

Legislative Analysis



HUNTER ORANGE REQUIREMENTS FOR HUNTING BLINDS

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House Bill 5914 (Substitute H-4)
Sponsor: Rep. Joseph Rivet
Committee: Conservation and Outdoor Recreation
First Analysis (6-24-04)

BRIEF SUMMARY: The bill would require hunting blinds to be hunter orange in color.

FISCAL IMPACT: This bill would not have a fiscal impact on the State or on local governmental units.

THE APPARENT PROBLEM:

In 1977, Michigan became the 16th state to enact a law requiring hunter's to wear "hunter orange" while afield, when it enacted Public Act 68. The law was enacted amid concern over continued hunting accidents in the state, as it was believed that many of hunting accidents could have been avoided if hunters were required to wear clothing that better distinguished them from their environment. The hunter orange requirement, along with hunter education and safety requirements, is responsible for a dramatic reduction in the number of hunting accidents and fatalities in the state over the past three decades. Nevertheless, it is believed that the law (and, therefore, the safety of hunters) could be improved upon by requiring hunting blinds to also contain hunter orange.

THE CONTENT OF THE BILL:

The bill would amend Part 401 (Wildlife Conservation) the Natural Resources and Environmental Protection Act to prohibit a person from using a blind to take game on public hunting land, unless hunter orange is visible on the exterior surface of the blind from all sides. Consistent with other hunter orange requirements, the requirement under the bill would not apply to persons hunting deer with a bow during the archery deer season, persons taking bear with a bow, or persons taking waterfowl, crow, or turkey. In addition, the hunter orange clothing requirement would not apply to a person using a blind while hunting.

The bill would define "blind" to mean an enclosure used to help conceal or disguise the occupant for the purpose of taking game, though it would not include an enclosure built of dead natural materials found in nature.

MCL 324.40116

ARGUMENTS:

For:

Requiring portable hunting blinds to have a visible amount of hunter orange is needed for the safety of hunters in the state. Hunting blinds are used to conceal one's location while hunting. The entire purpose of the hunter orange clothing requirement is defeated when one sits in an enclosed hunting blind.

POSITIONS:

The Department of Natural Resources supports the bill. (6-23-04)

Legislative Analyst: Mark Wolf
Fiscal Analyst: Kirk Lindquist

■ 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.