



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 221 (as reported without amendment)
Sponsor: Senator Valde Garcia
Committee: Judiciary

CONTENT

The bill would amend Part 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to allow certain people to transport a pistol or carry a loaded pistol in an area frequented by wild animals.

Part 435 prohibits a person from carrying or transporting a firearm, slingshot, bow and arrow, crossbow, or trap while in an area frequented by wild animals unless the person possesses a hunting license as required under Part 435. Under the bill, this prohibition would be subject to the following: The bill specifies that the Act, or a rule promulgated or order issued under it by the Department of Natural Resources or the Natural Resources Commission, could not be construed to prohibit a person from transporting a pistol or carrying a loaded pistol, whether concealed or not, if the person had in his or her possession a license to carry a concealed pistol under the handgun licensure Act, or if the person were authorized under Section 12a of that Act or under Section 227, 227a, 231, or 231a of the Michigan Penal Code to carry a concealed pistol without obtaining a license. (Those sections generally excuse from concealed weapons licensing requirements law enforcement officers, corrections officers authorized to carry a weapon, military personnel in the course of their duties, and individuals in their home or business or on their land.) The bill states that it would not authorize the use of a pistol for hunting.

In addition, Part 435 provides that a person who has a hunting, fishing, or fur harvester's license, when hunting, fishing, or trapping or while possessing firearms or other hunting, fishing, or trapping apparatus in an area frequented by wild animals or fish, must carry his or her license and exhibit it upon the demand of a conservation officer, a law enforcement officer, or the owner of the land where the person is hunting, fishing, or trapping. Part 435 also prohibits a person from carrying or possessing afield a shotgun with buckshot, slug loads, or ball loads; a bow and arrow; a muzzle-loading rifle or black powder handgun; or a centerfire handgun or centerfire rifle during firearm deer season unless the person has a valid firearm deer license with an unused kill tag, issued in his or her name. Under the bill, those provisions would be subject to the proposed language that would allow a person to carry or transport a pistol in an area frequented by wild animals.

(A violation of Part 435, unless another penalty is specified, is a misdemeanor punishable by imprisonment for up to 90 days, a fine of at least \$25 but not more than \$250 plus the costs of prosecution, or both.)

MCL 324.43510 & 324.43516

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 10-2-03

Fiscal Analyst: Jessica Runnels