

Act No. 65
Public Acts of 2009
Approved by the Governor
July 1, 2009
Filed with the Secretary of State
July 2, 2009
EFFECTIVE DATE: July 2, 2009

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2009**

Introduced by Rep. Sheltroun

ENROLLED HOUSE BILL No. 4897

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 40116 (MCL 324.40116), as amended by 2004 PA 325.

The People of the State of Michigan enact:

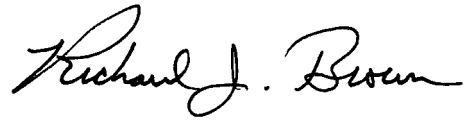
Sec. 40116. (1) A person shall not take game during the established daylight shooting hours from August 15 through April 30 unless the person wears a cap, hat, vest, jacket, or rain gear of hunter orange. Hunter orange includes camouflage that is not less than 50% hunter orange. The garments that are hunter orange shall be the hunter's outermost garment and shall be visible from all sides of the hunter.

(2) Subsection (1) does not apply to a person engaged in the taking of deer with a bow or crossbow during archery deer season, a person taking bear with a bow or crossbow, a person engaged in the taking of turkey or migratory birds other than woodcock, a person engaged in the sport of falconry, or a person who is stationary and in the act of hunting bobcat, coyote, or fox.


(3) The failure of a person to comply with this section is not evidence of contributory negligence in a civil action for injury to the person or for the person's wrongful death.

(4) As used in this section, "hunter orange" means the highly visible color commonly referred to as hunter orange and includes blaze orange, flame orange, and fluorescent blaze orange.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor