



Senate Fiscal Agency
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Senate Bills 244, 245, and 246 (as introduced 3-26-15)

Sponsor: Senator Phil Pavlov (S.B. 244)

Senator Dale W. Zorn (S.B. 245 & 246)

Committee: Outdoor Recreation and Tourism

Date Completed: 4-22-15

CONTENT

Senate Bill 244 would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act (NREPA) to increase the restitution to the State for an individual convicted of illegally killing, possessing, purchasing, or selling certain game or protected animals.

Senate Bill 245 would amend Part 401 of NREPA to increase the number of years an individual is prohibited from securing or possessing a hunting license if the individual is convicted of illegally killing, possessing, purchasing, or selling a bear, or possessing or taking an elk or moose.

Senate Bill 246 would amend the sentencing guidelines in the Code of Criminal Procedure to revise the citation to a section of the Natural Resources and Environmental Protection Act that Senate Bill 245 would amend.

All of the bills are tie-barred and would take effect 90 days after being signed into law. A more detailed description of Senate Bills 244 and 245 follows.

Senate Bill 244

Part 401 of NREPA requires an individual convicted of illegally killing, possessing, purchasing, or selling game or protected animals to reimburse the State for the value of the animal. The bill would increase the reimbursement amount for some of the animals. Table 1 shows the current rate of reimbursement as well as the amount proposed under the bill, for those that would be changed.

Table 1

Animal	Current Law	Senate Bill 244
Elk	\$1,500 per animal	\$5,000 per animal plus an additional \$250 for each point for an elk with 8-10 points, or an additional \$500 for each point for an elk with 11 or more points
Moose	\$1,500 per animal	\$5,000 per animal plus an additional \$5,000 for an antlered moose
Bear	\$1,500 per animal	\$3,500 per animal

Eagle	\$0, or \$1,500 per animal if it appears on a list of endangered or threatened species.	\$1,500 per animal
Deer, owl, wild turkey	\$1,000 per animal	\$1,000 per animal plus an additional \$1,000 for a turkey with a beard
Waterfowl	\$0	\$500 per animal

Senate Bill 245

In addition to fines and penalties, Part 401 specifies that an individual sentenced for certain violations may not secure or possess a license of any kind to hunt for the remainder of the year in which convicted and a specified number of additional years. The bill would increase the number of years for individuals sentenced for illegally killing, possessing, purchasing, or selling a bear, or possessing or taking an elk or moose. [Table 2](#) shows the number of years beyond the current year that an individual is prohibited from securing or possessing a hunting license under the current law as well as under the bill.

Table 2

Animal	Current Law	Senate Bill 245
Bear (First offense)	3 years	5 years
Bear (Subsequent offense)	3 years	10 years
Elk or Moose (First offense)	3 years	15 years
Elk or Moose (Subsequent offense)	3 years	Life

MCL 324.40119 (S.B. 244)
324.40118 (S.B. 245)
777.13e (S.B. 246)

Legislative Analyst: Ryan M. Bergan

FISCAL IMPACT

The bills would have a positive fiscal impact on the Department of Natural Resources and no fiscal impact on local units of government. The bills would generally increase the amount of restitution owed by an individual convicted of illegally killing, possessing, purchasing, or selling certain species. At this time, an estimate of how much revenue the increased restitution would generate is not available, but any additional restitution revenue generated by the changes in the bills would be credited to the Game and Fish Protection Fund.

Fiscal Analyst: Josh Sefton

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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.