

Act No. 109
Public Acts of 2009
Approved by the Governor
October 1, 2009
Filed with the Secretary of State
October 1, 2009
EFFECTIVE DATE: October 1, 2009

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

Introduced by Senator Barcia

ENROLLED SENATE BILL No. 164

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 40114 (MCL 324.40114), as amended by 2008 PA 169.

The People of the State of Michigan enact:

Sec. 40114. (1) The department may issue a permit to a person who is unable to walk because the person is a paraplegic or an amputee or because of a disease or injury that has rendered the person permanently disabled. A permit issued under this subsection authorizes the person to take game during the open season for that game, including deer of either sex, from or upon a standing vehicle if that person holds a license to take that game issued pursuant to part 435 and complies with all other laws and rules for the taking of game.

(2) The department may issue a permit to a person who is permanently disabled, who has full use of only 1 arm, and who upon investigation is unable to hold, aim, and shoot a bow. A permit issued under this subsection authorizes the person to take game during the open season for that game with a bow that has been modified so that the bow may be held, aimed, and shot with 1 arm, if that person holds a license to take that game issued pursuant to part 435 and complies with all other laws and rules for the taking of game.

(3) The commission may issue an order under section 40113a regulating the taking of game with a modified bow that may be shot with 1 arm. Subsection (2) does not apply on or after the effective date of such an order.

(4) In addition, the department may issue permits authorizing 1 or more of the following:

- (a) The taking or possession of animals for the purpose of rehabilitating animals.
- (b) The taking of animals to prevent or control damage and nuisance caused by the animals.
- (c) The collection, transportation, possession, or disposition of animals and parts of animals for scientific purposes.
- (d) The public exhibition of animals.
- (e) Taxidermy.
- (f) The disposition of accidentally or unlawfully taken or injured animals or animals that are unlawfully possessed.
- (g) The taking of game with a crossbow by a person who is permanently or temporarily disabled.

(5) A permit issued under this section may be suspended, revoked, annulled, withdrawn, recalled, canceled, or amended pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. If the holder of a permit is convicted of violating the permit or this section, his or her permit or license may be revoked and any animal and the parts of any animal in his or her possession shall be disposed of in a manner approved by the department.

(6) Fees received for permits and licenses issued under this section shall be forwarded by the department to the state treasurer to be credited to the game and fish protection account of the Michigan conservation and recreation legacy fund provided for in section 2010.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved

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Governor