

# HOUSE BILL No. 4867

June 19, 2003, Introduced by Reps. Koetje, Tabor, Sheltroun, Hummel, Robertson, Stakoe, Brown, Newell, Ehardt, Hoogendyk, Middaugh, Meyer, Rocca, Acciavatti, Emmons, Mortimer and Palsrok and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 504, 43510, and 43516 (MCL 324.504, 324.43510, and 324.43516), section 504 as amended by 1996 PA 171, section 43510 as amended by 1996 PA 585, and section 43516 as added by 1995 PA 57.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

HOUSE BILL No. 4867 1       Sec. 504. (1) The department shall promulgate rules for the  
2 protection of the lands and property under its control against  
3 wrongful use or occupancy as will ensure the carrying out of the  
4 intent of this part to protect the lands and property from  
5 depredations and to preserve the lands and property from  
6 molestation, spoliation, destruction, or any other improper use  
7 or occupancy.

8       (2) This section does not allow the department to promulgate

1 a rule that applies to commercial fishing except as otherwise  
2 provided by law.

3 (3) The department shall not promulgate or enforce a rule  
4 that prohibits an individual who is licensed or exempt from  
5 licensure under 1927 PA 372, MCL 28.421 to 28.435, from carrying  
6 a pistol in compliance with that act, whether concealed or  
7 otherwise, on property under the control of the department.

8 (4) The department shall issue orders necessary to implement  
9 rules promulgated under this section. These orders shall be  
10 effective upon posting.

11 (5) A person who violates a rule promulgated under this  
12 section or an order issued under this section is responsible for  
13 a state civil infraction and may be ordered to pay a civil fine  
14 of not more than \$500.00.

15 Sec. 43510. (1) ~~A~~ Subject to subsection (2), a person  
16 shall not carry or transport a firearm, slingshot, bow and arrow,  
17 crossbow, or a trap while in any area frequented by wild animals  
18 unless that person has in his or her possession a license as  
19 required under this part.

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

25 (a) The person has in his or her possession a license to  
26 carry a concealed pistol under 1927 PA 372, MCL 28.421 to  
27 28.435.

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

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

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

8 (3) Subsection (2) does not authorize the use of the pistol  
9 for hunting.

10 Sec. 43516. (1) A person who has been issued a hunting,  
11 fishing, or fur harvester's license, when hunting, fishing, or  
12 trapping or, **subject to section 43510(2)**, in the possession of  
13 firearms or other hunting, fishing, or trapping apparatus in an  
14 area frequented by wild animals or fish, shall carry the license  
15 and shall exhibit the license upon the demand of a conservation  
16 officer, a law enforcement officer, or the owner or occupant of  
17 the land. ~~upon which the person is hunting, fishing, or~~  
18 ~~trapping.~~

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

1 the land. ~~upon which the person is hunting.~~