

HOUSE BILL NO. 5307

December 02, 2025, Introduced by Reps. VanderWall, Rogers, Borton, Prestin, Kunse, Outman, Bohnak, Markkanen, Fairbairn, Fox and Green and referred to Committee on Natural Resources and Tourism.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 40118 (MCL 324.40118), as amended by 2023 PA
55.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40118. (1) An individual who violates this part, an order
2 or interim order issued under this part, or a condition of a permit
3 issued under this part, except for a violation specified in
4 subsections (2) to (19), is guilty of a misdemeanor punishable by

1 imprisonment for not more than 90 days or a fine of not less than
2 \$50.00 or more than \$500.00, or both, and the costs of prosecution.
3 In addition, a permit issued by the department under this part must
4 be revoked ~~pursuant to~~ **in accordance with** the administrative
5 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

6 (2) An individual who violates a provision of this part or an
7 order or interim order issued under this part regarding the
8 possession or taking of any game, except deer, bear, wild turkey,
9 wolf, waterfowl, moose, or elk, is guilty of a misdemeanor
10 punishable by imprisonment for not more than 90 days or a fine of
11 not less than \$100.00 or more than \$1,000.00, or both, and the
12 costs of prosecution.

13 (3) Except as otherwise provided in this subsection or
14 subsection (19), an individual who violates a provision of this
15 part or an order or interim order issued under this part regarding
16 the possession or taking of deer, bear, wild turkey, or wolf is
17 guilty of a misdemeanor. ~~and The court may be imprisoned sentence~~
18 **the individual to imprisonment** for not more than 90 days, shall ~~be~~
19 ~~fined~~ **impose a fine of** not less than \$200.00 or more than
20 \$1,000.00, and shall ~~be ordered~~ **order the individual** to pay the
21 costs of prosecution. An individual shall not be punished under
22 this subsection for lawfully removing, capturing, or destroying a
23 wolf under 2008 PA 290, MCL 324.95151 to 324.95155, or 2008 PA 318,
24 MCL 324.95161 to 324.95167.

25 (4) An individual who violates a provision of this part or an
26 order or interim order issued under this part regarding the
27 possession or taking of elk is guilty of a misdemeanor punishable
28 by imprisonment for not more than 180 days or a fine of not less
29 than \$500.00 or more than \$2,000.00, or both, and the costs of

1 prosecution.

2 (5) An individual who violates a provision of this part or an
3 order or interim order issued under this part regarding the
4 possession or taking of moose is guilty of a misdemeanor punishable
5 by imprisonment for not more than 1 year and a fine of not less
6 than \$1,000.00 or more than \$5,000.00, and the costs of
7 prosecution.

8 (6) An individual who violates a provision of this part or an
9 order or interim order issued under this part regarding the
10 possession or taking of waterfowl is guilty of a misdemeanor
11 punishable by imprisonment for not more than 90 days or a fine of
12 not less than \$250.00 or more than \$500.00, or both, and the costs
13 of prosecution. An individual who violates a provision of this part
14 or an order or interim order issued under this part regarding the
15 possession or taking of waterfowl a second or subsequent time is
16 guilty of a misdemeanor punishable by imprisonment for not more
17 than 90 days or a fine of \$500.00, or both, and the costs of
18 prosecution.

19 (7) An individual sentenced under subsection (3), (14), or
20 (15) shall not secure or possess a license of any kind to hunt
21 during the remainder of the year in which convicted and the next 3
22 succeeding calendar years. An individual sentenced under subsection
23 (11) shall not secure or possess a license **of any kind** to hunt
24 during the remainder of the year in which convicted and the next
25 succeeding calendar year, or longer in the discretion of the court.

26 (8) In addition to the penalties provided for violating this
27 part or an order issued under this part, an individual convicted of
28 the illegal killing, possessing, purchasing, or selling of a bear
29 or an antlered white-tailed deer is subject to the following

1 penalties:

2 (a) For a first offense, the individual shall not secure or
3 possess a license of any kind to hunt for an additional 2 calendar
4 years after the penalties imposed under subsection (7).

5 (b) For a second or subsequent offense, the individual shall
6 not secure or possess a license of any kind to hunt for an
7 additional 7 calendar years after the penalties imposed under
8 subsection (7).

9 (9) In addition to the penalties provided for violating this
10 part or an order issued under this part, an individual convicted of
11 the illegal killing, possessing, purchasing, or selling of a wild
12 turkey shall not secure or possess a license of any kind to hunt
13 for an additional 2 calendar years after the penalties imposed
14 under subsection (7).

15 (10) An individual sentenced under subsection (4) or (5) is
16 subject to the following penalties:

17 (a) For a first offense, the individual shall not secure or
18 possess a license of any kind to hunt for the remainder of the year
19 in which convicted and the next 15 succeeding calendar years.

20 (b) For a second offense, the individual shall not secure or
21 possess a license of any kind to hunt for the remainder of that
22 individual's life.

23 (11) An individual who violates section 40113(1) is guilty of
24 a misdemeanor punishable by imprisonment for not more than 90 days
25 or a fine of not less than \$100.00 or more than \$500.00, or both,
26 and the costs of prosecution.

27 (12) An individual who violates section 40113(2) is guilty of
28 a misdemeanor punishable by imprisonment for not more than 90 days
29 or a fine of not less than \$50.00 or more than \$500.00, or both,

1 and the costs of prosecution.

2 (13) An individual who violates section 40113(3) is guilty of
3 a misdemeanor punishable by imprisonment for not more than 90 days
4 or a fine of not less than \$100.00 or more than \$500.00, or both,
5 and the costs of prosecution.

6 (14) An individual who violates a provision of this part or an
7 order or interim order issued under this part regarding the taking
8 or possession of an animal that has been designated by the
9 department to be a protected animal, other than an animal that
10 appears on a list prepared under section 36505, is guilty of a
11 misdemeanor punishable by imprisonment for not more than 90 days or
12 a fine of not less than \$100.00 or more than \$1,000.00, or both,
13 and the costs of prosecution.

14 (15) An individual who buys or sells game or a protected
15 animal in violation of this part or an order or interim order
16 issued under this part is guilty of a misdemeanor punishable by
17 imprisonment for not more than 90 days or a fine of not more than
18 \$1,000.00, or both, for the first offense, and is guilty of a
19 felony for each subsequent offense.

20 (16) An individual who willfully violates a provision of this
21 part or an order or interim order issued under this part by using
22 an illegally constructed snare or cable restraint is guilty of a
23 misdemeanor punishable by imprisonment for not more than 90 days or
24 a fine of \$1,000.00 for the first illegally constructed snare or
25 cable restraint and \$250.00 for each subsequent illegally
26 constructed snare or cable restraint, or both, and the costs of
27 prosecution.

28 (17) An individual who violates a provision of this part or an
29 order or interim order issued under this part regarding the

1 importation of a cervid carcass or parts of a cervid carcass, other
2 than hides, deboned meat, quarters or other parts of a cervid that
3 do not have any part of the spinal column or head attached,
4 finished taxidermy products, cleaned teeth, antlers, or antlers
5 attached to a skullcap cleaned of brain and muscle tissue, from
6 another state or province is guilty of a misdemeanor punishable by
7 imprisonment for not more than 90 days or a fine of not less than
8 \$500.00 or more than \$2,000.00, or both, and the costs of
9 prosecution.

10 (18) If an individual is convicted of a violation of this part
11 or an order or interim order issued under this part and it is
12 alleged in the complaint and proved or admitted at trial or
13 ascertained by the court after conviction that the individual had
14 been previously convicted 2 times within the preceding 5 years for
15 a violation of this part or an order or interim order issued under
16 this part, the individual is guilty of a misdemeanor punishable by
17 imprisonment for not more than 180 days or a fine of not less than
18 \$500.00 or more than \$2,000.00, or both, and the costs of
19 prosecution.

20 (19) An individual who violates a provision of this part or an
21 order or interim order issued under this part regarding any of the
22 following is responsible for a state civil infraction and may be
23 ordered to pay a civil fine of not more than \$150.00:

24 (a) Attaching that individual's name, driver license number,
25 or sportcard number to a ground blind.

26 (b) Attaching that individual's name, driver license number,
27 or sportcard number to a tree stand, scaffold, or raised platform.

28 (c) Supplemental feeding of deer.

29 (d) Reporting of a ~~deer~~-harvest or retention of a ~~deer~~-harvest

1 confirmation number.