

HOUSE BILL NO. 4415

March 02, 2021, Introduced by Reps. Steven Johnson and Maddock and referred to the Committee on Government Operations.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43516 (MCL 324.43516), as amended by 2016 PA 461.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 43516. (1) A conservation officer, law enforcement
2 officer, or tribal law enforcement officer who complies with
3 subsection (7) shall not stop an individual and require that

1 individual to display his or her hunting, fur harvester's, or
2 fishing license unless that conservation officer, law enforcement
3 officer, or tribal law enforcement officer has probable cause to
4 believe that the individual is committing a violation of this part,
5 part 401, or part 487.

6 (2) ~~(1)~~—Until March 1, 2018, an individual who has been issued
7 a hunting, fur harvester's, or fishing license shall carry the
8 license and shall exhibit the license upon the demand of a
9 conservation officer, a law enforcement officer, a tribal
10 conservation officer who complies with subsection ~~(6)~~, ~~(7)~~, or the
11 owner or occupant of the land if either or both of the following
12 apply:

13 (a) The individual is hunting, trapping, or fishing.

14 (b) Subject to section 43510(2) and except as provided in
15 section 43513, the individual is in possession of a firearm or
16 other hunting or trapping apparatus or fishing apparatus in an area
17 frequented by wild animals or fish, respectively.

18 (3) ~~(2)~~—Subject to section 43510(2) and except as provided in
19 section 43513, an individual shall not carry or possess afield a
20 shotgun with buckshot, slug loads, or ball loads; a bow and arrow;
21 a muzzle-loading rifle or black powder handgun; or a centerfire
22 handgun or centerfire rifle during firearm deer season unless that
23 individual has a valid deer license, with an unused kill tag, if
24 issued, issued in his or her name. The individual shall exhibit an
25 unused kill tag, if issued, upon the request of a conservation
26 officer, a law enforcement officer, or the owner or occupant of the
27 land.

28 (4) ~~(3)~~—Beginning March 1, 2018, an individual who has been
29 issued a hunting, fur harvester's, or fishing license shall carry

1 the license or, if applicable, an electronic copy of the license
2 and shall exhibit the license or, if applicable, an electronic copy
3 of the license upon the demand of a conservation officer, a law
4 enforcement officer, a tribal conservation officer who complies
5 with subsection ~~(6)~~, ~~(7)~~, **who has probable cause to believe that**
6 **the individual is committing a violation of this part, part 401, or**
7 **part 487**, or the owner or occupant of the land if either or both of
8 the following apply:

9 (a) The individual is hunting, trapping, or fishing.

10 (b) Subject to section 43510(2) and except as provided in
11 section 43513, the individual is in possession of a firearm or
12 other hunting or trapping apparatus or fishing apparatus in an area
13 frequented by wild animals or fish, respectively.

14 (5) ~~(4)~~—An individual who displays an electronic copy of his
15 or her license using an electronic device as provided in subsection
16 ~~(3)~~ ~~(4)~~ is not presumed to have consented to a search of the
17 electronic device. This state, a law enforcement agency, a tribal
18 conservation officer who complies with subsection ~~(6)~~, ~~(7)~~, an
19 employee of this state or a law enforcement agency, or the owner or
20 occupant of the land is not liable for damage to or loss of an
21 electronic device that occurs as a result of a conservation
22 officer, a tribal conservation officer who complies with subsection
23 ~~(6)~~, ~~(7)~~, a law enforcement officer, or the owner or occupant of
24 the land viewing an electronic copy of a license in the manner
25 provided in this section, regardless of whether the conservation
26 officer, tribal conservation officer who complies with subsection
27 ~~(6)~~, ~~(7)~~, law enforcement officer, or owner or occupant of the land
28 was in possession of the electronic device at the time the damage
29 or loss occurred.

1 (6) ~~(5)~~—The department shall continue to explore the expanded
2 use of electronic technology to provide additional services that
3 will enhance hunting and fishing experiences for individuals in
4 this state.

5 (7) ~~(6)~~—A tribal conservation officer under subsection (1),
6 ~~(3), or (4)~~ **(2), (4), or (5)** must be in uniform, display proper
7 credentials, and be on official duty within the ceded territory of
8 the treaty of March 28, 1836, 7 Stat 491.

9 (8) ~~(7)~~—As used in this section, "tribal conservation officer"
10 means a conservation officer employed by the Great Lakes Indian
11 fish and wildlife commission, the Bay Mills Indian Community, the
12 Sault Ste. Marie Tribe of Chippewa Indians, the Little Traverse Bay
13 Bands of Odawa Indians, the Grand Traverse Band of Ottawa and
14 Chippewa Indians, or the Little River Band of Ottawa Indians.

15 Enacting section 1. This amendatory act takes effect 90 days
16 after the date it is enacted into law.