

Act No. 461
Public Acts of 2016
Approved by the Governor
January 4, 2017
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STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016

**Introduced by Senators Meekhof, Hildenbrand, Booher, Brandenburg, Zorn, Shirkey, Marleau, Proos,
Horn, Jones, MacGregor, Stamas and Bieda**

ENROLLED SENATE BILL No. 1073

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 43516 and 43523a (MCL 324.43516 and 324.43523a), section 43516 as amended by 2016 PA 36 and section 43523a as added by 2013 PA 108, and by adding section 43526b; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

Sec. 43516. (1) Until March 1, 2018, an individual who has been issued a hunting, fur harvester's, or fishing license shall carry the license and shall exhibit the license upon the demand of a conservation officer, a law enforcement officer, a tribal conservation officer who complies with subsection (6), or the owner or occupant of the land if either or both of the following apply:

(a) The individual is hunting, trapping, or fishing.

(b) Subject to section 43510(2) and except as provided in section 43513, the individual is in possession of a firearm or other hunting or trapping apparatus or fishing apparatus in an area frequented by wild animals or fish, respectively.

(2) Subject to section 43510(2) and except as provided in section 43513, an individual shall not carry or possess afield a shotgun with buckshot, slug loads, or ball loads; a bow and arrow; a muzzle-loading rifle or black powder handgun; or a centerfire handgun or centerfire rifle during firearm deer season unless that individual has a valid deer license, with an unused kill tag, if issued, issued in his or her name. The individual shall exhibit an unused kill tag, if issued, upon the request of a conservation officer, a law enforcement officer, or the owner or occupant of the land.

(3) Beginning March 1, 2018, an individual who has been issued a hunting, fur harvester's, or fishing license shall carry the license or, if applicable, an electronic copy of the license and shall exhibit the license or, if applicable, an electronic copy of the license upon the demand of a conservation officer, a law enforcement officer, a tribal conservation officer who complies with subsection (6), or the owner or occupant of the land if either or both of the following apply:

(a) The individual is hunting, trapping, or fishing.

(b) Subject to section 43510(2) and except as provided in section 43513, the individual is in possession of a firearm or other hunting or trapping apparatus or fishing apparatus in an area frequented by wild animals or fish, respectively.

(4) An individual who displays an electronic copy of his or her license using an electronic device as provided in subsection (3) is not presumed to have consented to a search of the electronic device. This state, a law enforcement agency, a tribal conservation officer who complies with subsection (6), an employee of this state or a law enforcement agency, or the owner or occupant of the land is not liable for damage to or loss of an electronic device that occurs as a result of a conservation officer, a tribal conservation officer who complies with subsection (6), a law enforcement officer,

or the owner or occupant of the land viewing an electronic copy of a license in the manner provided in this section, regardless of whether the conservation officer, tribal conservation officer who complies with subsection (6), law enforcement officer, or owner or occupant of the land was in possession of the electronic device at the time the damage or loss occurred.

(5) The department shall continue to explore the expanded use of electronic technology to provide additional services that will enhance hunting and fishing experiences for individuals in this state.

(6) A tribal conservation officer under subsection (1), (3), or (4) must be in uniform, display proper credentials, and be on official duty within the ceded territory of the treaty of March 28, 1836, 7 Stat 491.

(7) As used in this section, "tribal conservation officer" means a conservation officer employed by the Great Lakes Indian fish and wildlife commission, the Bay Mills Indian Community, the Sault Ste. Marie Tribe of Chippewa Indians, the Little Traverse Bay Bands of Odawa Indians, the Grand Traverse Band of Ottawa and Chippewa Indians, or the Little River Band of Ottawa Indians.

Sec. 43523a. (1) Except as otherwise provided in this part, an individual shall not hunt small game, unless the individual 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.

(2) If authorized in an order issued under part 401, an individual who possesses a current base license may take specified fur-bearing animals by means other than trapping during the open season for hunting these fur-bearing animals. However, an individual who goes on a bobcat hunt with a licensed hunter is not required to possess a base license if the individual does not carry a firearm, bow, or crossbow and does not own dogs used to chase or locate a bobcat during the hunt.

(3) The fee for a base license is as follows:

- (a) Subject to subdivision (b), for a resident, \$10.00.
- (b) For a resident minor child or nonresident minor child, \$5.00.
- (c) Subject to subdivision (b), for a nonresident, \$150.00.

(4) A base license is void between the hours of 1/2 hour after sunset and 1/2 hour before sunrise with the exception of coyote hunting.

(5) A nonresident may purchase a limited nonresident small game license entitling that individual to hunt for a 7-day period all species of small game that are available to hunt under a nonresident base license. The fee for a limited nonresident small game license is \$80.00. The purchase of a 7-day limited nonresident small game license does not entitle the holder to purchase any additional licenses.

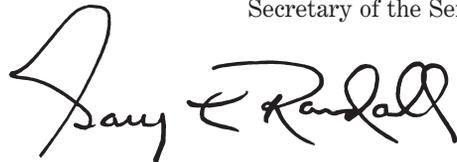
(6) Not later than March 1, 2018, the department shall develop an electronic license that allows an individual to display an electronic copy of his or her base license using an electronic device.

Sec. 43526b. The department may develop an electronic license that allows an individual to display an electronic copy of his or her kill tag under section 43524, 43527a, 43528, 43528a, 43528b, or 43529 using an electronic device.

Enacting section 1. Section 43545 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43545, is repealed.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor