



**Senate Fiscal Agency**  
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**BILL ANALYSIS**

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Senate Bill 1074 (as introduced 9-8-16)  
Sponsor: Senator Dale W. Zorn  
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 license that an individual could use to display his or her waterfowl license on an electronic device.**

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 16 years of age or older is prohibited from hunting waterfowl without a current waterfowl hunting license issued by the State. This license requirement is in addition to the requirements for a base hunting license and Federal migratory bird hunting stamp. Under the bill, by March 1, 2018, the Department would have to develop an electronic license that allowed an individual to display an electronic copy of his or her waterfowl hunting license using an electronic device.

MCL 324.43516 & 324.43525b

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 waterfowl 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.

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.