

Legislative Analysis



ALLOW HUNTING WITH SMOKELESS POWDER MUZZLE-LOADING RIFLES

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House Bill 4554

Sponsor: Rep. Brian Calley

Committee: Tourism, Outdoor Recreation and Natural Resources

Complete to 6-25-07

A SUMMARY OF HOUSE BILL 4554 AS INTRODUCED 3-29-07

The bill would add a new section to the Natural Resources and Environmental Protection Act to prevent the Department of Natural Resources (DNR) and the Natural Resources Commission from banning the use of smokeless powder rifles to take game. Smokeless powder rifles would have to be allowed in circumstances in which black powder rifles can be used to take game. "Smokeless powder rifle" is not defined in the bill.

MCL 324.40113c

FISCAL IMPACT:

This bill would not have a fiscal impact on the state or on local governmental units.

BACKGROUND:

Muzzle-loaders. Currently, hunters may use black powder rifles to take game during the December "muzzle-loader only" season as well as during the all firearm deer seasons in the southern Michigan "shotgun" zone. (See map below.) In general, a "muzzle-loader" or "muzzle-loading" weapon is one in which the projectile and usually the propellant charge is loaded from the muzzle—the open end of the weapon's barrel.

Muzzle-loaders are available in both more primitive and modern forms. Most muzzleloaders can only be used with black powder or a synthetic substitute such as Pyrodex. Using smokeless powder in a muzzle-loader that is not designed for it may cause serious injury or death to the hunter or to bystanders. The online version of Michigan's hunter safety class states:

Black powder is the only type of powder that should be used in muzzleloaders. However synthetic substitutes, such as Pyrodex®, also can be used. Don't use modern-day smokeless powders in black powder firearms. Smokeless powders can cause serious injury if used in muzzleloaders.

www.hunter-ed.com/mi/course/ch5_know_your_muzzleloader.htm

On the other hand, at least one manufacturer of modern muzzle-loading weapons now produces a high-performance muzzle-loader that can use smokeless powder, in addition to black powder (or a black powder substitute). These weapons are reportedly powerful, highly accurate, and do not require as much cleaning as more primitive muzzle-loaders. Presumably, these are the weapons that the proponents of the bill want to allow.

Currently permitted uses of muzzle-loaders in Michigan. A white-tailed deer "muzzle-loader only" season is held in December of each year as follows:

Zone 1 (Upper Peninsula): 10 days starting 1st Friday in December (Dec. 7-16, 2007)

Zone 2 (Northern Lower Peninsula): 10 days starting 2nd Friday in December (Dec. 14-23, 2007)

Zone 3 (Southern Lower Peninsula): 17 days starting 1st Friday in December (Dec. 7-23, 2007)

In addition, current regulations allow for the use of a muzzle-loading rifle or black powder handgun during *all* firearm deer seasons in the southern Michigan "shotgun" zone. (See map on the following page for the boundaries of the Zones and of the "shotgun" line.)

Current prohibition on smokeless powder. The use of smokeless powder in a muzzle-loading weapon is currently unlawful statewide. The Wildlife Conservation Order which regulates hunting states:

"A person hunting deer with muzzle-loading firearm during the muzzle-loading and black-powder firearms only season shall only possess or carry afield, or take a deer with a muzzle-loading rifle, muzzle-loading shotgun, or black-powder pistol, loaded with black-powder or a commercially manufactured black-powder substitute."



Source: DNR website: http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-31537-,00.html

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