

Legislative Analysis



HUNTER ORANGE

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4897

Sponsor: Rep. Joel Sheltroun

Committee: Tourism, Outdoor Recreation and Natural Resources

Complete to 5-18-09

A REVISED SUMMARY OF HOUSE BILL 4897 AS INTRODUCED 5-6-09

The bill would (1) add to existing "hunter orange" exceptions and (2) require deer blinds to display at least 144 square inches of "hunter orange."

The bill would amend Section 40116 of the Natural Resources and Environmental Protection Act (MCL 324.40116) which requires hunters taking game between August 15 and April 30 during established daylight shooting hours to wear caps, hats, vests, jackets, or raingear of the highly visible color commonly referred to as "hunter orange" (including blaze orange, flame orange, and fluorescent blaze orange). The hunter orange must be on the hunter's outermost garment and be visible from all sides.

Exceptions. Currently, archery deer and bear hunters and people hunting turkey or migratory birds other than woodcock are exempt from the hunter orange requirements. The bill would expand the exceptions to include all of the following, with new exceptions listed in *italics*:

- Persons hunting deer with a bow *or a crossbow* during archery deer season.
- Persons hunting bear with a bow *or a crossbow*.
- Persons hunting turkey or migratory birds other than woodcock.
- *Persons engaged in the sport of falconry.*
- *Persons who are stationary and in the act of hunting bobcat, coyote, or fox.*

Blinds. Under the bill, a person could not hunt deer from a blind with a firearm unless 144 square inches of hunter orange were visible on the exterior surface of the blind from all sides. A "blind" would mean "an enclosure used to help conceal or disguise the occupant for the purposes of taking game."

Noncompliance not contributory negligence. As in current law, a hunter's failure to wear or display hunter orange would not be considered contributory negligence in a civil court case arising from the hunter's injury or death.

FISCAL IMPACT:

The bill would not have a fiscal impact on the state or on local units of government.

Legislative Analyst: Shannan Kane
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.