

# Legislative Analysis

---



## **INCREASE PENALTIES FOR IMPROPER IMPORTATION OF DEER OR ELK CARCASS**

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 5146 (proposed H-1 substitute)**

**Sponsor: Rep. John Kivela**

**Committee: Natural Resources**

**Complete to 2-22-16**

Analysis available at  
<http://www.legislature.mi.gov>

### **SUMMARY:**

House Bill 5146 would amend Section 40118 of the Natural Resources and Environmental Protection Act (NREPA) to increase the penalty for improper importation of deer or elk carcasses from a state or province detected to have chronic wasting disease in free-ranging deer or elk.

Presently, the act says any violation of Part 401, or an order or interim order issued under Part 401, is a misdemeanor punishable by not more than 90 days imprisonment and/or a fine of at least \$50 but not more than \$500, plus the costs of prosecution. Section 40118, however, contains several instances where specific violations result in a penalty differing from that default penalty. The bill would add a new violation to that list.

Under House Bill 5146, importing deer or elk carcasses from a state or province detected to have chronic wasting disease in free-ranging deer or elk populations in violation of an order or interim order would be a misdemeanor punishable by imprisonment for not more than 90 days, and/or a fine of not less than \$500 nor more than \$2,000, plus the costs of prosecution.

### **FISCAL IMPACT:**

Any increase in penal fine revenues would increase funding for local libraries, which are the constitutionally designated recipients of those revenues.

Legislative Analyst: Josh Roesner

Fiscal Analyst: Austin Scott

---

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.