

Act No. 154
Public Acts of 1996
Approved by the Governor
April 3, 1996
Filed with the Secretary of State
April 3, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Reps. Green, Kukuk, Horton, Goschka, Brewer, Rhead, McManus, Pitoniak, Anthony, Lowe, Voorhees, Walberg, Hanley, Middleton, Jersevic and Llewellyn

ENROLLED HOUSE BILL No. 5453

AN ACT to amend section 40116 of Act No. 451 of the Public Acts of 1994, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," as added by Act No. 57 of the Public Acts of 1995, being section 324.40116 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 40116 of Act No. 451 of the Public Acts of 1994, as added by Act No. 57 of the Public Acts of 1995, being section 324.40116 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 40116. (1) A person shall not take game during the established daylight shooting hours from August 15 through April 30 unless the person wears a cap, hat, vest, jacket, or rain gear of the highly visible color commonly referred to as hunter orange. Hunter orange includes blaze orange, flame orange, or fluorescent blaze orange, and camouflage that is not less than 50% hunter orange. The garments that are hunter orange shall be the hunter's outermost garment and shall be visible from all sides of the hunter. This section does not apply to a person engaged in the taking of deer with a bow during archery deer season, a person taking bear with a bow, or a person engaged in the taking of waterfowl, crow, or turkey.

(2) The failure of a person to comply with this section is not evidence of contributory negligence in a civil action for injury to the person or for the person's wrongful death.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.