

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.43558 Prohibited conduct; misdemeanor; penalties; carrying firearm under influence of controlled substance or alcohol; effect of prior conviction; violation of subsection (1)(d) as misdemeanor; violation of 43516(3) penalties.

Sec. 43558. (1) A person is guilty of a misdemeanor if the person does any of the following:

(a) Makes a false statement as to material facts for the purpose of obtaining a license or uses or attempts to use a license obtained by making a false statement.

(b) Affixes to a license a date or time other than the date or time issued.

(c) Issues a license without receiving and remitting the fee to the department.

(d) Except as otherwise provided in this section, without a license, takes or possesses a wild animal, wild bird, or aquatic species, except aquatic insects. This subdivision does not apply to an individual less than 17 years of age who without a license takes or possesses aquatic species.

(e) Sells, loans, or permits in any manner another individual to use the individual's license or uses or attempts to use another individual's license.

(f) Falsely makes, alters, forges, or counterfeits a sportcard or a hunting, fishing, or fur harvester's license or possesses an altered, forged, or counterfeited hunting, fishing, or fur harvester's license.

(g) Uses a tag furnished with a deer license, bear hunting license, elk hunting license, or wild turkey hunting license more than 1 time, or attaches or allows a tag to be attached to a deer, bear, elk, or turkey other than a deer, bear, elk, or turkey lawfully killed by the individual.

(h) Except as provided by law, makes an application for, obtains, or purchases more than 1 license for a hunting, fishing, or trapping season, not including a limited fishing license, second deer license, antlerless deer license, or other license specifically authorized by law, or if the applicant's license has been lost or destroyed.

(i) Applies for, obtains, or purchases a license during a time that the individual is ineligible to secure a license.

(j) Knowingly obtains, or attempts to obtain, a resident or a senior license if that individual is not a resident of this state.

(2) Except as provided in subsection (5), a person who violates subsection (1) shall be punished by imprisonment for not more than 90 days or a fine of not less than \$25.00 or more than \$250.00 and the costs of prosecution, or both. In addition, the person shall surrender any license and license tag that was wrongfully obtained.

(3) An individual licensed to carry a firearm under this part is prohibited from doing so while under the influence of a controlled substance or alcohol or a combination of a controlled substance and alcohol. An individual who violates this subsection is guilty of a misdemeanor punishable by imprisonment for 90 days or a fine of \$500.00, or both.

(4) An applicant for a license under this part who has previously been convicted of a violation of the game and fish laws of this state may be required to file an application with the department together with other information that the department considers expedient. The license may be issued by the department.

(5) An individual who violates subsection (1)(d), upon a showing that the individual was ineligible to secure a license under court order or other lawful authority, is guilty of a misdemeanor punishable by imprisonment for not more than 180 days or a fine of not less than \$500.00 and not more than \$2,500.00, or both, and the costs of prosecution.

(6) An individual who violates section 43516(3) is subject to the following:

(a) For a first offense, is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$150.00.

(b) For a second or subsequent offense, is guilty of a misdemeanor as provided in section 43560.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2013, Act 108, Imd. Eff. Sept. 17, 2013;—Am. 2022, Act 23, Eff. June 8, 2022.

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