



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 4239 (Substitute S-2 as reported by the Committee of the Whole)  
Sponsor: Representative Charles Smiley  
House Committee: Tourism and Outdoor Recreation  
Senate Committee: Outdoor Recreation and Tourism

**CONTENT**

The bill would amend the Natural Resources and Environmental Protection Act to allow an individual who held a valid permit to hunt from a standing vehicle to transport or possess an uncased firearm with a loaded magazine on a personal assistive mobility device if the action were open. (The Act allows the Department of Natural Resources to issue a permit to take game, from or upon a standing vehicle, to an individual who is unable to walk because he or she is a paraplegic or an amputee, or is otherwise permanently disabled.)

An individual with a valid permit to hunt from a standing vehicle also could possess a loaded firearm, and could discharge that firearm to take game from a personal assistive mobility device if: a) the device were not moving, and b) the individual held a valid base license, held any other necessary license, and complied with all other laws and rules for the taking of game. (A base license authorizes the taking of small game, and specified fur-bearing animals by means other than trapping.)

The bill would define "personal assistive mobility device" as any device, including but not limited to one that is battery-powered, that is designed solely for use by an individual with mobility impairment for locomotion and is considered an extension of the individual.

In addition, the Act prohibits a person from transporting or possessing a bow in or upon a vehicle, unless the bow is unstrung, enclosed in a case, or carried in the trunk of a vehicle. Under the bill, the prohibition would apply while the vehicle was operated on public land or on a highway, road, or street. The bill also would extend this restriction to a crossbow.

In addition, the Act prohibits an individual from hunting within 150 yards of an occupied building, dwelling, house, or building used in connection with a farm operation, without the written permission of the owner or occupant of the property. Under the bill, this prohibition would apply to hunting with a firearm.

MCL 324.40111

Legislative Analyst: Jeff Mann

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 10-7-15

Fiscal Analyst: Josh Sefton