



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 52 (as reported without amendment)
Sponsor: Senator John Cherry
Committee: Natural Resources and Agriculture

CONTENT

The bill would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act to specify that an individual who violated Part 401 or an order issued under Part 401 regarding the reporting of a deer harvest or retention of a deer harvest confirmation number would be responsible for a State civil infraction instead of guilty of a misdemeanor.

MCL 324.40118

BRIEF RATIONALE

Wildlife Conservation Order 3.103 was amended effective June 10, 2022, to require a person who harvests a deer to report the harvest within 72 hours of retrieval and to retain the associated harvest confirmation number. The penalty for a violation under current law is a misdemeanor. Some people feel that this too punitive. Accordingly, some have suggested that the penalty be reduced to a civil infraction.

PREVIOUS LEGISLATION

(Please note: The information in this summary provides a cursory overview of previous legislation and its progress. It does not provide a comprehensive account of all previous legislative efforts on the relevant subject matter.)

The bill is a reintroduction of House Bill (HB) 6354 from the 2021-2022 Legislative Session. As introduced, HB 6354 was identical to Senate Bill 52; however, the House-passed version of HB 6354 would have prohibited the Natural Resources Commission from issuing an order requiring hunters to report the harvest of deer or retain a harvest confirmation number for that deer. That version of the bill passed the Senate and was ordered enrolled but was vetoed by Governor Gretchen Whitmer.

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill could result in savings for the State and local units of government. The bill would impose a civil fine (and eliminate a misdemeanor penalty) for failing to report a deer harvest or retain a deer harvest confirmation number and would eliminate imprisonment for this violation. The State or local jails could save the cost for misdemeanor probation supervision, which current average approximately \$3,400 per probationer per year. The cost of housing a prisoner in a local jail is paid based on a per diem, which can range from a low of \$40 to a high of \$65 day.

Any associated increase in fine revenue would increase funding to public libraries. Additionally, \$10 of the civil fine would be deposited into the State Justice System Fund. The Fund supports justice-related activities across State government in the Departments of Corrections, Health and Human Services, State Police, and Treasury. The Fund also supports justice-related issues

in the Legislative Retirement System and the Judiciary. The amount of revenue to the State or for local libraries is indeterminate and would depend on the actual number of violations.

Date Completed: 3-8-23

Fiscal Analyst: Joe Carrasco, Jr.

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Bill Analysis @ www.senate.michigan.gov/sfa

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.