



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 4867 (Substitute S-2 as reported)
Sponsor: Representative James Koetje
House Committee: Conservation and Outdoor Recreation
Senate Committee: Judiciary

CONTENT

The bill would amend the Natural Resources and Environmental Protection Act (NREPA) to provide that the Department of Natural Resources (DNR) could not prohibit a concealed pistol licensee, or someone exempt from licensure, from carrying a pistol on property under the DNR's control.

Part 5 (Department of Natural Resources) of NREPA requires the DNR to "promulgate rules for the protection of the lands and property under its control...to protect the lands and property from depredations and to preserve the lands and property from molestation, spoliation, destruction, or any other improper use or occupancy". The Department must issue orders necessary to implement promulgated rules. A person who violates a rule or order is responsible for a State civil infraction punishable by a maximum civil fine of \$500.

Under the bill, the DNR could not promulgate or enforce a rule that prohibited an individual who was licensed or exempt from licensure under the handgun licensure Act, from carrying a pistol in compliance with that Act on property under the DNR's control, whether the pistol was concealed or otherwise.

The bill is tie-barred to Senate Bill 221, which would amend NREPA to allow a concealed pistol licensee, or someone exempt from licensure, to transport a pistol or carry a loaded pistol in an area frequented by wild animals, regardless of whether that person possessed a hunting license.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 5-5-04

Fiscal Analyst: Jessica Runnels