



Senate Fiscal Agency
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Senate Bills 926 and 927 (as introduced 5-6-14)
Sponsor: Senator Tom Casperson (S.B. 926)
Senator Phil Pavlov (S.B. 927)
Committee: Outdoor Recreation and Tourism

Date Completed: 9-16-14

CONTENT

Senate Bill 926 would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act to prohibit the use of an aerial drone to interfere with or harass an individual who was lawfully taking an animal.

Senate Bill 927 would amend Part 401 to prohibit an individual from taking game using an aerial drone.

An individual who violated the prohibition under either bill would be subject to misdemeanor penalties prescribed in Part 401.

The bills are tie-barred.

Senate Bill 926

Part 401 prohibits an individual from obstructing or interfering in the lawful taking of animals by another individual, and prescribes actions that constitute a violation of this prohibition when the person acts knowingly or intentionally. An individual who violates the prohibition is guilty of a misdemeanor punishable by imprisonment for a maximum of 93 days and/or a fine of not less than \$500 or more than \$1,000, plus the costs of prosecution. A second or subsequent violation is a misdemeanor punishable by imprisonment for up to one year and/or a fine of \$1,000 to \$2,500, plus the costs of prosecution. Additionally, any permit or license issued by the Department of Natural Resources authorizing the individual to take animals must be revoked.

The bill would include among the illegal actions using an aerial drone to interfere with or harass another individual who was engaged in the process of lawfully taking an animal. "Aerial drone" would mean an unmanned vehicle or device that uses aerodynamic forces to achieve flight.

Senate Bill 927

The bill would prohibit an individual from taking game using an aerial drone.

Part 401 prescribes general penalties that apply to violations for which no penalty is specified. As a rule, a person who violates Part 401 regarding the possession or taking of game is guilty of a misdemeanor punishable by a term of imprisonment and/or a fine as shown in Table 1, as well as the costs of prosecution.

Table 1

Type of Game	Fine	Imprisonment
Deer, bear, wild turkey, wolf ¹	\$200-\$1,000	5-90 days
Elk ²	\$500-\$2,000	30-180 days
Moose ¹	\$1,000-\$5,000	90 days-1 year
All other game ²	\$100-\$1,000	90 days maximum

¹The violation is punishable by a fine and imprisonment

²The violation is punishable by a fine or imprisonment, or both

Additionally, a person sentenced for a violation involving deer, bear, wild turkey, wolf, elk, or moose may not secure or possess any kind of hunting license during the remainder of the year in which he or she was convicted and the next three years.

If a person is convicted of a Part 401 violation and previously had been convicted twice within the preceding five years, he or she is guilty of a misdemeanor punishable by imprisonment for at least 10 days and not more than 80 days and a fine of at least \$500 but not more than \$2,000, plus the costs of prosecution.

MCL 324.40102 & 324.40112 (S.B. 926)
324.40111c (S.B. 927)

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bills would have no fiscal impact on State government. The penalties associated with an increase in misdemeanor convictions would have a financial cost to local jails and court systems to prosecute violations and administer the sentences. Any associated fine revenue collected from convicted offenders would be directed to local public libraries.

Fiscal Analyst: John Maxwell

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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.