part of the sentence for a violation of subsection (2), the court may, as a condition of probation, order the defendant not to own or possess an animal for a period of time not to exceed the period of probation. If a person is convicted of a second or subsequent violation of subsection (2), the court may order the defendant not to own or possess an animal for any period of time, including permanent relinquishment of animal ownership.

(10) A person who owns or possesses an animal in violation of an order issued under subsection (9) is subject to revocation of probation if the order is issued as a condition of probation. A person who owns or possesses an animal in violation of an order issued under subsection (9) is also subject to the civil and criminal contempt power of the court, and if found guilty of criminal contempt, may be punished by imprisonment for not more than 90 days or a fine of not more than $500.00, or both.

(11) As part of the sentence imposed under subsection (4)(e), the court may place the defendant on probation for any term of years, but not less than 5 years.

(12) This section does not prohibit the lawful killing or other use of an animal, including the following:

- (a) Fishing.
- (b) Hunting, trapping, or wildlife control regulated under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106.
- (c) Horse racing.
- (d) The operation of a zoological park or aquarium.
- (e) Pest or rodent control regulated under part 83 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.8301 to 324.8336.
- (f) Farming or a generally accepted animal husbandry or farming practice involving livestock.
- (g) Scientific research under 1969 PA 224, MCL 287.381 to 287.395.
- (h) Scientific research or the lawful killing of an animal under sections 2226, 2671, 2676, and 7333 of the public health code, 1978 PA 368, MCL 333.2226, 333.2671, 333.2676, and 333.7333.
- (i) The lawful killing or use of an animal under the animal industry act, 1988 PA 466, MCL 287.701 to 287.746.

(13) This section does not apply to a veterinarian or a veterinary technician lawfully engaging in the practice of veterinary medicine under part 188 of the public health code, 1978 PA 368, MCL 333.18801 to 333.18838.

MICH. COMP. LAWS § 750.50b. Animal defined; prohibited acts; violation; penalty; exceptions.

(1) As used in this section:

- (a) "Animal" means any vertebrate other than a human being.
- (b) "Companion animal" means an animal that is commonly considered to be, or is considered by its owner to be, a pet, or that is a service animal as that term is defined in section 50a. Companion animal includes, but is not limited to, dogs and cats.

(2) Except as otherwise provided in this section, a person shall not do any of the following without just cause:

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(a) Knowingly kill, torture, mutilate, maim, or disfigure an animal.
(b) Commit a reckless act knowing or having reason to know that the act will cause an animal to be killed, tortured, mutilated, maimed, or disfigured.
(c) Knowingly administer poison to an animal, or knowingly expose an animal to any poisonous substance, with the intent that the substance be taken or swallowed by the animal.
(d) Violate or threaten to violate subdivision (a) or (c) with the intent to cause mental suffering or distress to a person or to exert control over a person.

(3) If the animal is a companion animal and if a person violates subsection (2)(d) and intentionally violates subsection (2)(a) or (c), the person is guilty of killing or torturing animals in the first degree.
(4) If the animal is a companion animal and a person violates subsection (2)(d), or if a person intentionally violates subsection (2)(a) or (c), the person is guilty of killing or torturing animals in the second degree.
(5) Except as otherwise provided in subsections (3) and (4), a person who violates subsection (2) is guilty of killing or torturing animals in the third degree.
(6) Killing or torturing animals in the first degree is a felony punishable by 1 or more of the following:
(a) Imprisonment for not more than 10 years.
(b) A fine of not more than $5,000.00.
(c) Community service for not more than 500 hours.
(7) Killing or torturing animals in the second degree is a felony punishable by 1 or more of the following:
(a) Imprisonment for not more than 7 years.
(b) A fine of not more than $5,000.00.
(c) Community service for not more than 500 hours.
(8) Killing or torturing animals in the third degree is a felony punishable by 1 or more of the following:
(a) Imprisonment for not more than 4 years.
(b) A fine of not more than $5,000.00.
(c) Community service for not more than 500 hours.
(9) The court may order a term of imprisonment imposed for a violation of this section to be served consecutively to a term of imprisonment imposed for any other crime including another violation of law arising out of the same transaction as the violation of this section.
(10) As a part of the sentence for a violation of subsection (2), the court may order the defendant to pay the costs of the prosecution and the costs of the care, housing, and veterinary medical care for the animal victim, as applicable. If the court does not order a defendant to pay all of the applicable costs listed in this subsection, or orders only partial payment of these costs, the court shall state on the record the reasons for that action.
(11) *If a term of probation is ordered for a violation of subsection (2), the court may include as a condition of that probation that the defendant be evaluated to determine the need for psychiatric or psychological counseling and, if determined appropriate by the court, to receive psychiatric or psychological counseling at his or her own expense.*
(12) As a part of the sentence for a violation of subsection (2), the court may order the defendant not to own or possess an animal for any period of time determined by the court, which may include permanent relinquishment.
(13) A person who owns or possesses an animal in violation of an order issued under subsection (12) is subject to revocation of probation if the order is issued as a condition of probation. A person who owns or possesses an animal in violation of an order issued under subsection (12) is also subject to the

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civil and criminal contempt power of the court and, if found guilty of criminal contempt, may be punished by imprisonment for not more than 90 days or a fine of not more than $500.00, or both.

(14) This section does not prohibit the lawful killing of livestock or a customary animal husbandry or farming practice involving livestock.

(15) This section does not prohibit the lawful killing of an animal pursuant to any of the following:
   (a) Fishing.
   (b) Hunting, trapping, or wildlife control regulated under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, and orders issued under that act.
   (c) Pest or rodent control regulated under part 83 or the natural resources and environmental protection act, 1994 PA 451, MCL 324.8301 to 324.8336.
   (d) Section 19 of the dog law of 1919, 1919 PA 339, MCL 287.279.

(16) This section does not prohibit the lawful killing or use of an animal for scientific research under any of the following or a rule promulgated under any of the following:
   (a) 1969 PA 224, MCL 287.381 to 287.395.
   (b) Sections 2226, 2671, 2676, 7109, and 7333 of the public health code, 1978 PA 368, MCL 333.2226, 333.2671, 333.2676, 333.7109, and 333.7333.

(17) This section does not apply to a veterinarian or a veterinary technician lawfully engaging in the practice of veterinary medicine under part 188 of the public health code, 1978 PA 368, MCL 333.18801 to 333.1883.

(18) This section does not prohibit the lawful killing or use of an animal under the animal industry act, 1988 PA 466, CL 287.701 to 287.746.

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