



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 1073 (as introduced 9-8-16)
Sponsor: Senator Arlan Meekhof
Committee: Outdoor Recreation and Tourism

Date Completed: 9-20-16

CONTENT

The bill would amend Part 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to do the following:

- **Require an individual who held a hunting, fur harvester's, or fishing license, beginning March 1, 2018, to carry it or, if applicable, an electronic copy of the license, and to exhibit it upon demand under certain conditions.**
- **Specify that an individual who displayed an electronic copy of his or her license would not be presumed to have consented to a search of the device.**
- **Specify that the State or a law enforcement agency, or its employees, would not be liable for damage to an electronic device that occurred as a result of a conservation officer or law enforcement officer viewing an electronic copy of the license.**
- **Require the Department of Natural Resources, by March 1, 2018, to develop an electronic base license for display on an electronic device.**
- **Allow the Department to develop an electronic license that allowed an individual to display an electronic copy of his or her kill tag for various hunting licenses.**

The bill also would repeal Section 43545, which prohibits the Department, beginning March 1, 2019, from assessing or collecting any license or permit fees authorized under Part 435.

Currently, an individual who holds a hunting, fur harvester's, or fishing license must carry it and exhibit the license upon the demand of a conservation officer, a law enforcement officer, a tribal conservation officer under certain conditions, or the owner or occupant of the land if either or both of the following apply:

- The individual is hunting, trapping, or fishing.
- Except as otherwise provided, the individual is in possession of a firearm or other hunting, trapping, or fishing apparatus in an area frequented by wild animals or fish, as applicable.

Under the bill, this requirement would apply until March 1, 2018. Beginning on that date, an individual who held a hunting, fur harvester's, or fishing license would have to carry it or, if applicable, an electronic copy of the license and would have to exhibit it as currently required.

An individual who displayed an electronic copy of his or her license using an electronic device would not be presumed to have consented to a search of the device. The State or a law enforcement agency, or its employees, would not be liable for damage to or loss of an electronic device that occurred as a result of a conservation officer or law enforcement officer

viewing an electronic copy of the license, regardless of whether the officer or individual was in possession of the electronic device at the time the damage or loss occurred.

The bill would require the Department to continue to explore the expanded use of electronic technology to provide additional services that would enhance hunting and fishing experiences for individuals in the State.

Under Part 435, except as otherwise provided, an individual may not hunt small game unless he or she possesses a current base license. A base license authorizes the individual named in the license to hunt for small game, except for animals or birds that require a special license. The bill would require the Department, by March 1, 2018, to develop an electronic license that allowed an individual to display a copy of his or her base license using an electronic device.

The bill would allow the Department to develop an electronic license that allowed an individual to display an electronic copy of his or her kill tag under Sections 43524, 43527a, 43528, 43528a, 43528b, and 43529. (Those sections provide for wild turkey hunting licenses, second deer licenses and kill tags, bear hunting licenses and kill tags, moose hunting licenses and kill tags, wolf hunting licenses and kill tags, and elk hunting licenses and kill tags, respectively.)

MCL 324.43516 et al.

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on the Department of Natural Resources (DNR) and no fiscal impact on local units of government. The bill would require the DNR to develop an electronic base hunting license by March 1, 2018. It is not clear how much the development would cost, or if development would be possible within existing contracts. Any additional costs would likely be borne by existing appropriations from the Game and Fish Protection Fund.

The bill also would repeal a March 1, 2019, sunset on all hunting and fishing license fees. In total, those fees generate approximately \$62.5 million per year, are credited to the Game and Fish Protection Fund, and support the DNR's fish and game management programs.

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.