

HOUSE BILL No. 4564

May 7, 2015, Introduced by Reps. Dianda, Chirkun and Crawford and referred to the Committee on Judiciary.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 40111 and 43513 (MCL 324.40111 and 324.43513),
section 40111 as amended by 2012 PA 340 and section 43513 as
amended by 2013 PA 108.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40111. (1) Except as otherwise provided in subsection
2 (3), ~~or (4),~~ this part, or in a department order authorized under
3 section 40107, an individual shall not take an animal from in or
4 upon a vehicle.

5 (2) Except as otherwise provided in subsection (3), ~~or (4),~~
6 this part, or in a department order authorized under section 40107,
7 an individual shall not transport or possess a firearm in or upon a
8 vehicle, unless the firearm is unloaded. ~~in both barrel and~~
9 ~~magazine and enclosed in a case, carried in the trunk of a vehicle,~~

1 ~~or unloaded in a motorized boat.~~

2 (3) ~~A person with a disability may transport or possess a~~
3 ~~firearm in or upon a vehicle, except for a car or truck, on a state~~
4 ~~licensed game bird hunting preserve if the firearm is unloaded and~~
5 ~~the vehicle is operated at a speed of not greater than 10 miles per~~
6 ~~hour.~~ A person with a disability may possess a loaded firearm and
7 may discharge that firearm to take an animal from in or upon a
8 vehicle, except for a car or truck, on a state licensed game bird
9 hunting preserve if the vehicle is not moving. The department may
10 demand proof of eligibility under this subsection. An individual
11 shall possess proof of his or her eligibility under this subsection
12 and furnish the proof upon the request of a peace officer.

13 ~~— (4) An individual may transport or possess an unloaded firearm~~
14 ~~in or upon a vehicle on a sporting clays range.~~

15 (4) ~~(5)~~ Except as otherwise provided in this part, an
16 individual shall not transport or possess a bow in or upon a
17 vehicle, unless the bow is unstrung, enclosed in a case, or carried
18 in the trunk of a vehicle.

19 (5) ~~(6)~~ An individual shall not hunt or discharge a firearm
20 within 150 yards of an occupied building, dwelling, house,
21 residence, or cabin, or any barn or other building used in
22 connection with a farm operation, without obtaining the written
23 permission of the owner, renter, or occupant of the property.

24 (6) ~~(7)~~ As used in this section:

25 (a) "Person with a disability" means a disabled person as that
26 term is defined in section 19a of the Michigan vehicle code, 1949
27 PA 300, MCL 257.19a, and who is in possession of 1 of the

1 following:

2 (i) A certificate of identification or windshield placard
3 issued to a disabled person under section 675 of the Michigan
4 vehicle code, 1949 PA 300, MCL 257.675.

5 (ii) A special registration plate issued to a disabled person
6 under section 803d of the Michigan vehicle code, 1949 PA 300, MCL
7 257.803d.

8 (b) "Unloaded" means, for a break-action firearm, that the
9 action is open with the breech exposed, whether or not the breech
10 contains a shell. Unloaded means, for a non-break-action firearm,
11 that the barrel of the firearm does not contain a shell.

12 Sec. 43513. (1) An individual may carry, transport, or possess
13 a firearm without a hunting license if the firearm is unloaded. ~~in~~
14 ~~both barrel and magazine and either enclosed in a case or carried~~
15 ~~in a vehicle in a location that is not readily accessible to any~~
16 ~~occupant of the vehicle.~~ An individual may carry, transport, or
17 possess a slingshot, bow and arrow, or crossbow without a hunting
18 license if the slingshot, bow, or crossbow is unstrung, enclosed in
19 a case, or carried in a vehicle in a location that is not readily
20 accessible to any occupant of the vehicle.

21 (2) Regardless of whether the individual has a license or it
22 is open season for the taking of game, an individual may carry,
23 transport, possess or discharge a firearm, a bow and arrow, or a
24 crossbow if all of the following apply:

25 (a) The individual is not taking or attempting to take game
26 but is engaged in 1 or more of the following activities:

27 (i) Target practice using an identifiable, artificially

1 constructed target or targets.

2 (ii) Practice with silhouettes, plinking, skeet, or trap.

3 (iii) Sighting-in the firearm, bow and arrow, or crossbow.

4 (b) The individual is, or is accompanied by or has the
5 permission of, either of the following:

6 (i) The owner of the property on which the activity under
7 subdivision (a) is taking place.

8 (ii) The lessee of that property for a term of not less than 1
9 year.

10 (c) The owner or lessee of the property does not receive
11 remuneration for the activity under subdivision (a).

12 (3) An individual may carry, transport, or possess a firearm,
13 slingshot, bow and arrow, or crossbow without a hunting license if
14 the individual is hunting on a game bird hunting preserve licensed
15 under part 417.

16 (4) An individual may carry or possess an unloaded weapon at
17 any time if the individual is traveling to or from or participating
18 in a historical reenactment.

19 (5) AS USED IN THIS SECTION, "UNLOADED" MEANS THAT TERM AS
20 DEFINED IN SECTION 40111.

21 Enacting section 1. This amendatory act takes effect 90 days
22 after the date it is enacted into law.