

DANGEROUS ANIMALS (EXCERPT)
Act 426 of 1988

287.322 Sworn complaint; summons; surrender of animal; expense; rabies vaccination and license required; destruction of animal; notification of animal control authority; ordering owner of animals to take certain actions.

Sec. 2.

(1) Upon a sworn complaint that an animal is a dangerous animal and has caused serious injury or death to an individual or has caused serious injury or death to a dog, a district court magistrate, district court, or municipal court shall issue a summons to the owner ordering him or her to appear to show cause why the animal should not be destroyed.

(2) Upon the filing of a sworn complaint as provided in subsection (1), the district court magistrate, district court, or municipal court shall order the owner to immediately turn the animal over to an animal control authority, incorporated humane society, veterinarian, or boarding kennel, at the owner's option, to be retained until a hearing is held and a decision is made for the disposition of the animal. The owner shall notify the person that retains the animal under this subsection of the complaint and order. The owner is responsible for the expense of the boarding and retention of the animal. The animal must not be returned to the owner until the animal has a current rabies vaccination and license as required by law.

(3) After a hearing, if the animal is found to be a dangerous animal that caused serious injury or death to an individual or a dog, the district court magistrate, district court, or municipal court shall order the destruction of the animal, at the owner's expense. After a hearing, if the animal has been previously adjudicated a dangerous animal or is found to be a dangerous animal that did not cause serious injury or death to an individual but is likely to cause serious injury or death to an individual in the future, the district court magistrate, district court, or municipal court may order the destruction of the animal, at the owner's expense.

(4) If the district court magistrate, district court, or municipal court finds that an animal is a dangerous animal that has not caused serious injury or death to an individual, the district court magistrate, district court, or municipal court shall notify the animal control authority for the county in which the complaint was filed of all of the following:

- (a) The finding of the court.
- (b) The name of the owner of the dangerous animal.
- (c) The address at which the animal was kept at the time of the finding.

(5) If the district court magistrate, district court, or municipal court finds that an animal is a dangerous animal that has not caused serious injury or death to an individual under subsection (4), the district court magistrate, district court, or municipal court shall order the owner of that animal to do 1 or more of the following:

- (a) If the dangerous animal is a member of the *Canis lupus familiaris* species, have a permanent identification number assigned to the animal, at the owner's expense, by or under the supervision of a veterinarian.
- (b) Take specific steps, such as escape proof fencing or an enclosure, that includes a top or roof, to ensure that the animal cannot escape or an unauthorized individual cannot enter the premises.
- (c) Have the animal sterilized.
- (d) Obtain and maintain liability insurance coverage sufficient to protect the public from any damage or harm caused by the animal.
- (e) Take any other action appropriate to protect the public.

History: 1988, Act 426, Eff. Mar. 30, 1989 ;-- Am. 2022, Act 121, Imd. Eff. June 29, 2022