



Senate Fiscal Agency  
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BILL ANALYSIS

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House Bill 4897 (Substitute H-2 as passed by the House)  
Sponsor: Representative Joel Sheltroun  
House Committee: Tourism, Outdoor Recreation and Natural Resources  
Senate Committee: Hunting, Fishing and Outdoor Recreation

Date Completed: 6-18-09

### **CONTENT**

**The bill would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act to create an exception to a requirement that a hunter wear hunter orange, for certain hunters using a crossbow, engaged in falconry, or engaged in a stationary hunt.**

Part 401 prohibits a person from taking game during established daylight shooting hours from August 15 through April 30 unless he or she wears a cap, hat, vest, jacket, or rain gear of hunter orange. Hunter orange includes camouflage that is at least 50% hunter orange. The hunter orange garments must be the hunter's outermost garment and must be visible from all sides of the person.

These provisions do not apply to a person taking deer with a bow during archery deer season, taking bear with a bow, or taking turkey or migratory birds other than woodcock. The bill would extend the exception to a person taking deer with a crossbow during archery deer season, a person taking bear with a crossbow, a person engaged in the sport of falconry, and a person who was stationary and in the act of hunting bobcat, coyote, or fox.

(Except as otherwise provided, a person who violates Part 401 is guilty of a misdemeanor punishable by imprisonment for up to 90 days and/or a fine of at least \$50 but not more than \$500, and the costs of prosecution.)

MCL 324.40116

Legislative Analyst: Julie Cassidy

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on local government. There are no data to indicate how many offenders taking a deer with a crossbow during archery deer season, taking a bear with a crossbow, engaging in falconry, or hunting a bobcat, coyote, or fox while stationary are or will be convicted of not wearing hunter orange under current law. To the extent that the bill would decrease convictions, local governments would incur decreased costs of misdemeanor probation and incarceration in local facilities, which vary by county, and public libraries would receive less penal fine revenue.

Fiscal Analyst: Lindsay Hollander

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.