

Legislative Analysis



INCREASE PENALTIES FOR IMPROPER IMPORTATION OF CERVID CARCASS

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<http://www.house.mi.gov/hfa>

House Bill 5146 (proposed H-2 substitute)

Sponsor: Rep. John Kivela

Committee: Natural Resources

Complete to 3-7-16

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 cervid carcasses, or parts of cervid carcasses, from a state or province detected to have chronic wasting disease.

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 a cervid carcass, or part of a cervid carcass, from a state or province detected to have chronic wasting disease 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.

The bill would exempt the hide, deboned meat, antlers, or antlers attached to a skullcap cleaned of brain and muscle tissue from this penalty.

FISCAL IMPACT:

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

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