



Senate Fiscal Agency  
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Senate Bills 54 and 55 (as introduced 1-28-15)  
Sponsor: Senator Tom Casperson (S.B. 54)  
Senator Phil Pavlov (S.B. 55)  
Committee: Outdoor Recreation and Tourism

Date Completed: 2-3-15

### **CONTENT**

**Senate Bill 54 would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act to prohibit the use of an unmanned aerial vehicle or an unmanned submersible vehicle to interfere with or harass an individual who was lawfully taking an animal or fish.**

**Senate Bill 55 would amend Part 401 to prohibit an individual from taking game using an unmanned aerial vehicle.**

An individual who violated the prohibitions under either bill would be subject to misdemeanor penalties prescribed in Part 401.

The bills are tie-barred.

### **Senate Bill 54**

Part 401 prohibits an individual from obstructing or interfering in the lawful taking of animals by another individual, and prescribes actions that constitute a violation of this prohibition when the person acts knowingly or intentionally. An individual who violates the prohibition is guilty of a misdemeanor punishable by imprisonment for a maximum of 93 days and/or a fine of not less than \$500 or more than \$1,000, plus the costs of prosecution. A second or subsequent violation is a misdemeanor punishable by imprisonment for up to one year and/or a fine of \$1,000 to \$2,500, plus the costs of prosecution. Additionally, any permit or license issued by the Department of Natural Resources authorizing the individual to take animals must be revoked.

The bill would include among the illegal actions using an unmanned aerial vehicle or an unmanned submersible vehicle to interfere with or harass another individual who was engaged in the process of lawfully taking an animal or fish. "Unmanned aerial vehicle" would mean an unmanned vehicle or device that uses aerodynamic forces to achieve flight. "Unmanned submersible vehicle" would mean an unmanned vehicle or device that operates on the surface of water or underwater.

### **Senate Bill 55**

The bill would prohibit an individual from taking game using an unmanned aerial vehicle.

Part 401 prescribes general penalties that apply to violations for which no penalty is specified. As a rule, a person who violates Part 401 regarding the possession or taking of game is guilty of a misdemeanor punishable as shown below.

<b>Type of Game</b>	<b>Fine</b>	<b>Imprisonment</b>
Deer, bear, wild turkey, wolf <sup>1</sup>	\$200-\$1,000	5-90 days
Elk <sup>2</sup>	\$500-\$2,000	30-180 days
Moose <sup>1</sup>	\$1,000-\$5,000	90 days-1 year
All other game <sup>2</sup>	\$100-\$1,000	90 days maximum

<sup>1</sup>The violation is punishable by a fine and imprisonment

<sup>2</sup>The violation is punishable by a fine or imprisonment, or both

Enhanced misdemeanor penalties apply if the offender has been convicted of violating Part 401 twice within the preceding five years.

MCL 324.40104 et al. (S.B. 54)  
324.40111c (S.B. 55)

Legislative Analyst: Ryan M. Bergan

**FISCAL IMPACT**

The bills would have no fiscal impact on State government. The penalties associated with an increase in misdemeanor convictions would have a financial cost to local jails and court systems to prosecute violations and administer the sentences. Any associated fine revenue collected from convicted offenders would be directed to local public libraries.

Fiscal Analyst: John Maxwell

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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.