

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

PART 435
HUNTING AND FISHING LICENSING

324.43501 Meanings of words and phrases.

Sec. 43501. For the purposes of this part, the words and phrases defined in sections 43502 to 43508 have the meanings ascribed to them in those sections.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995.

Popular name: Act 451

Popular name: NREPA

324.43502 Definitions; A to C.

Sec. 43502. (1) "Accompany" means to go along with another individual under circumstances that allow one to come to the immediate aid of the other individual and while staying within a distance from the other individual that permits uninterrupted, unaided visual and auditory communication.

(2) "Amphibian" means a frog, toad, salamander, or other member of the class amphibia.

(3) "Apprentice license" means a license issued under section 43520(3).

(4) "Aquatic species" means a fish, reptile, amphibian, mollusk, aquatic insect, or crustacea or part thereof.

(5) "Base license" means a license issued under section 43523a.

(6) "Bow" means a device for propelling an arrow from a string drawn, held, and released by hand if the force used to hold the string in the drawn position is provided by the archer's muscles.

(7) "Crossbow" means a weapon consisting of a bow, with a draw weight of 100 pounds or more, mounted transversely on a stock or frame and designed to fire an arrow, bolt, or quarrel by the release of a bow string controlled by a mechanical or electric trigger with a working safety.

(8) "Crustacea" means a freshwater crayfish, shrimp, or prawn of the order decapoda.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2006, Act 280, Imd. Eff. July 10, 2006;—Am. 2006, Act 282, Imd. Eff. July 10, 2006;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013;—Am. 2018, Act 4, Imd. Eff. Jan. 26, 2018.

Popular name: Act 451

Popular name: NREPA

324.43503 Definitions; F.

Sec. 43503. (1) "Fish" means all species of fish.

(2) "Fishing" means the pursuing, capturing, catching, killing, or taking of fish, and includes attempting to pursue, capture, catch, kill, or take fish.

(3) "Firearm" means any weapon which will, is designed to, or may readily be converted to expel a projectile by action of an explosive. A pneumatic gun, as defined in section 1 of 1990 PA 319, MCL 123.1101, other than a paintball gun that expels by pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact, is also considered a firearm for the purpose of this act.

(4) "Firearm deer season" means any period in which deer may be lawfully hunted with a firearm.

(5) "Fur-bearing animals" includes badger, beaver, bobcat, coyote, fisher, fox, lynx, marten, mink, muskrat, opossum, otter, raccoon, skunk, and weasel.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2012, Act 520, Imd. Eff. Dec. 28, 2012;—Am. 2015, Act 24, Eff. July 1, 2015.

Popular name: Act 451

Popular name: NREPA

324.43504 Definitions.

Sec. 43504. As used in this part:

(a) "Game" has the meaning given that term in part 401.

(b) "Game and fish protection account" means the game and fish protection account of the Michigan conservation and recreation legacy fund provided for in section 2010.

(c) "Wildlife and fisheries" includes any member of the wild animal kingdom, including any mammal, bird, fish, reptile, amphibian, or invertebrate found in this state at any point in its natural life cycle.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2004, Act 587, Eff. Dec. 23, 2006.

Compiler's note: Enacting section 2 of Act 587 of 2004 provides:

"Enacting section 2. This amendatory act does not take effect unless House Joint Resolution Z of the 92nd Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."

Popular name: Act 451

Popular name: NREPA

324.43505 Definitions; H to N.

Sec. 43505. (1) "Hunt" and "hunting" mean to pursue, capture, shoot, kill, chase, follow, harass, harm, rob, or trap a wild animal, or to attempt to engage in such an activity.

(2) "Identification" means a driver license issued by Michigan, another state, or a Canadian province as accepted by the department, a state of Michigan identification card issued by the secretary of state, or a sportcard issued by the department.

(3) "License" means a document or a tag, stamp, plastic card, or other device that may include a stamp or a tag that authorizes the licensee to hunt, fish, trap, or possess wild animals or aquatic species and other identification required by the department.

(4) "Minor child" means a person less than 17 years old.

(5) "Nonresident" means or refers to a person who is not a resident.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2006, Act 280, Imd. Eff. July 10, 2006;—Am. 2006, Act 282, Imd. Eff. July 10, 2006.

Popular name: Act 451

Popular name: NREPA

324.43506 Definitions; O to R.

Sec. 43506. (1) "Open season" means the time during which game animals, game birds, fur-bearing animals, and aquatic species may be legally taken or killed. Open season includes both the first and last day of the season or period.

(2) "Reptile" means a turtle, snake, lizard, or any other member of the class reptilia.

(3) "Resident" means or refers to any of the following:

(a) A person who resides in a settled or permanent home or domicile within the boundaries of this state with the intention of remaining in this state.

(b) A student who is enrolled in a full-time course at a college or university within this state and who resides in the state during the school year.

(c) A person regularly enlisted or commissioned as an officer in the armed forces of the United States and officially stationed in this state.

(d) A person regularly enlisted or commissioned as an officer in the armed forces of the United States who, at the time of enlistment, was a resident of this state and has maintained his or her residence in this state for purposes of obtaining a driver license or voter registration, or both.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2006, Act 282, Imd. Eff. July 10, 2006.

Popular name: Act 451

Popular name: NREPA

324.43507 Definitions; S.

Sec. 43507. (1) "Senior citizen" means a resident 65 years of age or older.

(2) "Slingshot" means a Y-shaped device with an elastic strip attached between the prongs used for projecting a stone or other object.

(3) "Small game" includes all species of protected game birds and game animals except bear, deer, elk, moose, wild turkey, wolf, and fur-bearing animals.

(4) "Small game season" means that period between September 15 and March 31.

(5) "Sportcard" means a folder, document, plastic card, or other device issued by the department containing the individual's name, address, and vital statistics as required by the department.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2012, Act 520, Imd. Eff. Dec. 28, 2012.

Popular name: Act 451

Popular name: NREPA

324.43508 Definitions; T to W.

Sec. 43508. (1) "Take" means fishing, hunting, trapping, catching, capturing, killing, or the attempt to engage in such an activity.

- (2) "Trap" and "trapping" mean the taking of wild animals by means of a trap.
- (3) "Waterfowl" means ducks, geese, gallinules, and mergansers.
- (4) "Wild animal" means a mammal, bird, fish, reptile, amphibian, or crustacea of a wild nature indigenous to this state or introduced to this state by the department or a species determined by the department to be of public benefit.

(5) "Wiggler" means a mayfly nymph or other aquatic insect nymphs or larvae.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995.

Popular name: Act 451

Popular name: NREPA

324.43509 Taking aquatic species; taking or possessing wild animal; license.

Sec. 43509. (1) A person 17 years of age or older shall not take aquatic species, except aquatic insects, in or upon any waters over which this state has jurisdiction or in or upon any lands within the state, or possess aquatic species, except aquatic insects, without having in his or her possession a valid license as provided in this part.

(2) A person shall not take or possess a wild animal without having in his or her possession a valid license as provided in this part.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2010, Act 29, Imd. Eff. Mar. 26, 2010.

Popular name: Act 451

Popular name: NREPA

324.43510 Carrying or transporting firearm, slingshot, bow and arrow, crossbow, or trap; license required; exception; applicability to taking of wild animal.

Sec. 43510. (1) Subject to subsection (2), except as provided in section 43513, and except for an individual hunting on a game bird hunting preserve licensed under part 417, an individual shall not carry or transport a firearm, slingshot, bow and arrow, crossbow, or a trap while in any area frequented by wild animals unless that individual has in his or her possession a license as required under this part.

(2) This act or a rule promulgated or order issued by the department or the commission under this act shall not be construed to prohibit an individual from transporting a pistol or carrying a loaded pistol, whether concealed or not, if either of the following applies:

(a) The individual has in his or her possession a license to carry a concealed pistol under 1927 PA 372, MCL 28.421 to 28.435.

(b) The individual is authorized under the circumstances to carry a concealed pistol without obtaining a license to carry a concealed pistol under 1927 PA 372, MCL 28.421 to 28.435, as provided for under any of the following:

(i) Section 12a of 1927 PA 372, MCL 28.432a.

(ii) Section 227, 227a, 231, or 231a of the Michigan penal code, 1931 PA 328, MCL 750.227, 750.227a, 750.231, and 750.231a.

(3) Subsection (2) does not authorize an individual to take or attempt to take a wild animal except as provided by law.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2004, Act 129, Imd. Eff. June 3, 2004;—Am. 2006, Act 433, Imd. Eff. Oct. 5, 2006;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43511 Deer or elk season; transporting or possessing shotgun or rifle; license required; exception.

Sec. 43511. (1) Subject to subsection (2), and except as provided in section 43513, during the open season for the taking of deer or elk with a firearm, a person shall not transport or possess a shotgun with buckshot, slug load, ball load, or cut shell or a rifle other than a .22 caliber rim fire, unless the person has in his or her possession a license to hunt deer or elk with a firearm.

(2) Subsection (1) does not apply during muzzle-loading deer season.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2006, Act 433, Imd. Eff. Oct. 5, 2006.

Popular name: Act 451

Popular name: NREPA

324.43512 Repealed. 1998, Act 104, Eff. Mar. 23, 1999.

Compiler's note: The repealed section pertained to possession of valid turkey license in order to carry firearm or bow and arrow.

Popular name: Act 451

Popular name: NREPA

324.43513 Carrying, transporting, or possessing firearm, slingshot, bow, or crossbow; hunting license not required; hunting on game bird hunting preserve; carrying or possessing unloaded and uncocked weapon.

Sec. 43513. (1) An individual may carry, transport, or possess a firearm without a hunting license if the firearm is unloaded and either enclosed in a case or carried in a vehicle in a location that is not readily accessible to any occupant of the vehicle. An individual may carry, transport, or possess a slingshot, bow, or crossbow without a hunting license if the slingshot, bow, or crossbow is unloaded and uncocked, enclosed in a case, or carried in a vehicle in a location that is not readily accessible to any occupant of the vehicle.

(2) Regardless of whether the individual has a license or it is open season for the taking of game, an individual may carry, transport, possess, or discharge a firearm, a bow, or a crossbow if all of the following apply:

(a) The individual is not taking or attempting to take game but is engaged in 1 or more of the following activities:

(i) Target practice using an identifiable, artificially constructed target or targets.

(ii) Practice with silhouettes, plinking, skeet, or trap.

(iii) Sighting-in the firearm, bow, or crossbow.

(b) The individual is, or is accompanied by or has the permission of, either of the following:

(i) The owner of the property on which the activity under subdivision (a) is taking place.

(ii) The lessee of that property for a term of not less than 1 year.

(c) The owner or lessee of the property does not receive remuneration for the activity under subdivision (a).

(3) An individual may carry, transport, or possess a firearm, slingshot, bow, or crossbow without a hunting license if the individual is hunting on a game bird hunting preserve licensed under part 417.

(4) An individual may carry or possess an unloaded weapon at any time if the individual is traveling to or from or participating in a historical reenactment.

(5) As used in this section:

(a) "Uncocked" means the following:

(i) For a bow, that the bow is not in the drawn position.

(ii) For a crossbow, that the crossbow is not in the cocked position.

(iii) For a slingshot, that the slingshot is not in the drawn position.

(b) "Unloaded" means the following:

(i) For a firearm, that the firearm does not have ammunition in the barrel, chamber, cylinder, clip, or magazine when the barrel, chamber, cylinder, clip, or magazine is part of or attached to the firearm.

(ii) For a bow, that an arrow is not nocked.

(iii) For a crossbow, that a bolt is not in the flight groove.

(iv) For a slingshot, that the slingshot does not have ammunition in the projectile pocket.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 1998, Act 129, Eff. Mar. 23, 1999;—Am. 2006, Act 433, Imd. Eff. Oct. 5, 2006;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013;—Am. 2018, Act 272, Eff. Sept. 27, 2018.

Popular name: Act 451

Popular name: NREPA

324.43514 Hunting small game and fishing without license permitted; conditions; exception.

Sec. 43514. (1) Until March 1, 2014, a resident, the resident's spouse, and the resident's children may hunt small game without a license upon the enclosed farmlands upon which they are regularly domiciled, at a time and in a manner permitted by law; except that they shall obtain a waterfowl hunting license for hunting waterfowl and a federal migratory bird hunting stamp as required by law.

(2) A resident, the resident's spouse, and the resident's children may fish without a license in water wholly within the limits of their enclosed farmlands or other enclosed lands upon which they are regularly domiciled, at a time and in a manner permitted by law.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43515 Permit authorizing developmentally disabled individual or resident of home for aged to fish without license.

Sec. 43515. The department may issue a permit authorizing a developmentally disabled individual or a resident of a home for the aged licensed under article 17 of the public health code, 1978 PA 368, MCL 333.20101 to 333.22260, to fish without a license if the developmentally disabled individual or the resident of the licensed home for the aged is a member of a group accompanied by 1 or more adults licensed under this part.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2014, Act 77, Imd. Eff. Mar. 28, 2014.

Popular name: Act 451

Popular name: NREPA

324.43516 Hunting, fur harvester, or fishing license; carrying license; exhibiting license upon demand; deer license with unused kill tag; exhibiting tag on request; electronic copy; consent to search electronic device not presumed; expanded use of electronic technology; tribal conservation officer; definition.

Sec. 43516. (1) Until March 1, 2018, an individual who has been issued a hunting, fur harvester's, or fishing license shall carry the license and shall exhibit the license upon the demand of a conservation officer, a law enforcement officer, a tribal conservation officer who complies with subsection (6), or the owner or occupant of the land if either or both of the following apply:

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

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

(2) Subject to section 43510(2) and except as provided in section 43513, an individual shall not carry or possess 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 that individual has a valid deer license, with an unused kill tag, if issued, issued in his or her name. The individual shall exhibit an unused kill tag, if issued, upon the request of a conservation officer, a law enforcement officer, or the owner or occupant of the land.

(3) Beginning March 1, 2018, an individual who has been issued a hunting, fur harvester's, or fishing license shall carry the license or, if applicable, an electronic copy of the license and shall exhibit the license or, if applicable, an electronic copy of the license upon the demand of a conservation officer, a law enforcement officer, a tribal conservation officer who complies with subsection (6), or the owner or occupant of the land if either or both of the following apply:

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

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

(4) An individual who displays an electronic copy of his or her license using an electronic device as provided in subsection (3) is not presumed to have consented to a search of the electronic device. This state, a law enforcement agency, a tribal conservation officer who complies with subsection (6), an employee of this state or a law enforcement agency, or the owner or occupant of the land is not liable for damage to or loss of an electronic device that occurs as a result of a conservation officer, a tribal conservation officer who complies with subsection (6), a law enforcement officer, or the owner or occupant of the land viewing an electronic copy of a license in the manner provided in this section, regardless of whether the conservation officer, tribal conservation officer who complies with subsection (6), law enforcement officer, or owner or occupant of the land was in possession of the electronic device at the time the damage or loss occurred.

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

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

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

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2004, Act 129, Imd. Eff. June 3, 2004;—Am. 2006, Act 433, Imd. Eff. Oct. 5, 2006;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013;—Am. 2016, Act 36, Eff. June 6, 2016;—Am. 2016, Act 461, Eff. Mar. 29, 2017.

Popular name: Act 451

Popular name: NREPA

324.43517 Hunting by minor child or adult who has a developmental disability; order establishing mentored hunting program.

Sec. 43517. (1) A parent or guardian of a minor child or a guardian of an adult who has a developmental disability shall not permit or allow the minor child or adult who has a developmental disability to hunt game under the authority of a license issued under this part except under 1 of the following conditions:

(a) The minor child hunts only on land upon which a parent or guardian is regularly domiciled or a parent or guardian, or another individual at least 18 years old authorized by a parent or guardian, accompanies the minor child. This subdivision does not apply under any of the following circumstances:

(i) The license is an apprentice license.

(ii) The minor child is less than 10 years old.

(iii) The minor child is an individual who has a developmental disability and is unable to obtain certification of completion of training in hunter safety.

(b) If the license is an apprentice license, a parent or guardian, or another individual at least 21 years old authorized by a parent or guardian, who is licensed to hunt that game under a license other than an apprentice license accompanies the minor child or adult who has a developmental disability.

(c) If the individual is less than 10 years old, the individual hunts only with a mentor in compliance with the mentored hunting program established by the commission under subsection (2).

(d) If the individual is an individual who has a developmental disability and is unable to obtain certification of completion of training in hunter safety, the individual hunts only with a mentor in compliance with the mentored hunting program established by the commission under subsection (2).

(e) If the adult who has a developmental disability has a guardian appointed under chapter 6 of the mental health code, 1974 PA 258, MCL 330.1600 to 330.1644, and is unable to obtain certification of completion of training in hunter safety, the adult hunts only with a mentor in compliance with the mentored hunting program established by the commission under subsection (2).

(2) The commission shall issue an order under section 40113a establishing a mentored hunting program. The order must provide for at least all of the following:

(a) A mentor shall be at least 21 years of age before participating in the mentored hunting program.

(b) A mentor shall possess a valid license to hunt, other than an apprentice license, before engaging in any mentored hunting program.

(c) An individual shall not be a mentor unless the individual presents proof of previous hunting experience in the form of a previous hunting license, other than an apprentice license, or certification of completion of training in hunter safety issued to the individual by this state, another state, a province of Canada, or another country.

(3) As used in this section, "developmental disability" means that term as defined in section 100a of the mental health code, 1974 PA 258, MCL 330.1100a.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2006, Act 280, Imd. Eff. July 10, 2006;—Am. 2006, Act 282, Imd. Eff. July 10, 2006;—Am. 2011, Act 109, Eff. Sept. 1, 2011;—Am. 2018, Act 399, Imd. Eff. Dec. 19, 2018;—Am. 2024, Act 96, Imd. Eff. July 23, 2024.

Popular name: Act 451

Popular name: NREPA

324.43518 "Department" defined; signature requirement for valid license.

Sec. 43518. (1) As used in this section to section 43544, "department" includes a person designated by the department to issue and sell licenses.

(2) A license issued under this part is not valid unless it is signed as required by the department.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995.

Popular name: Act 451

Popular name: NREPA

324.43519 License requirements; effect of court order.

Sec. 43519. (1) To obtain any license, an applicant shall provide the department with 1 or more of the following as required by the department:

- (a) Proof of residency or a signed affidavit of Michigan residency.
- (b) Information required on the license application.
- (c) The required license fee.
- (d) Proof of identification.

(2) A person shall not obtain or attempt to obtain a license if a court order prohibits the person from obtaining that license.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997.

Popular name: Act 451

Popular name: NREPA

324.43520 Hunting license; issuance to minor child; requirements; duties of issuing agent; proof of previous hunting experience or certification of completion of training in hunter safety; affidavit; information to be recorded; apprentice license; mentored hunting license; additional licenses; fee; report.

Sec. 43520. (1) Subject to other requirements of this part, the department may issue a hunting license to an adult who has a developmental disability, has a guardian appointed under chapter 6 of the mental health code, 1974 PA 258, MCL 330.1600 to 330.1644, and is unable to obtain certification of completion of training in hunter safety, or to a minor child if all of the following requirements are met:

(a) A parent or guardian of the individual applies for the license on behalf of the individual.

(b) The parent or guardian represents that the requirements of section 43517, as applicable, will be complied with.

(c) The license fee is paid.

(2) An individual born after January 1, 1960 shall not purchase or attempt to purchase a hunting license, unless the individual presents proof of previous hunting experience in the form of a hunting license issued by this state, another state, a province of Canada, or another country or presents a certification of completion of training in hunter safety issued to the individual by this state, another state, a province of Canada, or another country. If an applicant for a hunting license does not have proof of such a previous license or a certification of completion of training in hunter safety, a person authorized to sell hunting licenses may issue a hunting license if the applicant submits a signed affidavit stating that the applicant has completed a course in hunter safety or that the applicant possessed such a hunting license previously. The person selling a hunting license shall record as specified by the department the form of proof of the previous hunting experience or certification of completion of hunter safety training presented by the applicant. This subsection does not apply to the issuance of an apprentice license or mentored hunting license. An apprentice license, mentored hunting license, or the equivalent does not satisfy the requirements of this subsection concerning proof of previous hunting experience.

(3) An individual who does not meet the requirements of subsection (2) may obtain an apprentice license for the same price as the corresponding regular license that the individual would otherwise be qualified to obtain. An individual 17 years old or older shall not hunt game under an apprentice license unless another individual at least 21 years old who possesses a license, other than an apprentice license, to hunt that game accompanies that apprentice licensee and does not accompany more than 1 other apprentice licensee. For the purposes of this subsection and section 43517(1)(b), an individual shall not go along with more than 2 apprentice licensees of any age for the purpose of accompanying those apprentice licensees while those apprentice licensees are hunting. If an individual has represented to an apprentice licensee or, if the apprentice licensee is a minor child, to the apprentice licensee's parent or guardian that the individual would accompany the apprentice licensee for the purposes of this subsection, the individual shall not go along with the apprentice licensee while the apprentice licensee is hunting unless the individual actually accompanies the apprentice licensee and possesses a license, other than an apprentice license, to hunt the same game as the apprentice licensee. An individual is not eligible to obtain a specific type of apprentice license, such as a deer license, a base license, or a turkey license, for more than 2 license years. An apprentice license must be distinguished from a license other than an apprentice license by a notation or other means.

(4) Only a minor who is less than 10 years old, a minor child with a developmental disability, or an adult who has a developmental disability and a guardian appointed under chapter 6 of the mental health code, 1974 PA 258, MCL 330.1600 to 330.1644, may obtain a mentored hunting license. A minor who is less than 10 years old, a minor child with a developmental disability, or an adult who has a developmental disability and a guardian appointed under chapter 6 of the mental health code, 1974 PA 258, MCL 330.1600 to 330.1644, shall not hunt game under a mentored hunting license unless that individual complies with all requirements of the mentored hunting program established by the commission under section 43517.

(5) Except as otherwise provided in this subsection, the fee for a mentored hunting license is \$7.50. A mentored hunting license is free for an individual with a developmental disability. A mentored hunting license includes all of the privileges conferred by all of the following:

- (a) Base license.
- (b) Deer license.
- (c) All-species fishing license.
- (d) Spring wild turkey hunting license and fall wild turkey hunting license.
- (e) Fur harvester's license.

(6) An individual who purchases a mentored hunting license may apply for or purchase additional licenses pursuant to current regulations, including, but not limited to, all of the following:

- (a) Antlerless deer licenses under section 43527a.
- (b) A bear hunting license under section 43528.
- (c) An elk hunting license under section 43529.

(7) An individual hunting with a license purchased under subsection (6) must comply with all requirements of the mentored hunting program established by the commission under section 43517.

(8) By September 1, 2023 and every 4 years after that date, the department shall submit a report to the standing committees of the senate and house of representatives with primary responsibility for conservation and outdoor recreation issues evaluating whether the fee revenue received by the department from mentored hunting licenses under subsection (5) is adequate to administer the mentored hunting program.

(9) As used in this section, "developmental disability" means that term as defined in section 100a of the mental health code, 1974 PA 258, MCL 330.1100a.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2006, Act 280, Imd. Eff. July 10, 2006;—Am. 2006, Act 280, Imd. Eff. July 10, 2006;—Am. 2006, Act 282, Imd. Eff. July 10, 2006;—Am. 2011, Act 120, Eff. Sept. 1, 2011;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013;—Am. 2018, Act 4, Imd. Eff. Jan. 26, 2018;—Am. 2024, Act 96, Imd. Eff. July 23, 2024.

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324.43521 Discounting price of license.

Sec. 43521. Notwithstanding any other section of this part, the department may discount the price of a license for the following purposes:

- (a) For marketing purposes to increase participation in hunting and fishing activities.
- (b) The price of any license or application fee may be discounted or eliminated to achieve a harvest or management objective for that species.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2009, Act 69, Imd. Eff. July 9, 2009.

Popular name: Act 451

Popular name: NREPA

324.43522 Issuance of sportcard to persons not possessing driver license or other identification; fee.

Sec. 43522. If a person applying for a license or permit under this part does not possess a Michigan driver license or other identification, the department shall issue a sportcard. A person authorized by the department to issue licenses shall charge a \$1.00 fee for each sportcard that he or she issues. The authorized person shall forward the required form and the fee collected pursuant to this section to the department. The department shall issue a license and a sportcard provided for in this part if the applicant satisfies the license requirements and pays the license fees.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997.

Popular name: Act 451

Popular name: NREPA

324.43522a Repealed. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Compiler's note: The repealed section pertained to deferment of license fee increase by director.

Popular name: Act 451

Popular name: NREPA

324.43523 Repealed. 2013, Act 108, Eff. Mar. 1, 2014.

Compiler's note: The repealed section pertained to small game license and fees.

Popular name: Act 451

Popular name: NREPA

324.43523a Base license; small game; fur-bearing animals; fee; hours void; 7-day limited nonresident small game license; 3-day limited nonresident small game license; development and display of electronic license.

Sec. 43523a. (1) Except as otherwise provided in this part, an individual shall not hunt small game, unless the individual possesses a current base license. A base license authorizes the individual named in the license to hunt for small game, except for animals or birds that require a special license.

(2) If authorized in an order issued under part 401, an individual who possesses a current base license may take specified fur-bearing animals by means other than trapping during the open season for hunting these fur-bearing animals. However, an individual who goes on a bobcat hunt with a licensed hunter is not required to possess a base license if the individual does not carry a firearm, bow, or crossbow and does not own dogs used to chase or locate a bobcat during the hunt.

(3) The fee for a base license is as follows:

(a) Subject to subdivision (b), for a resident, \$10.00.

(b) For a resident minor child or nonresident minor child, \$5.00.

(c) Subject to subdivision (b), for a nonresident, \$150.00.

(4) A base license is void between the hours of 1/2 hour after sunset and 1/2 hour before sunrise with the exception of coyote hunting.

(5) A nonresident may purchase a limited nonresident small game license entitling that individual to hunt for a 7-day period all species of small game that are available to hunt under a nonresident base license. The fee for a 7-day limited nonresident small game license is \$80.00. Except for the purchase of a waterfowl hunting license under section 43525b, the purchase of a 7-day limited nonresident small game license does not entitle the holder to purchase any additional licenses.

(6) Beginning March 1, 2018, a nonresident may purchase a 3-day limited nonresident small game license entitling that individual to hunt for a 3-day period all species of small game that are available to hunt under a nonresident base license. The fee for a 3-day limited nonresident small game license is \$50.00. Except for the purchase of a waterfowl hunting license issued under section 43525b, the purchase of a 3-day limited nonresident small game license does not entitle the holder to purchase any additional licenses.

(7) Not later than March 1, 2018, the department shall develop an electronic license that allows an individual to display an electronic copy of his or her base license using an electronic device.

History: Add. 2013, Act 108, Imd. Eff. Sept. 17, 2013;—Am. 2016, Act 461, Eff. Mar. 29, 2017;—Am. 2018, Act 3, Imd. Eff. Jan. 26, 2018.

Popular name: Act 451

Popular name: NREPA

324.43523b Combination hunt and fish license; resident; nonresident; fees.

Sec. 43523b. (1) Beginning March 1, 2014, the fee for a resident combination hunt and fish license is \$75.00 and shall include all of the privileges conferred by all of the following:

(a) Resident base license.

(b) Two deer licenses.

(c) All-species fishing license.

(2) Beginning March 1, 2014, the fee for a nonresident combination hunt and fish license is \$265.00 and shall include all of the privileges conferred by all of the following:

(a) Nonresident base license.

(b) Two deer licenses.

(c) All-species fishing license.

History: Add. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43524 Wild turkey hunting license; fees; lottery; issuance of license; use of fees; report; purchase of license beginning March 1, 2014; eligibility; application fee; use.

Sec. 43524. (1) An individual shall not hunt wild turkey without a wild turkey hunting license. The fee for a resident wild turkey hunting license is \$15.00. The fee for a nonresident wild turkey hunting license is \$69.00. Subject to the requirements of section 40113a, the commission may issue an order requiring that all applications for wild turkey hunting licenses, or applications for wild turkey hunting licenses for certain

geographic areas, be entered into a lottery designed and run by the department. An individual selected in a lottery, upon meeting the requirements of this part, is authorized to purchase a wild turkey hunting license. The license shall be issued for a specified hunting period and confers upon the holder of the license the right to hunt wild turkeys.

(2) The department may charge a nonrefundable application fee not to exceed \$4.00 for each application for a wild turkey hunting license that is entered into a lottery under subsection (1).

(3) From fees collected under subsection (1) or (2), the following amounts shall be used for scientific research, biological survey work on wild turkeys, creation and management of wild turkey habitat on state land, national forestland, and private land, annual wild turkey hunter surveys, disease testing for wild turkeys suspected of having a disease and voluntarily submitted to the department of natural resources, and other wild turkey management in this state:

(a)	Resident wild turkey hunting license	\$	9.50
(b)	Nonresident wild turkey hunting license	\$	50.00
(c)	Senior wild turkey hunting license	\$	1.00
(d)	Wild turkey hunting application		amount of application fee, if any, but not more than \$ 3.00.

(4) The department shall, to the extent possible, use the money from subsection (3) to create and manage wild turkey habitat on state forestland, state game areas, national forestland, and private land, where appropriate. The department shall, before January 1 of each year, provide to the standing committees in the senate and house of representatives that primarily consider issues relating to natural resources a report detailing the expenditures for the prior year under subsection (3).

(5) Beginning March 1, 2014, only an individual holding a valid base license is eligible to purchase a wild turkey hunting license, pursuant to current regulations. The fee for a wild turkey hunting license is \$15.00.

(6) Beginning March 1, 2014, the department may charge a nonrefundable application fee not to exceed \$5.00 for each application for a wild turkey hunting license that is entered into a lottery under subsection (1).

(7) Beginning March 1, 2014, from fees collected under subsection (5) or (6), the following amounts shall be used for scientific research, biological survey work on wild turkeys, creation and management of wild turkey habitat on state land, national forestland, and private land, annual wild turkey hunter surveys, disease testing for wild turkeys suspected of having a disease and voluntarily submitted to the department of natural resources, and other wild turkey management in this state:

(a)	Wild turkey hunting license	\$	9.50
(b)	Senior wild turkey hunting license	\$	1.00
(c)	Wild turkey hunting application		amount of application fee, if any, but not more than \$ 3.00.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2002, Act 81, Imd. Eff. Mar. 25, 2002;—Am. 2012, Act 81, Imd. Eff. Apr. 11, 2012;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43525 Repealed. 2013, Act 108, Eff. Mar. 1, 2014.

Compiler's note: The repealed section pertained to waterfowl hunting license and fees.

Popular name: Act 451

Popular name: NREPA

324.43525a Repealed. 2013, Act 108, Eff. Mar. 1, 2014.

Compiler's note: The repealed section pertained to combination deer license.

Popular name: Act 451

Popular name: NREPA

324.43525b Waterfowl hunting license; requirements; fee; issuance as stamp; use of fees; electronic display.

Sec. 43525b. (1) Except as otherwise provided in this part, an individual 16 years of age or older shall not hunt waterfowl without a current waterfowl hunting license issued by this state. The annual license requirement is in addition to the requirements for a base license and federal migratory bird hunting stamp. The fee for the waterfowl hunting license is \$12.00.

(2) If issued as a stamp, a waterfowl hunting license shall be affixed to the base license of the individual and signed across the face of the stamp by the individual to whom it is issued.

(3) A collector may purchase a waterfowl hunting license, if it is issued as a stamp, without being required to place it on a base license, sign across its face, or provide proof of competency under section 43520(2). However, a license described in this subsection is not valid for hunting waterfowl.

(4) From the fee collected for each waterfowl hunting license, the department shall use the following amounts:

(a) \$9.00 shall be used to acquire, restore, or enhance wetlands and other lands to be managed for the benefit of waterfowl. Except as otherwise provided in this subdivision, not more than 0.25% of the money under this subdivision shall be used to acquire lands. However, if all of the money appropriated from the natural resources trust fund for eco-region acquisition carried over from previous fiscal years is spent, then the 0.25% limitation under this subdivision does not apply. The department shall not acquire land under this subdivision until that acquisition is approved by the joint capital outlay subcommittee.

(b) \$1.93 shall be used to operate, maintain, and develop managed waterfowl areas in this state.

(c) The remaining amount shall be retained under section 43541 or used for administration of this part.

(5) Not later than March 1, 2018, the department shall develop an electronic license that allows an individual to display an electronic copy of his or her Michigan waterfowl hunting license using an electronic device.

History: Add. 2013, Act 108, Imd. Eff. Sept. 17, 2013;—Am. 2016, Act 462, Eff. Mar. 29, 2017.

Popular name: Act 451

Popular name: NREPA

***** 324.43525c THIS SECTION IS REPEALED BY ACT 262 OF 2020 EFFECTIVE JANUARY 1, 2026

324.43525c Pheasant hunting license; fees; deposit of funds into pheasant subaccount in the game and fish protection account.

Sec. 43525c. (1) Except as otherwise provided in this section, an individual 18 years of age or older shall not hunt pheasants without a current annual pheasant hunting license issued by this state. The annual pheasant hunting license requirement is in addition to the requirements for a base license. The fee for the pheasant hunting license is \$25.00. The following individuals are not required to obtain an annual pheasant hunting license under this section:

(a) An individual only hunting pheasants at a game bird hunting preserve licensed under part 417.

(b) An individual hunting pheasants on private land, except for individuals hunting on land enrolled in the hunting access program.

(c) An individual hunting pheasants on public land in the Upper Peninsula.

(d) An individual who holds a lifetime small game license, lifetime sportsperson's license, or a comprehensive lifetime hunting and fishing license issued under section 44102.

(2) If issued as a stamp, a pheasant hunting license must be affixed to the base license of the individual and signed across the face of the stamp by the individual to whom it is issued.

(3) A collector may purchase a pheasant hunting license, if it is issued as a stamp, without being required to place it on a base license, sign across its face, or provide proof of competency under section 43520(2). However, a license described in this subsection is not valid for hunting pheasants.

(4) Except as provided in sections 43541 and 43555, the department shall deposit the fee collected for each pheasant hunting license in the pheasant subaccount of the game and fish protection account for the purposes stated in subsection (5).

(5) The pheasant subaccount is created in the game and fish protection account. The state treasurer may receive money or other assets from any source for deposit into the subaccount. The state treasurer shall direct the investment of the subaccount. The state treasurer shall credit to the subaccount interest and earnings from subaccount investments. Money in the subaccount at the close of the fiscal year remains in the subaccount and does not lapse to the game and fish protection account or the general fund. Money in the subaccount on January 1, 2026 is transferred to the game and fish protection account. The department is the administrator of the subaccount for auditing purposes. The department shall expend money from the subaccount, upon appropriation, only for costs associated with the purchase and release of live pheasants on state-owned land suitable for pheasants.

(6) This section is repealed effective January 1, 2026.

History: Add. 2020, Act 262, Eff. Mar. 24, 2021;—Am. 2021, Act 6, Imd. Eff. Apr. 8, 2021.

Popular name: Act 451

Popular name: NREPA

324.43526 Repealed. 2013, Act 108, Eff. Mar. 1, 2014.

Compiler's note: The repealed section pertained to firearm deer license and fees.

Compiler's note: Act 451

Compiler's note: NREPA

324.43526a Repealed. 2012, Act 241, Eff. Jan. 1, 2017.

Compiler's note: The repealed section pertained to hunters helping landowners program.

324.43526b Electronic copy of kill tag; display using electronic device.

Sec. 43526b. The department may develop an electronic license that allows an individual to display an electronic copy of his or her kill tag under section 43524, 43527a, 43528, 43528a, 43528b, or 43529 using an electronic device.

History: Add. 2016, Act 461, Eff. Mar. 29, 2017.

Popular name: Act 451

Popular name: NREPA

324.43527 Repealed. 2013, Act 108, Eff. Mar. 1, 2014.

Compiler's note: The repealed section pertained to bow and arrow deer license and fees.

Popular name: Act 451

Popular name: NREPA

324.43527a Purchase of deer license beginning March 1, 2014; eligibility; application fee; kill tag; second deer license.

Sec. 43527a. (1) Beginning March 1, 2014, only an individual holding a valid base license is eligible to purchase a deer license or an antlerless deer license, pursuant to current regulations. The fee for a deer license or an antlerless deer license is \$20.00.

(2) Beginning March 1, 2014, the department shall charge a nonrefundable application fee not to exceed \$5.00 for each individual who applies for an antlerless deer license.

(3) The department may issue a kill tag with or as part of each deer license. The kill tag shall bear the license number. The kill tag may also include space for other pertinent information required by the department. The kill tag, if issued, is part of the license.

(4) Where authorized by the department, a resident may purchase a second deer license for the fee assessed under this subsection for the deer license for which that individual is eligible. However, a senior license discount is not available for the purchase of a second deer license. Where authorized by the department, a nonresident may purchase an additional deer license or antlerless deer license under this section for \$170.00. The department may issue orders under part 401 designating the kind of deer that may be taken and the geographic area in which any license issued under this section is valid, when advisable in managing deer.

History: Add. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43527b Deer management assistance permits.

Sec. 43527b. The department may issue deer management assistance permits pursuant to current regulations.

History: Add. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43528 Bear hunting license; exception; eligibility beginning March 1, 2014; fees; kill tag; application fee; bear participation license.

Sec. 43528. (1) An individual shall not hunt bear unless the individual possesses a bear hunting license. However, an individual who goes on a bear hunt with a licensed hunter is not required to possess a bear hunting license if the individual does not carry a firearm, bow, or crossbow and does not own dogs used to chase or locate bear during the hunt. Beginning March 1, 2014, only an individual holding a valid base license is eligible to purchase a bear hunting license, pursuant to current regulations.

(2) The fee for a resident bear hunting license is \$15.00. The fee for a nonresident bear hunting license is \$150.00. Beginning March 1, 2014, the fee for a bear hunting license is \$25.00.

(3) The department may issue a kill tag with, or as a part of, a bear hunting license. The kill tag shall bear the license number. The kill tag may also include space for other pertinent information required by the department. The kill tag, if issued, is part of the license.

(4) In addition to the license fees in subsection (2), the department shall charge a nonrefundable application fee not to exceed \$4.00 for each individual who applies for a bear hunting license. Beginning March 1, 2014, in addition to the license fees in subsection (2), the department shall charge a nonrefundable application fee not to exceed \$5.00 for each individual who applies for a bear hunting license.

(5) Beginning March 1, 2014, the following individuals chasing or locating bear with dogs during the open season for that game and who hold a valid base license are eligible for the purchase of a bear participation license for a fee of \$15.00:

(a) Any individual possessing a firearm, crossbow, or bow and arrow.

(b) The owner, when present, of any dog chasing or locating bear.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 103, Imd. Eff. Mar. 5, 1996;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2008, Act 347, Imd. Eff. Dec. 23, 2008;—Am. 2009, Act 70, Imd. Eff. July 9, 2009;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43528a Moose hunting license; fees; kill tag.

Sec. 43528a. (1) A resident shall not hunt moose without a moose hunting license. Beginning March 1, 2014, only a resident holding a valid base license is eligible to purchase a moose hunting license, pursuant to current regulations. The fee for a moose hunting license is \$100.00. The department may establish a nonrefundable application fee not to exceed \$4.00 for each individual who applies for a moose hunting license. Beginning March 1, 2014, the department may establish a nonrefundable application fee not to exceed \$5.00 for each individual who applies for a moose hunting license.

(2) The department may issue a kill tag with, or as part of, a moose hunting license. The kill tag shall bear the license number. The kill tag may also include space for other pertinent information required by the department. The kill tag, if issued, is part of the license.

History: Add. 2010, Act 366, Imd. Eff. Dec. 22, 2010;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43528b Wolf hunting license; eligibility beginning March 1, 2014; fee; kill tag.

Sec. 43528b. (1) An individual shall not hunt wolf without a wolf hunting license. Beginning March 1, 2014, only an individual holding a valid base license is eligible to purchase a wolf hunting license. The fee for a resident wolf hunting license is \$100.00. The fee for a nonresident wolf hunting license is \$500.00. The department may establish a nonrefundable application fee not to exceed \$4.00 for each individual who applies for a wolf hunting license. Beginning March 1, 2014, the department may establish a nonrefundable application fee not to exceed \$5.00 for each individual who applies for a wolf hunting license.

(2) The department may issue a kill tag with, or as part of, a wolf hunting license. The kill tag shall bear the license number. The kill tag may also include space for other pertinent information required by the department. The kill tag, if issued, is part of the license.

History: Add. 2012, Act 520, Imd. Eff. Dec. 28, 2012;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43528c Commercial hunting guide; license requirements; commercial forestland prohibition; revocation; annual report; exhibition of license upon demand; violations; civil fines; definitions.

Sec. 43528c. (1) Beginning March 1, 2024, an individual shall not act as a commercial hunting guide in this state unless that individual possesses both of the following:

(a) A valid license issued under subsection (2).

(b) A valid base license issued under section 43523a.

(2) To obtain a license to act as a commercial hunting guide, an individual shall submit the application fee described in section 43528d and an application to the department. The application must be in a format

determined by the department. The department shall only grant a license to an individual if the department determines all of the following:

(a) That the individual holds a valid certification in first aid and cardiopulmonary resuscitation issued by the American Red Cross, the American Heart Association, or a comparable organization approved by the department, and that the individual can provide to the department, upon request, a copy of the certification.

(b) The individual has a valid, lawfully obtained Michigan driver license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, or a sportcard issued under section 43522.

(c) The individual has not been convicted of any of the following within the past 3 years:

(i) A violation of any of the following:

(A) Section 40112.

(B) Section 40118(2), (3), (4), (5), (6), (14), (15), (16), or (17).

(C) Section 41105.

(D) Section 44524.

(E) Section 48738(2) or (3).

(F) Section 48739(1), (2), or (3).

(ii) Any felony.

(iii) A violation of a law of a participating state substantially corresponding to a violation described in subparagraphs (i) to (ii).

(d) The individual is eligible to purchase a license for the game species for which the individual is acting as a commercial hunting guide. This subdivision does not apply to an individual who is ineligible to obtain a hunting license solely because that individual has previously been issued a hunting license for that species.

(3) An individual shall not act as a commercial hunting guide unless that individual, when acting as a commercial hunting guide, carries a basic first aid kit that includes, but is not limited to, all of the following:

(a) Tourniquet, chest seals, and compression gauze.

(b) CPR mask.

(c) Trauma shears.

(d) Sterile eyewash.

(e) Mylar emergency blanket.

(f) Bandages.

(g) Moleskin.

(h) Tweezers.

(4) An individual shall not act as a commercial hunting guide on commercial forestland.

(5) A license issued under this section is valid for 3 years after the date it is issued. The department may revoke a license under this section, after notice and opportunity for hearing in accordance with the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, for any of the following reasons:

(a) The department determines that the individual is not eligible to hold a license under this section.

(b) The individual provides false information under this section.

(c) The individual fails to file an annual report under subsection (6), and that report remains unfiled for more than 90 days after the report is due.

(6) A commercial hunting guide shall file an annual report with the department, in a format determined by the department, that contains information related to all of the following:

(a) The counties of this state where the individual acted as a commercial hunting guide.

(b) The species of game for which the individual acted as a commercial hunting guide.

(c) The number of clients that the commercial hunting guide had during the year.

(d) The number of game animals harvested by the clients of the commercial hunting guide.

(e) Any additional information the department requires regarding the biological characteristics of the game animals harvested.

(7) Information submitted in a report under subsection (6) is confidential and is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(8) The department shall annually post on its website all of the following:

(a) The number of applications submitted under subsection (2) in the previous year.

(b) The number of licenses issued under this section in the previous year.

(c) A list of individuals who have valid licenses under this section.

(9) An individual shall carry that individual's commercial hunting guide license and shall exhibit the license upon the demand of a conservation officer, a peace officer, a tribal conservation officer, a park and recreation officer if commercial hunting guiding takes place on property regulated under part 741 or 781, or the owner or occupant of any land where the individual is acting as a commercial hunting guide.

(10) An individual who acts as a commercial hunting guide without a valid license issued under this section or who acts as a commercial hunting guide on commercial forestland is subject to a civil fine of not more than \$500.00. An individual who acts as a commercial hunting guide without a valid license issued under this section or who acts as a commercial hunting guide on commercial forestland a second or subsequent time is subject to a civil fine of not more than \$1,000.00. A civil fine collected under this subsection must be deposited in the game and fish protection account established in section 2010.

(11) An individual who provides false information to the department under this section is subject to a civil fine of not more than \$500.00.

(12) As used in this section:

(a) "Commercial hunting guide" means an individual who, for a fee or other consideration of value, provides assistance to another individual in hunting game. Commercial hunting guide does not include any of the following:

(i) The owner of private land while providing assistance to another individual in pursuing, capturing, catching, killing, taking, or attempting to take game on that private land.

(ii) The owner, employee, or member of a game bird hunting preserve licensed under part 417, or a designee of the owner, employee, or member, while providing assistance to another individual in pursuing, capturing, catching, killing, taking, or attempting to take game birds authorized to be hunted on that game bird hunting preserve.

(iii) The owner or employee of a privately owned game ranch while providing assistance to another individual in pursuing, capturing, catching, killing, taking, or attempting to take privately owned game that the individual is permitted to own on the individual's privately owned game ranch. As used in this subparagraph, "privately owned game ranch" includes a cervidae livestock facility registered under the privately owned cervidae producers marketing act, 2000 PA 190, MCL 287.951 to 287.969.

(iv) An individual, business, agency, or nonprofit organization issued a permit from the department to provide damage or nuisance animal control services, while providing those damage or nuisance animal control services.

(v) An employee or member of an organization conducting a not-for-profit event to recruit, retain, or promote hunting, while providing assistance to another individual in hunting game during that event.

(vi) An individual who complies with subsection (2)(c) and who is working under the direct supervision of a licensed commercial hunting guide when a hunting client is present. As used in this subparagraph, "direct supervision" means that visual and vocal contact is constantly maintained between the individual and the licensed commercial hunting guide.

(vii) An individual who provides assistance when a hunting client is not present.

(viii) An individual who is compensated for providing assistance to an individual with a disability or physical limitation. As used in this subparagraph, "individual with a disability or physical limitation" means a disabled person as that term is defined in section 19a of the Michigan vehicle code, 1949 PA 300, MCL 257.19a.

(b) "Consideration of value" means an economic benefit, inducement, right, or profit, including monetary payment accruing to an individual or person. Consideration of value does not include a voluntary sharing of the actual expenses of the guiding activity by monetary contribution or donation of fuel, food, beverages, or other supplies.

(c) "Participating state" means that term as defined in section 1615.

History: Add. 2023, Act 221, Eff. Feb. 20, 2024.

Popular name: Act 451

Popular name: NREPA

324.43528d Commercial hunting guide license application fees.

Sec. 43528d. Except as otherwise provided in this section, the department shall charge a resident applying for a commercial hunting guide license under section 43528c an application fee of \$150.00. The department shall charge a nonresident applying for a commercial hunting guide license under section 43528c an application fee of \$300.00. Money collected under this section must be deposited in the game and fish protection account established in section 2010.

History: Add. 2023, Act 220, Eff. Feb. 20, 2024.

Popular name: Act 451

Popular name: NREPA

324.43529 Elk hunting license; eligibility beginning March 1, 2014; fees; kill tag.

Sec. 43529. (1) A resident shall not hunt elk during the elk season without an elk hunting license.

Beginning March 1, 2014, only a resident holding a valid base license is eligible to purchase an elk hunting license, pursuant to current regulations. The fee for an elk hunting license is \$100.00. The department may establish a nonrefundable application fee not to exceed \$4.00 for each individual who applies for an elk hunting license. Beginning March 1, 2014, the department may establish a nonrefundable application fee not to exceed \$5.00 for each individual who applies for an elk hunting license.

(2) The department may issue a kill tag with, or as a part of, an elk hunting license. The kill tag shall bear the license number. The kill tag may also include space for other pertinent information required by the department. The kill tag, if issued, is part of the license.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43530 Repealed. 2013, Act 108, Eff. Mar. 1, 2014.

Compiler's note: The repealed section pertained to hunting small game on game bird hunting preserves.

Popular name: Act 451

Popular name: NREPA

324.43531 Fur harvester's license; exception; fees; conditions to issuance of nonresident fur harvester's license; rights of licensee; eligibility beginning March 1, 2014; validity of license.

Sec. 43531. (1) Except as otherwise provided in section 43523(2) or section 43523a(2), an individual shall not trap or hunt fur-bearing animals unless the individual possesses a fur harvester's license. However, an individual who goes on a bobcat hunt with a licensed hunter is not required to possess a fur harvester's license if the individual does not carry a firearm, bow, or crossbow and does not own dogs used to chase or locate a bobcat during the hunt.

(2) The fee for a resident fur harvester's license is \$15.00. The fee for a fur harvester's license for a resident or nonresident minor child 10 years old or older shall be discounted 50% from the cost of the resident fur harvester's license.

(3) Until March 1, 2014, the department may issue a nonresident fur harvester's license to a nonresident of this state if the state, province, or country in which the nonresident applicant resides allows residents of this state to obtain equivalent hunting and trapping privileges in that state, province, or country. The fee for an eligible nonresident fur harvester's license is \$150.00. Nonresident fur harvester's licenses shall not be sold or purchased before November 15 of each year.

(4) An individual who holds a fur harvester's license may hunt fur-bearing animals during the season open to taking fur-bearing animals with firearms and may trap fur-bearing animals during the season open to trapping fur-bearing animals.

(5) Beginning March 1, 2014, only an individual holding a valid base license is eligible to purchase a fur harvester's license, pursuant to current regulations. The fee for a fur harvester's license is \$15.00.

(6) Beginning March 1, 2014, for a nonresident holding a valid base license and a valid fur harvester's license, the fur harvester's license is not valid for fur-bearing species for which a bag limit has been established.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2008, Act 347, Imd. Eff. Dec. 23, 2008;—Am. 2009, Act 70, Imd. Eff. July 9, 2009;—Am. 2011, Act 120, Eff. Sept. 1, 2011;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43531b Issuance of free tags.

Sec. 43531b. Pursuant to current regulations, the department may issue free tags for survey purposes or for the enforcement of harvest limits.

History: Add. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43532 All-species fishing license; fees; electronic license.

Sec. 43532. (1) An all-species fishing license entitles the licensee to take and possess all aquatic species as prescribed by law.

(2) An individual 17 years of age or older shall not take or possess an aquatic species, except aquatic insects, in the waters over which this state has jurisdiction without an all-species fishing license. Except as otherwise provided in this subsection, the fee for a resident all-species fishing license is \$25.00. Except as otherwise provided in this subsection, the fee for a nonresident all-species fishing license is \$75.00. An individual under 17 years of age may take and possess aquatic species in the waters over which this state has jurisdiction without an all-species fishing license. However, an individual under 17 years of age may obtain an all-species fishing license. The fee for a resident or nonresident who is under 17 years of age for an all-species fishing license is \$2.00.

(3) The department shall develop an electronic license that allows an individual to display an electronic copy of his or her all-species fishing license using an electronic device.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2002, Act 108, Imd. Eff. Mar. 27, 2002;—Am. 2010, Act 29, Imd. Eff. Mar. 26, 2010;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013;—Am. 2016, Act 463, Eff. Mar. 29, 2017;—Am. 2020, Act 271, Eff. Mar. 24, 2021.

Popular name: Act 451

Popular name: NREPA

324.43532a Additional charges; deposit.

Sec. 43532a. (1) The department shall charge an additional \$1.00 for each of the following licenses:

(a) A base license issued under sections 43523a(3) and 43535(2).

(b) A combination hunt and fish license issued under section 43523b.

(c) Except for those licenses purchased by individuals under 17 years of age, an all-species fishing license issued under sections 43532(2) and 43536(1).

(2) The department shall deposit money generated under this section in the Michigan wildlife management public education subaccount created in section 43532b.

History: Add. 2013, Act 108, Imd. Eff. Sept. 17, 2013;—Am. 2013, Act 246, Eff. Mar. 27, 2014;—Am. 2020, Act 270, Eff. Mar. 24, 2021.

Popular name: Act 451

Popular name: NREPA

324.43532b Michigan wildlife management public education subaccount; Michigan wildlife council.

Sec. 43532b. (1) The Michigan wildlife management public education subaccount is created within the game and fish protection account.

(2) The state treasurer may receive money or other assets from any source for deposit into the subaccount. The state treasurer shall direct the investment of the subaccount. The state treasurer shall credit to the subaccount interest and earnings from subaccount investments.

(3) Money in the subaccount at the close of the fiscal year shall remain in the subaccount and shall not lapse to the game and fish protection account or the general fund.

(4) The department shall be the administrator of the subaccount for auditing purposes.

(5) The Michigan wildlife council shall expend money from the subaccount, upon appropriation, only to support the program designed under subsection (18) and to pay the department's administrative costs in implementing this section. Not more than 5% of the annual appropriations from the subaccount shall be spent on the administrative costs of the department in implementing this section.

(6) The Michigan wildlife council is created within the department.

(7) The Michigan wildlife council shall consist of the following 9 members:

(a) The director or his or her designee.

(b) Four individuals who have purchased hunting or fishing licenses in this state on a regular basis, including at least once during each of the last 3 years, at least 1 of whom has purchased a hunting license and at least 1 of whom has purchased a fishing license, appointed by the governor with the advice and consent of the senate from a list recommended by statewide sportsmen's organizations.

(c) One individual representing local businesses in this state that are substantially impacted by hunting and fishing, appointed by the governor with the advice and consent of the senate.

(d) One individual representing agricultural producers in this state, appointed by the governor with the advice and consent of the senate.

(e) One individual with a media or marketing background, who is not an employee of the department, appointed by the governor with the advice and consent of the senate.

(f) One individual representing rural areas of this state whose economies are substantially impacted by hunting and fishing, appointed by the governor with the advice and consent of the senate.

(8) In appointing members under subsection (7), the governor shall make an effort to appoint members from all geographic areas of this state, at least 1 of whom is from the Upper Peninsula.

(9) The members first appointed to the Michigan wildlife council shall be appointed within 90 days after the effective date of this section.

(10) The appointed members of the Michigan wildlife council shall serve for terms of 4 years or until a successor is appointed, whichever is later, except that of the members first appointed 2 shall serve for 2 years, 3 shall serve for 3 years, and 3 shall serve for 4 years. The appointed members shall not serve more than 2 full terms.

(11) If a vacancy occurs on the Michigan wildlife council, the governor shall make an appointment for the unexpired term in the same manner as the original appointment.

(12) The governor may remove a member of the Michigan wildlife council for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

(13) The first meeting of the Michigan wildlife council shall be called by the director. At the first meeting, the Michigan wildlife council shall adopt bylaws and then elect from among its members a chairperson and other officers as it considers necessary or appropriate. After the first meeting, the Michigan wildlife council shall meet at least quarterly, or more frequently at the call of the chairperson or if requested by a majority of the members serving.

(14) A majority of the members of the Michigan wildlife council constitute a quorum for the transaction of business at a meeting of the Michigan wildlife council. A majority of the members serving are required for official action of the Michigan wildlife council.

(15) The business that the Michigan wildlife council may perform shall be conducted at a public meeting of the Michigan wildlife council held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(16) A writing prepared, owned, used, in the possession of, or retained by the Michigan wildlife council in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(17) Members of the Michigan wildlife council shall serve without compensation. However, members of the Michigan wildlife council may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the Michigan wildlife council.

(18) The Michigan wildlife council shall do all of the following:

(a) Develop and implement, in conjunction with a third-party marketing or advertising agency, a comprehensive media-based public information program to promote the essential role that sportsmen and sportswomen play in furthering wildlife conservation and to educate the general public about hunting, fishing, and the taking of game. That education shall include, but is not limited to, teaching that hunting, fishing, and the taking of game are any of the following:

- (i) Necessary for the conservation, preservation, and management of this state's natural resources.
- (ii) A valued and integral part of the cultural heritage of this state and should forever be preserved.
- (iii) An important part of this state's economy.

(b) Provide a semiannual report to the legislature on the program and expenditures under this section.

(c) Prepare an operational plan no later than 120 days after the first meeting of the Michigan wildlife council and no later than April 30 in subsequent years.

(d) Expend money from the Michigan wildlife management public education subaccount in accordance with the operational plan and in compliance with section 40501, except that all expenditures shall be within the scope of the activities and funding levels authorized in the operational plan.

(19) The Michigan wildlife council may give preference to Michigan-based firms when hiring a third-party marketing or advertising agency under subsection (18).

History: Add. 2013, Act 246, Eff. Mar. 27, 2014.

Popular name: Act 451

Popular name: NREPA

324.43533 24-hour or 72-hour fishing license; fees; electronic license.

Sec. 43533. (1) A resident or nonresident may purchase a 24-hour fishing license entitling that individual to take, for a designated 24-hour period, and possess all aquatic species as prescribed by law. The fee for a 24-hour fishing license is \$10.00 per designated consecutive 24-hour period.

(2) A resident or nonresident may purchase a 72-hour fishing license entitling that individual to take, for a designated 72-hour period, and possess all aquatic species as prescribed by law. The fee for a 72-hour fishing license is \$30.00 per designated consecutive 72-hour period.

(3) Not later than March 1, 2018, the department shall develop an electronic license that allows an

individual to display an electronic copy of his or her 24-hour or 72-hour fishing license using an electronic device.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 356, Imd. Eff. July 1, 1996;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2010, Act 29, Imd. Eff. Mar. 26, 2010;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013;—Am. 2016, Act 463, Eff. Mar. 29, 2017.

Popular name: Act 451

Popular name: NREPA

324.43534 Free fishing days.

Sec. 43534. (1) The department shall designate a Saturday and the following Sunday during January or February of each year as free winter fishing days. In addition, the department may designate 1 other day or 2 other consecutive days each year as free fishing days.

(2) During free fishing days, a resident or nonresident may fish for all species of fish in waters of this state designated by the department without purchasing a license or permit.

(3) A person who fishes during a free fishing day pursuant to subsection (1) has the same privileges and is subject to the same rules and regulations as the holder of a limited fishing license issued pursuant to section 43533.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1999, Act 233, Imd. Eff. Dec. 28, 1999.

Popular name: Act 451

Popular name: NREPA

324.43535 Senior license; discounted fees.

Sec. 43535. (1) Until March 1, 2014, a resident of this state who is 65 years of age or older may obtain a senior small game license, a senior firearm deer license, a senior bow and arrow deer license, a senior bear hunting license, a senior wild turkey hunting license, or a senior fur harvester's license. The fee for each senior license shall be discounted 60% from the fee for the resident license.

(2) Beginning March 1, 2014, a resident of this state who is 65 years of age or older may obtain a senior base license, a senior deer license, a senior wild turkey hunting license, or a senior fur harvester's license. The fee for each senior license shall be discounted 60% from the fee for the resident license.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43536 Senior all-species fishing license; discounted fees; electronic license.

Sec. 43536. (1) A resident of this state who is 65 years of age or older may obtain a senior all-species fishing license. The fee for a senior all-species fishing license is discounted 60% from the fee for a resident all-species fishing license.

(2) Not later than March 1, 2018, the department shall develop an electronic license that allows an individual to display an electronic copy of his or her senior all-species fishing license using an electronic device.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013;—Am. 2016, Act 463, Eff. Mar. 29, 2017.

Popular name: Act 451

Popular name: NREPA

324.43536a Obtaining license by active member of military; “active member of the military” defined.

Sec. 43536a. (1) Beginning March 1, 2014, an active member of the military may obtain any license under this part for which a lottery is not required at no cost upon presentation to a licensing agent of leave papers, duty papers, military orders, or other evidence acceptable to the department verifying that he or she is stationed outside of this state. The license is valid during the season in which that license would otherwise be valid.

(2) As used in this section, "active member of the military" means either of the following:

(a) An individual described by section 43506(3)(d).

(b) An individual who meets all of the following requirements:

(i) The individual is a reserve component soldier, sailor, airman, or marine or member of the Michigan national guard and is called to federal active duty.

(ii) At the time the individual was called to federal active duty, he or she was a resident of this state.

(iii) The individual has maintained his or her residence in this state for the purpose of obtaining a driver license or voter registration, or both.

History: Add. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2003, Act 4, Imd. Eff. Apr. 22, 2003;—Am. 2004, Act 545, Imd. Eff. Jan. 3, 2005;—Am. 2013, Act 21, Imd. Eff. May 8, 2013;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013;—Am. 2014, Act 281, Eff. Mar. 31, 2015.

Compiler's note: Enacting section 1 of Act 281 of 2014 provides:

"Enacting section 1. This act reenacts all or portions of 2012 PA 520, 2013 PA 21, 2013 PA 22 and 2013 PA 108. If any portions of 2012 PA 520 or 2013 PA 21 or 2013 PA 22 or 2013 PA 108 not amended by this act are invalidated pursuant to referendum or any other reason, then any such invalidated portions of 2012 PA 520, 2013 PA 21, 2013 PA 22 and 2013 PA 108 which are otherwise included in this act, shall be deemed to be reenacted pursuant to this act."

Enacting section 2 of Act 281 of 2014 provides:

"Enacting section 2. If any part or parts of this act are found to be in conflict with the state constitution of 1963, the United States constitution, or federal law, this act shall be implemented to the maximum extent that the state constitution of 1963, the United States constitution, and federal law permit. Any provision held invalid or inoperative shall be severable from the remaining portions of this act."

Public Act 281 of 2014 was proposed by initiative petition pursuant to Const 1963, art II, § 9. The initiative petition was approved by an affirmative vote of the majority of the Senate on August 13, 2014 and by the House of Representatives on August 27, 2014. The initiative petition was filed with the Secretary of State on August 27, 2014.

In *Keep Michigan Wolves Protected v State of Michigan*, an unpublished opinion issued November 22, 2016, (Docket No. 328604), the Michigan Court of Appeals held that 2014 PA 281, which amended sections of the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, is unconstitutional as it violates the title-object clause of section 24 of article IV of the state constitution of 1963.

Popular name: Act 451

Popular name: NREPA

324.43537 Restricted or senior all-species fishing license; eligibility of legally blind; disabled veteran; resident license for which lottery not required; proof of eligibility; processing licenses; appropriations; "disabled veteran" defined.

Sec. 43537. (1) Until March 1, 2014, a resident who is declared legally blind is eligible to purchase a senior restricted or senior all-species fishing license. Beginning March 1, 2014, a resident who is declared legally blind is eligible to purchase a senior all-species fishing license.

(2) A disabled veteran is eligible to obtain any resident license under this part for which a lottery is not required free of charge.

(3) The department may demand proof of eligibility under subsection (1), (2), or (4). The licensee, when taking aquatic species or hunting, shall possess proof of his or her eligibility under subsection (1), (2), or (4), as applicable, and shall furnish the proof upon the request of a peace officer.

(4) The department shall process licenses issued under this section in the same manner as licenses issued to senior citizens for purposes of receiving appropriations from the legislature under section 43546.

(5) As used in this section, "disabled veteran" means either of the following:

(a) A resident who has been determined by the United States department of veterans affairs to be permanently and totally disabled as a result of military service and entitled to veterans' benefits at the 100% rate, for a disability other than blindness.

(b) A resident rated by the United States department of veterans affairs as individually unemployable.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2007, Act 60, Imd. Eff. Sept. 18, 2007;—Am. 2012, Act 339, Eff. Mar. 1, 2013;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43538 Fishing; reciprocity.

Sec. 43538. The department may permit a person licensed under the fishing laws of an adjacent state to fish in the inland lakes and rivers or portions of rivers of this state that constitute a part of the border of this state, if the adjacent state grants similar privileges to a person licensed in this state.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995.

Popular name: Act 451

Popular name: NREPA

324.43539 Report by licensee.

Sec. 43539. The department may require each licensed hunter, trapper, and angler to make a report to the department of the number, kinds, and location of game animals, game birds, fur-bearing animals, and fish taken during the respective open season by the licensee. The department shall establish the prescribed manner in which the requested information is reported.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995.

Popular name: Act 451

Popular name: NREPA

324.43540 License; application and issuance by mail, on-line computer service, or telephone; fees; delinquent payment.

Sec. 43540. (1) An application for 1 or more licenses issued under this part may be made by mail, on-line computer service, or telephone to the department, or to a person designated by the department, who shall forward the license issued to the applicant to an address as directed by the applicant. An applicant shall satisfy all the requirements of this part for obtaining a license before a license is issued by mail or telephone. The department may charge a fee for an application made by mail, on-line computer service, or telephone in addition to the fee for the license or licenses. Total fees collected by the department under this subsection in any license year shall not exceed the additional cost of providing mail or telephone service in that year.

(2) If a check or draft of a required fee is not paid on its first presentation, the fee is delinquent as of the date the check or draft was tendered. The person tendering the check or draft remains liable for the payment of each fee and any penalty.

(3) The department may revoke a license, duplicate license, application, or permit if the department has determined that a fee prescribed in this part has not been paid and remains unpaid after reasonable notice or demand.

(4) If a fee is still delinquent 15 days after the department has given notice to a person who tendered the check or draft, the department shall assess and collect a \$15.00 penalty in addition to the license and transaction fee.

(5) The director may refuse to issue additional licenses under this part to a person who is delinquent in payment of fees or penalties provided in subsection (4) at the time the application is submitted.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997.

Popular name: Act 451

Popular name: NREPA

324.43540a Sportsmen against hunger program; implementation; duties of department; financial donations; contract with nonprofit organization to administer program; contract requirements; "program" defined.

Sec. 43540a. (1) Subject to subsection (4), by January 1, 2007, the department shall implement a program to distribute wild game to people in need. The program shall be known as the sportsmen against hunger program.

(2) Under the program, the department shall do all of the following:

(a) Collect donations of legally taken game that complies with all state and federal game laws, including any requirement that the parts of the game be intact.

(b) Contract for processing the donated game.

(c) Distribute the processed game to food banks, soup kitchens, and other charitable organizations that provide meals or food to people free of charge.

(d) Promote the program through the license distribution system and other means that will further the mission of the program.

(3) Under the program, the department may request financial donations to offset the cost of processing donated game. The financial donations are tax deductible.

(4) The department may contract for the administration of the program by a nonprofit organization that is exempt from taxation under section 501(c)(3) of the internal revenue code, 26 USC 501, if the department determines that it is more efficient to do so. Subject to section 43540c(9), payments under the contract shall be adequate to cover the nonprofit organization's costs in administering the program. Before entering such a contract, the department shall issue a request for proposals. If the request for proposals does not yield a bid that meets the requirements of this section, the department is not required to implement the sportsmen against hunger program.

(5) To qualify to enter a contract under subsection (4), a nonprofit organization must have demonstrated a commitment to the goals of the program and have at least 5 years of experience in providing wild game or other food to people free of charge. The contract shall require that the contracting nonprofit organization do all of the following:

(a) Maintain a license under the charitable organizations and solicitations act, 1975 PA 169, MCL 400.271 to 400.294.

(b) Maintain adequate staff to perform the tasks outlined in the contract.

(c) Annually undergo an independent financial audit and provide the audit information and report to the department.

(6) As used in this section, "program" means the sportsmen against hunger program created under subsection (1).

History: Add. 2005, Act 116, Imd. Eff. Sept. 22, 2005;—Am. 2018, Act 237, Eff. Sept. 25, 2018.

Popular name: Act 451

Popular name: NREPA

324.43540c Sportsmen against hunger program; donation; creation; disposition of money or other assets; money remaining in fund; expenditure; costs; limitation; "fund" defined.

Sec. 43540c. (1) Subject to subsection (2), when a person applies for a license under this part, the department or the department's agent shall ask whether the person would like to donate \$1.00 to the sportsmen against hunger program created by the department under section 43540a and, if so, shall collect the donation with the license fee. A person designated by the department to issue licenses shall not receive a commission under section 43541 for the donation.

(2) Subsection (1) applies to license applications made beginning January 1, 2006.

(3) A donation under subsection (1) is in addition to the license fee.

(4) The department shall transfer donations under subsection (1) to the state treasurer for deposit in the fund.

(5) The sportsmen against hunger fund is created within the state treasury.

(6) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(7) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(8) Money from the fund shall be expended, upon appropriation, only by the department for 1 or more of the following purposes:

(a) The costs of administering the fund, including the costs of collecting donations to the fund.

(b) The administration of the sportsmen against hunger program created under section 43540a, including, if applicable, the costs of any contract with a nonprofit organization to administer the sportsmen against hunger program, as authorized under section 43540a(4).

(9) The department shall not incur costs described in subsection (8) in excess of the amount of revenue in the fund available to cover such costs.

(10) As used in this section, "fund" means the sportsmen against hunger fund created in subsection (5).

History: Add. 2005, Act 117, Imd. Eff. Sept. 22, 2005.

Popular name: Act 451

Popular name: NREPA

324.43540d Repealed. 2010, Act 366, Eff. Dec. 22, 2011.

Compiler's note: The repealed section pertained to establishment of moose hunting advisory council.

324.43540e Wolf management advisory council.

Sec. 43540e. (1) The wolf management advisory council is created within the department.

(2) The council shall consist of at least the following members:

(a) The director of the department or his or her designee.

(b) One member representing an organization that promotes conservation in this state appointed by the director or his or her designee.

(c) One member representing organizations that promote hunting or fishing in this state appointed by the director or his or her designee.

(d) One member representing a tribal government appointed by the director or his or her designee.

(e) One member representing agricultural interests appointed by the director or his or her designee.

(f) One member representing an animal advocacy organization appointed by the director or his or her designee.

(3) The council shall meet at least annually.

(4) A majority of the members of the council constitute a quorum for the transaction of business at a meeting of the council. A majority of the members present and serving are required for official action of the council.

(5) The business that the council may perform shall be conducted at a public meeting of the council held in

compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(6) A writing prepared, owned, used, in the possession of, or retained by the council in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(7) Members of the council shall serve without compensation. However, members of the council may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the council.

(8) The council shall annually submit to the commission and to the legislature a report that makes nonbinding recommendations as to the proper management of wolves in this state.

History: Add. 2012, Act 520, Imd. Eff. Dec. 28, 2012.

Popular name: Act 451

Popular name: NREPA

324.43541 Retaining percentage of fees for sportcard, license, duplicate license, application, or permit; additional charges.

Sec. 43541. (1) A person authorized by the department to issue licenses on March 15, 1993, may retain 7.5% of the fees for each sportcard, license, duplicate license, application, or permit that the person sells. A person authorized by the department after March 15, 1993 to issue licenses may retain 5% of the fees for each sportcard, license, duplicate license, application, or permit that the person sells. The department shall consider any additional location established after March 15, 1993 at which licenses are sold as a new authorized agent for purposes of determining the percentage of fees that may be retained for sales at the new location by that authorized agent. Beginning March 1, 2014, any person authorized by the department to issue licenses may retain 7.5% of the fees for each sportcard, license, duplicate license, application, or permit that the person sells.

(2) In addition to the fees authorized under subsection (1), the department may also authorize a person who is authorized to issue licenses to charge and retain a 50-cent transaction fee for collecting migratory bird survey responses.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43542 Licenses; validity; fee; report.

Sec. 43542. (1) All licenses issued under this part are valid from March 1 through March 31 of the following year or as otherwise provided by order of the commission. The department shall designate the period of validity on the license or permit.

(2) The fee for a multiyear license, permit, or application shall be the annual fee for that license, permit, or application multiplied by the number of years designated by order of the commission.

(3) At least 6 months prior to the commission issuing an order under subsection (1), the department shall report to the legislature how the department will ensure that the money collected for any multiyear licenses or permits is accounted for and allocated to the appropriate fiscal year.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2009, Act 34, Imd. Eff. June 4, 2009.

Popular name: Act 451

Popular name: NREPA

324.43543 Course of instruction in safe handling of firearms; instructors; registration; certificate of competency.

Sec. 43543. The department shall provide for a course of instruction in the safe handling of firearms and shall designate persons, without compensation, to serve as instructors and to award certificates. A person desiring to take the course of instruction shall register with an instructor certified by the department. Upon successful completion of the course, the person shall be issued a certificate of competency.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995.

Popular name: Act 451

Popular name: NREPA

324.43544 License, sportcard, or kill tag; loss or destruction; duplicate; certification of loss form; fees.

Sec. 43544. (1) If a license or sportcard issued pursuant to this part or a kill tag is lost or destroyed, a

licensee may procure a duplicate from the department. To obtain a duplicate license, sportcard, or kill tag, the licensee shall file a certification of loss form with the department and shall pay the duplicate fee as provided in subsection (2) for each duplicate requested.

(2) If the licensee meets the requirements of subsection (1) and all other requirements of this part for procuring a license or sportcard, or, if required by this part, a kill tag, the department shall verify the purchase of the original and issue to the licensee the duplicates requested and collect the following applicable duplicate fees:

(a) Until March 1, 2014, and except as provided in subdivision (c), \$3.00 for each license included in a certification of loss.

(b) Beginning March 1, 2014, the amount the individual would pay for each license included in a certification of loss.

(c) For a duplicate of a kill tag, the fee shall equal the amount that the individual would pay for a license to which the kill tag applies without regard to marketing discounts or multilicense discounts.

(d) For a duplicate of a sportcard, \$1.00.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43545 Repealed. 2016, Act 461, Eff. Mar. 29, 2017.

Compiler's note: The repealed section pertained to prohibition against assessment or collection of license or permit fees.

Popular name: Act 451

Popular name: NREPA

324.43546 Senior hunting and fishing licenses; appropriating sum equal to fees not collected; crediting appropriation to game and fish protection account.

Sec. 43546. (1) Before June 1 of each year, the department shall determine the total number of senior hunting and fishing licenses issued and the total fees collected the preceding license year. The department shall determine the total fees that would have been collected if those senior citizens had been required to purchase full-price resident hunting and fishing licenses during the preceding license year. From this total, the department shall subtract the fees collected from the sale of senior hunting and fishing licenses during the preceding license year. The difference is the amount that would otherwise be collected.

(2) The legislature shall annually appropriate from the general fund a sum equal to the fees that would otherwise be collected as determined pursuant to subsection (1). The sum appropriated shall be credited to the game and fish protection account.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2004, Act 587, Eff. Dec. 23, 2006.

Compiler's note: Enacting section 2 of Act 587 of 2004 provides:

"Enacting section 2. This amendatory act does not take effect unless House Joint Resolution Z of the 92nd Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."

Popular name: Act 451

Popular name: NREPA

324.43547 Preparation and issuance of sportcards and licenses; information; equipment; conservation law enforcement stamps; issuance of licenses beginning March 1, 2014.

Sec. 43547. (1) The department shall prepare sportcards, if necessary, and licenses to comply with this part and may authorize persons to issue sportcards and licenses.

(2) A sportcard shall provide the following information as required by the department:

(a) The name of the applicant.

(b) The height and weight of the applicant.

(c) The address of the applicant.

(d) The birth date of the applicant.

(e) The applicant's social security number.

(f) Other information as required by the department.

(3) A license may include the following information:

(a) The date and time of issuance of the license.

(b) The identification code of the person issuing the license.

(c) The form of proof of eligibility to receive a license by the applicant as required.

(d) Other information as required by the department.

(e) The applicant's date of birth.

(4) Until March 1, 2014, the department may require persons authorized to issue licenses under this part to purchase or rent equipment necessary to issue licenses. The purchase or lease charge shall not exceed the actual cost incurred by the department in making the equipment available for purchase or lease. However, notwithstanding the equipment rental or purchase charges otherwise required under this section, if the department requires the use of designated computer equipment to issue licenses, the department shall supply each licensed agent who is entitled to retain 7.5% of the fees received and was authorized on March 15, 1993 to issue licenses with a computer system at no charge to the licensed agent for each location at which that licensed agent sells licenses. A person who is eligible to receive equipment without charge may be required to purchase a service and maintenance contract for that equipment. The cost of the contract shall not be more than \$200.00 for the first year of the contract and thereafter the actual cost to the state of maintaining the computer system. Equipment that is supplied without charge to a licensed agent shall be returned to the department at such time as the person is no longer a licensed agent.

(5) Until March 1, 2014, a person who is authorized after March 15, 1993 to issue licenses shall pay the full annual rental or purchase fee for equipment required under subsection (4).

(6) Until March 1, 2014, a person who on March 15, 1993 is authorized to issue licenses who rents the equipment for the issuance of licenses required under subsection (4) shall pay rent or service and maintenance contract cost, as applicable for that equipment not to exceed 50% of the total of the annual amount the person is authorized to retain under section 43541, or the rental charge otherwise determined by the department, whichever is less.

(7) The department may provide persons authorized to issue licenses under this part with conservation law enforcement stamps to enable the purchaser of the stamps to contribute to the wildlife resource protection fund created in section 43555. Conservation law enforcement stamps may be issued by the department in the amounts of \$2.00 and \$5.00.

(8) Beginning March 1, 2014, the department may require persons authorized to issue licenses under this part to rent equipment necessary for the issuance of licenses. A person who is authorized to issue licenses for less than a full license year shall pay rent of \$5.00 per week until the person has been authorized to issue licenses for a full license year. Once a person has been authorized to issue licenses for a full license year, a person shall pay rent of \$5.00 per week or \$2.50 per week if that person's annual license sales under this part are less than the 5-year average license sales as of the effective date of the amendatory act that added this subsection for persons authorized to issue licenses under this part. The weekly rental fee shall be assessed and collected in a form and manner prescribed by the department. Rent shall not exceed 50% of the total of the annual amount the person is authorized to retain under section 43541.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43548 Persons authorized to issue limited fishing licenses without equipment; bond; remittance of money; limitation on fee; fees held in trust.

Sec. 43548. (1) The department may require a person authorized to issue limited fishing licenses without the equipment described in section 43547 to file a bond with the department. The type and amount of the bond shall be determined by the department.

(2) A person issuing a sportcard, license, or permit shall remit to the department money required to be charged for the sale of each license, duplicate license or sportcard, application, or permit by the method and at the frequency prescribed by the department.

(3) A person shall not charge a fee for a sportcard or a license in an amount that is more than the license and transaction fee printed on the sportcard or license by the department.

(4) All fees collected from the sale of sportcards, licenses, duplicate licenses or sportcards, applications, or permits, except for the fees and commissions provided in section 43541(1) and (2), are held in trust for the state.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997.

Popular name: Act 451

Popular name: NREPA

324.43549 Violation of MCL 324.43548; penalties.

Sec. 43549. A person who violates section 43548, in addition to other penalties provided by law, forfeits

the right to issue licenses and sportcards and forfeits the right to retain any percentage of the license or sportcard fees not received by the department within 48 hours after the date and time the license or sportcard fees should have been deposited as required by the department.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997.

Popular name: Act 451

Popular name: NREPA

324.43550 Format of license.

Sec. 43550. The department shall select the format of the license.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995.

Popular name: Act 451

Popular name: NREPA

324.43551 Issuance of certain licenses; restriction.

Sec. 43551. The department may restrict the issuance of certain licenses to issuance only by department offices or employees.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995.

Popular name: Act 451

Popular name: NREPA

324.43552 Quotas on licenses.

Sec. 43552. The department may establish a quota on the number of each kind of license that may be issued.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995.

Popular name: Act 451

Popular name: NREPA

324.43553 Disposition of money received from sale of passbooks and licenses; payments; grants; youth hunting and fishing education and outreach fund; annual report; posting measures and metrics on website.

Sec. 43553. (1) The department shall transmit all money received from the sale of licenses to the state treasurer, together with a statement indicating the amount of money received and the source of the money.

(2) Except as provided in section 43555 and subsection (5), the state treasurer shall credit the money received from the sale of passbooks and licenses to the game and fish protection account.

(3) Except as provided in sections 43524, 43525, 43525b, and 43554 and subsection (4), money credited to the game and fish protection account shall be paid out by the state treasurer pursuant to the accounting laws of this state for the following purposes:

(a) Services rendered by the department, together with the expenses incurred in the enforcement and administration of the wildlife and fisheries laws of the state, including the necessary equipment and apparatus incident to the operation and enforcement of the wildlife and fisheries laws, and the protection, propagation, distribution, and control of wildlife and fish.

(b) The propagation and liberation of wildlife or fish and for their increase at the time, place, and manner as the department considers advisable.

(c) The purchase, lease, and management of lands, together with the necessary equipment for the purpose of propagating and rearing wildlife or fish, and for establishing and maintaining game refuges, wildlife sanctuaries, and public shooting and fishing grounds. Except as otherwise provided in this subdivision, not more than 0.25% of the money credited to the game and fish protection account shall be used to purchase lands under this subdivision. However, if all of the money appropriated from the natural resources trust fund for eco-region acquisition carried over from previous fiscal years is spent, then the 0.25% limitation under this subdivision does not apply. Land shall not be purchased under this subdivision until that purchase is approved by the joint capital outlay subcommittee.

(d) Conducting investigations and compiling and publishing information relative to the propagation, protection, and conservation of wildlife.

(e) Delivering lectures, developing cooperation, and carrying on appropriate educational activities relating to the conservation of the wildlife of this state.

(4) The department may make direct grants to colleges and universities in this state, out of funds appropriated from the game and fish protection account, to conduct fish or wildlife research or both fish and

wildlife research.

(5) The youth hunting and fishing education and outreach fund is created as a separate fund in the department of treasury. Until March 1, 2014, the state treasurer shall credit to the youth hunting and fishing education and outreach fund the money received from the sale of small game licenses and all-species fishing licenses under sections 43523 and 43532, respectively, to minor children. Beginning March 1, 2014, the state treasurer shall credit to the youth hunting and fishing education and outreach fund \$1.00 received from the sale of each base license to minor children under section 43523a. Money in the youth hunting and fishing education and outreach fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(6) Money credited to the youth hunting and fishing education and outreach fund shall be paid out by the state treasurer pursuant to the accounting laws of this state for hunting and fishing education and outreach programs for minor children.

(7) The department and any other executive department of the state that receives money from the game and fish protection account or the youth hunting and fishing education and outreach fund shall submit an annual report to the legislature showing the amount of money received by the department or other executive department from the game and fish protection account or the youth hunting and fishing education and outreach fund and how that money was spent. An executive department required to submit a report as provided in this subsection shall send a copy of the report to the legislature and to the department.

(8) Not later than November 1, 2013, the department shall complete and post on its website a fisheries division strategic and tactical plan with measures and metrics.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2004, Act 587, Eff. Dec. 23, 2006;—Am. 2006, Act 280, Imd. Eff. July 10, 2006;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Compiler's note: Enacting section 2 of Act 587 of 2004 provides:

"Enacting section 2. This amendatory act does not take effect unless House Joint Resolution Z of the 92nd Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."

Popular name: Act 451

Popular name: NREPA

324.43554 Deer habitat; improvement; maintenance; management; use of license fee; limitation.

Sec. 43554. One dollar and fifty cents of the license fee for each firearm deer, bow and arrow deer, and resident sportsperson's license shall be used for improving and maintaining a habitat for deer and for the acquisition of lands for an effective program of deer habitat management. Beginning March 1, 2014, \$1.50 of the license fee for each deer and resident sportsperson's license shall be used for improving and maintaining a habitat for deer and for the acquisition of lands for an effective program of deer habitat management. Except as otherwise provided in this section, not more than 0.25% of the money under this section shall be used to acquire lands. However, if all of the money appropriated from the natural resources trust fund for eco-region acquisition carried over from previous fiscal years is spent, then the 0.25% limitation under this section does not apply. Land shall not be acquired under this section until that acquisition is approved by the joint capital outlay subcommittee.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013.

Popular name: Act 451

Popular name: NREPA

324.43555 Wildlife resource protection fund; creation; transmission and deposit of additional fee; money credited; expenditures; voluntary contribution; annual report.

Sec. 43555. (1) Thirty-five cents from each license and stamp fee prescribed in this part, except for fees for licenses described in section 43553(5), shall be transmitted to the department for deposit in the wildlife resource protection fund created in this section.

(2) The wildlife resource protection fund is created as a separate fund within the state treasury. The state treasurer shall credit the money received from the department under this section to the wildlife resource protection fund. The money in the wildlife resource protection fund shall be expended by the department for the following purposes:

(a) Rewards for information leading to the arrest and prosecution of poachers and persons who obstruct or interfere in the lawful taking of animals or aquatic species in violation of section 40112 or 48702a, respectively. If a violation of section 40112 or 48702a involved killing a person engaged in lawfully taking an animal or aquatic species, the reward shall be \$5,000.00. A person whose lawful taking of an animal or aquatic species is obstructed or interfered in is not eligible to receive a reward under this subdivision.

(b) Hiring conservation officers for the investigation of poaching and the investigation of tips regarding potential poaching.

(c) A promotional and educational campaign to inform the general public on 1 or more of the following:

(i) The harm and danger of poaching.

(ii) The reward for information that leads to the arrest and prosecution of poachers and persons who obstruct or interfere in the lawful taking of animals or aquatic species in violation of section 40112 or 48702a, respectively.

(iii) Other antipoaching programs undertaken by the department.

(iv) How to identify and report persons who obstruct or interfere in the lawful taking of animals or aquatic species in violation of section 40112 or 48702a, respectively.

(3) At the time a person purchases a license or stamp under this part, he or she may make a voluntary contribution in any amount to the wildlife resource protection fund to be expended for the purposes provided in subsection (2). A person who wishes to make such a contribution may purchase 1 or more conservation law enforcement stamps from a person authorized to issue licenses and sportcards under this part.

(4) The department shall annually report to the legislature on the expenditures from the wildlife resource protection fund.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 1998, Act 472, Eff. Mar. 23, 1999.

Popular name: Act 451

Popular name: NREPA

324.43556 Hunter access leases on private land; lease payments; control of hunter access by participating landowners; cancellation of lease agreement; forfeiture of lease payments; posting boundaries of leased land; cause of action for injuries; orders.

Sec. 43556. (1) The department may utilize the game and fish protection account for the purpose of acquiring and administering hunter access leases on private land.

(2) The department may determine and provide lease payments in amounts that are related to the benefits the leased land provides for public use if for a designated lease period a participating landowner agrees to allow public access to certain lands for the purpose of hunting. Department field personnel shall inspect the lands and determine their value to the program. Final approval of lease proposals shall be made by the department.

(3) Participating landowners have authority to control hunter access according to the terms of the lease agreement, including terms requiring a hunter to obtain verbal or written permission to hunt on the participating landowners' land.

(4) Pursuant to rules adopted under this section, participating landowners may cancel their lease agreement at any time prior to the expiration of the lease. Cancellation of the agreement prior to the expiration of the lease shall result in the forfeiture of all lease payments that have been received by the participating landowner for the year in which cancellation occurs.

(5) Participating landowners shall post, with signs provided by the department, the boundaries of land leased under this section.

(6) A cause of action shall not arise for injuries to persons hunting on lands leased under this section unless the injuries were caused by the gross negligence or willful and wanton misconduct of the owner, tenant, or lessee.

(7) The department may issue orders pursuant to part 401 governing the administration and operation of a hunting access program.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2004, Act 587, Eff. Dec. 23, 2006.

Compiler's note: Enacting section 2 of Act 587 of 2004 provides:

"Enacting section 2. This amendatory act does not take effect unless House Joint Resolution Z of the 92nd Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."

Popular name: Act 451

Popular name: NREPA

324.43557 License application lists, information, and publications; sale; price; disposition of proceeds.

Sec. 43557. The department may sell, or contract for the sale of, license application lists or information filed with the department pursuant to this part and related publications of the department. The department shall establish the price for the lists, information, and publications, and the proceeds of all sales pursuant to

this section shall be credited to the game and fish protection account in the manner prescribed in section 43553.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2004, Act 587, Eff. Dec. 23, 2006.

Compiler's note: Enacting section 2 of Act 587 of 2004 provides:

"Enacting section 2. This amendatory act does not take effect unless House Joint Resolution Z of the 92nd Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."

Popular name: Act 451

Popular name: NREPA

324.43558 Prohibited conduct; misdemeanor; penalties; carrying firearm under influence of controlled substance or alcohol; effect of prior conviction; violation of subsection (1)(d) as misdemeanor; violation of 43516(3) penalties.

Sec. 43558. (1) A person is guilty of a misdemeanor if the person does any of the following:

(a) Makes a false statement as to material facts for the purpose of obtaining a license or uses or attempts to use a license obtained by making a false statement.

(b) Affixes to a license a date or time other than the date or time issued.

(c) Issues a license without receiving and remitting the fee to the department.

(d) Except as otherwise provided in this section, without a license, takes or possesses a wild animal, wild bird, or aquatic species, except aquatic insects. This subdivision does not apply to an individual less than 17 years of age who without a license takes or possesses aquatic species.

(e) Sells, loans, or permits in any manner another individual to use the individual's license or uses or attempts to use another individual's license.

(f) Falsely makes, alters, forges, or counterfeits a sportcard or a hunting, fishing, or fur harvester's license or possesses an altered, forged, or counterfeited hunting, fishing, or fur harvester's license.

(g) Uses a tag furnished with a deer license, bear hunting license, elk hunting license, or wild turkey hunting license more than 1 time, or attaches or allows a tag to be attached to a deer, bear, elk, or turkey other than a deer, bear, elk, or turkey lawfully killed by the individual.

(h) Except as provided by law, makes an application for, obtains, or purchases more than 1 license for a hunting, fishing, or trapping season, not including a limited fishing license, second deer license, antlerless deer license, or other license specifically authorized by law, or if the applicant's license has been lost or destroyed.

(i) Applies for, obtains, or purchases a license during a time that the individual is ineligible to secure a license.

(j) Knowingly obtains, or attempts to obtain, a resident or a senior license if that individual is not a resident of this state.

(2) Except as provided in subsection (5), a person who violates subsection (1) shall be punished by imprisonment for not more than 90 days or a fine of not less than \$25.00 or more than \$250.00 and the costs of prosecution, or both. In addition, the person shall surrender any license and license tag that was wrongfully obtained.

(3) An individual licensed to carry a firearm under this part is prohibited from doing so while under the influence of a controlled substance or alcohol or a combination of a controlled substance and alcohol. An individual who violates this subsection is guilty of a misdemeanor punishable by imprisonment for 90 days or a fine of \$500.00, or both.

(4) An applicant for a license under this part who has previously been convicted of a violation of the game and fish laws of this state may be required to file an application with the department together with other information that the department considers expedient. The license may be issued by the department.

(5) An individual who violates subsection (1)(d), upon a showing that the individual was ineligible to secure a license under court order or other lawful authority, is guilty of a misdemeanor punishable by imprisonment for not more than 180 days or a fine of not less than \$500.00 and not more than \$2,500.00, or both, and the costs of prosecution.

(6) An individual who violates section 43516(3) is subject to the following:

(a) For a first offense, is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$150.00.

(b) For a second or subsequent offense, is guilty of a misdemeanor as provided in section 43560.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013;—Am. 2022, Act 23, Eff. June 8, 2022.

Popular name: Act 451

Popular name: NREPA

324.43559 Violation; revocation of license; suspension order; compliance; rescission; failure to answer citation or notice to appear; failure to comply with court order or judgment.

Sec. 43559. (1) If a person is convicted of violating this part, or another law relative to hunting, fishing, or trapping that does not otherwise require the revocation of, or prohibit the securing of, 1 or more licenses, the court may order the revocation of 1 or more of the person's licenses and may by order provide that the person shall not secure 1 or more licenses for not less than the remainder of the year in which convicted and during the next succeeding year, or longer in the discretion of the court.

(2) The department shall comply with a suspension order issued as provided in the support and parenting time enforcement act, 1982 PA 295, MCL 552.601 to 552.650, within 7 days after receipt of the suspension order.

(3) An order rescinding a suspension order issued under the support and parenting time enforcement act, 1982 PA 295, MCL 552.601 to 552.650, is effective upon its entry by the court and purchase by the licensee of a replacement license.

(4) If a person is charged with, or convicted of, a violation of this part, or another law relative to hunting, fishing, or trapping, and the person fails to answer a citation or a notice to appear in court, or for any matter pending, or fails to comply with an order or judgment of the court, the court shall immediately give notice by first-class mail sent to the person's last known address that if the person fails to appear within 7 days after the notice is issued, or fails to comply with the order or judgment of the court within 14 days after the notice is issued, the department shall suspend the person's hunting, fishing, and trapping licenses. If the person fails to appear within the 7-day period, or fails to comply with the order or judgment of the court within the 14-day period, the court shall immediately inform the department. The department shall immediately suspend the person's hunting, fishing, and trapping licenses and notify the person of the suspension by first-class mail sent to the person's last known address.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 1998, Act 95, Eff. Aug. 10, 1998;—Am. 2013, Act 37, Imd. Eff. May 28, 2013.

Popular name: Act 451

Popular name: NREPA

324.43560 Violation as misdemeanor; penalty; failure to exhibit license; civil infraction; civil fine.

Sec. 43560. (1) An individual who violates this part or a rule promulgated under this part, for which a penalty is not otherwise provided for in this section or this part, is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not less than \$25.00 or more than \$250.00 and the costs of prosecution, or both.

(2) An individual who fails to exhibit a hunting, fur harvester's, or fishing license in violation of section 43516(3) is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$150.00.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2022, Act 15, Imd. Eff. Feb. 23, 2022.

Popular name: Act 451

Popular name: NREPA

324.43561 Rules.

Sec. 43561. The department may promulgate rules for the administration of this part.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997.

Popular name: Act 451

Popular name: NREPA