



House Office Building, 9 South  
Lansing, Michigan 48909  
Phone: 517/373-6466

## HUNTING: "SHINING"

Senate Bill 388 (Substitute H-1)

Sponsor: Sen. Loren Bennett

Addendum to SFA analysis (10-3-00)

Senate Committee: Hunting, Fishing and  
Forestry

House Committee: Conservation and  
Outdoor Recreation

### ADDENDUM TO SENATE FISCAL AGENCY ANALYSIS OF SB 388 DATED 4-24-00:

#### *HOUSE COMMITTEE ACTION:*

The Senate Fiscal Agency Analysis reflects the bill as passed by the Senate. The Senate-passed version of Senate Bill 388 amended Part 401 of the Natural Resources and Environmental Protection Act (NREPA), concerning wildlife conservation, to prohibit a person from casting an artificial light onto, or near, farm buildings in order to locate animals (commonly referred to as "shining.") The House Conservation and Outdoor Recreation Committee adopted Substitute H-1 for this bill, which would instead amend the Michigan Penal Code to make it a misdemeanor to commit this act.

The substitute bill would add a new section to the penal code (MCL 750.552c) to specify that a person who, while on or along a public or private street, highway, or roadway, willfully cast or directed the rays of an artificial light upon a private dwelling, or a farm building or outbuilding associated with a private dwelling, or over land within 100 yards of such a dwelling, farm building, or outbuilding, would be guilty of a misdemeanor. However, this provision would not apply to any of the following:

- A person acting with the permission of the owner of the building or buildings, acting within 100 yards of the building.
- A person operating an emergency vehicle while performing his or her duties.
- A public or private utility company employee working within the scope of his or her employment.
- The use of headlights by a person operating a vehicle in a lawful manner on a street, highway, or roadway.
- A person using an artificial light to locate or identify a house or mailbox number.

***POSITIONS:***

The Department of Natural Resources (DNR) supports the bill. (10-2-00)

The Michigan Hunting Dog Federation supports the bill. (10-2-00)

The Michigan Bow Hunters organization supported the bill as passed by the Senate, but does not support the House substitute bill. (10-2-00)

The Michigan United Conservation Clubs (MUCC) opposes the bill. (10-2-00)

Analyst: R. Young

---

*#*This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.