

**SUBSTITUTE FOR
HOUSE BILL NO. 5737**

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 43517 and 43520 (MCL 324.43517 and 324.43520),
section 43517 as amended by 2018 PA 399 and section 43520 as
amended by 2018 PA 4.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 43517. (1) A parent or legal guardian of a minor child **or**
2 **a guardian of an adult who has a developmental disability or**
3 **intellectual disability** shall not permit or allow the minor child
4 **or adult who has a developmental disability or intellectual**
5 **disability** to hunt game under the authority of a license issued
6 under this part except under 1 of the following conditions:
7 (a) The minor child hunts only on land upon which a parent or



1 guardian is regularly domiciled or a parent or guardian, or another
2 individual at least 18 years old authorized by a parent or
3 guardian, accompanies the minor child. This subdivision does not
4 apply under either ~~any~~ of the following circumstances:

5 (i) The license is an apprentice license.

6 (ii) The minor child is less than 10 years old.

7 **(iii) The minor child is an individual who has a developmental**
8 **disability or intellectual disability and is unable to obtain**
9 **certification of completion of training in hunter safety.**

10 (b) If the license is an apprentice license, a parent or
11 guardian, or another individual at least 21 years old authorized by
12 a parent or guardian, who is licensed to hunt that game under a
13 license other than an apprentice license accompanies the minor
14 child **or adult who has a developmental disability or intellectual**
15 **disability.**

16 (c) If the ~~minor child~~ **individual** is less than 10 years old,
17 the ~~minor~~ **individual** hunts only with a mentor in compliance with
18 the mentored ~~youth~~ hunting program established by the commission
19 under subsection (2).

20 **(d) If the minor child is an individual who has a**
21 **developmental disability or intellectual disability and is unable**
22 **to obtain certification of completion of training in hunter safety,**
23 **the minor child hunts only with a mentor in compliance with the**
24 **mentored hunting program established by the commission under**
25 **subsection (2).**

26 (e) If the adult who has a developmental disability or
27 intellectual disability has a guardian appointed under chapter 6 of
28 the mental health code, 1974 PA 258, MCL 330.1600 to 330.1644, and
29 is unable to obtain certification of completion of training in



1 hunter safety, the adult hunts only with a mentor in compliance
 2 with the mentored hunting program established by the commission
 3 under subsection (2).

4 (2) ~~By September 1, 2012, the~~**The** commission shall issue an
 5 order under section 40113a establishing a mentored ~~youth~~-hunting
 6 program. The order must provide for at least all of the following:

7 (a) A mentor shall be at least 21 years of age before
 8 participating in the mentored ~~youth~~-hunting program.

9 (b) A mentor shall possess a valid license to hunt, other than
 10 an apprentice license, before engaging in any mentored ~~youth~~
 11 hunting program.

12 (c) An individual shall not be a mentor unless ~~he or she~~**the**
 13 **individual** presents proof of previous hunting experience in the
 14 form of a previous hunting license, other than an apprentice
 15 license, or certification of completion of training in hunter
 16 safety issued to the individual by this state, another state, a
 17 province of Canada, or another country.

18 (3) **As used in this section:**

19 (a) "Developmental disability" means that term as defined in
 20 section 100a of the mental health code, 1974 PA 258, MCL 330.1100a.

21 (b) "Intellectual disability" means that term as defined in
 22 section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.

23 Sec. 43520. (1) Subject to other requirements of this part,
 24 the department may issue a hunting license to **an adult who has a**
 25 **developmental disability or intellectual disability, has a guardian**
 26 **appointed under chapter 6 of the mental health code, 1974 PA 258,**
 27 **MCL 330.1600 to 330.1644, and is unable to obtain certification of**
 28 **completion of training in hunter safety, or to** a minor child if all
 29 of the following requirements are met:



1 (a) A parent or ~~legal~~ guardian of the ~~minor child~~ **individual**
2 applies for the license on behalf of the ~~minor child~~ **individual**.

3 (b) The parent or guardian represents that the requirements of
4 section 43517, as applicable, will be complied with.

5 (c) The license fee is paid.

6 (2) ~~A person authorized to sell hunting licenses shall not~~
7 ~~issue a hunting license to an~~ **An** individual born after January 1,
8 1960 **shall not purchase or attempt to purchase a hunting license,**
9 unless the individual presents proof of previous hunting experience
10 in the form of a hunting license issued by this state, another
11 state, a province of Canada, or another country or presents a
12 certification of completion of training in hunter safety issued to
13 the individual by this state, another state, a province of Canada,
14 or another country. If an applicant for a hunting license does not
15 have proof of such a previous license or a certification of
16 completion of training in hunter safety, a person authorized to
17 sell hunting licenses may issue a hunting license if the applicant
18 submits a signed affidavit stating that the applicant has completed
19 a course in hunter safety or that the applicant possessed such a
20 hunting license previously. The person selling a hunting license
21 shall record as specified by the department the form of proof of
22 the previous hunting experience or certification of completion of
23 hunter safety training presented by the applicant. This subsection
24 does not apply to the issuance of an apprentice license **or mentored**
25 **hunting license**. An apprentice license, **mentored hunting license,**
26 or the equivalent does not satisfy the requirements of this
27 subsection concerning proof of previous hunting experience.

28 (3) An individual who does not meet the requirements of
29 subsection (2) may obtain an apprentice license for the same price



1 as the corresponding regular license that the individual would
2 otherwise be qualified to obtain. An individual 17 years old or
3 older shall not hunt game under an apprentice license unless
4 another individual at least 21 years old who possesses a license,
5 other than an apprentice license, to hunt that game accompanies
6 that apprentice licensee and does not accompany more than 1 other
7 apprentice licensee. For the purposes of this subsection and
8 section 43517(1)(b), an individual shall not go along with more
9 than 2 apprentice licensees of any age for the purpose of
10 accompanying those apprentice licensees while those apprentice
11 licensees are hunting. If an individual has represented to an
12 apprentice licensee or, if the apprentice licensee is a minor
13 child, to the apprentice licensee's parent or legal guardian that
14 the individual would accompany the apprentice licensee for the
15 purposes of this subsection, the individual shall not go along with
16 the apprentice licensee while the apprentice licensee is hunting
17 unless the individual actually accompanies the apprentice licensee
18 and possesses a license, other than an apprentice license, to hunt
19 the same game as the apprentice licensee. An individual is not
20 eligible to obtain a specific type of apprentice license, such as a
21 deer license, a base license, or a turkey license, for more than 2
22 license years. An apprentice license must be distinguished from a
23 license other than an apprentice license by a notation or other
24 means.

25 (4) Only a minor who is less than 10 years old, **a minor child**
26 **with a developmental disability or intellectual disability, or an**
27 **adult who has a developmental disability or intellectual disability**
28 **and has a guardian appointed under chapter 6 of the mental health**
29 **code, 1974 PA 258, MCL 330.1600 to 330.1644, may obtain a mentored**



1 ~~youth~~-hunting license. A minor who is less than 10 years old, a
 2 **minor child with a developmental disability or intellectual**
 3 **disability, or an adult who has a developmental disability or**
 4 **intellectual disability and has a guardian appointed under chapter**
 5 **6 of the mental health code, 1974 PA 258, MCL 330.1600 to 330.1644,**
 6 shall not hunt game under a mentored ~~youth~~-hunting license unless
 7 that ~~minor~~-**individual** complies with all requirements of the
 8 mentored ~~youth~~-hunting program established by the commission under
 9 section 43517.

10 (5) The fee for a mentored ~~youth~~-hunting license is \$7.50 and
 11 includes all of the privileges conferred by all of the following:

12 (a) Base license.

13 (b) Deer license.

14 (c) All-species fishing license.

15 (d) Spring wild turkey hunting license and fall wild turkey
 16 hunting license.

17 (e) Fur harvester's license.

18 (6) An individual who purchases a mentored ~~youth~~-hunting
 19 license may apply for or purchase additional licenses pursuant to
 20 current regulations, including, but not limited to, all of the
 21 following:

22 (a) Antlerless deer licenses under section 43527a.

23 (b) A bear hunting license under section 43528.

24 (c) An elk hunting license under section 43529.

25 (7) An individual hunting with a license purchased under
 26 subsection (6) must comply with all requirements of the mentored
 27 ~~youth~~-hunting program established by the commission under section
 28 43517.

29 (8) By September 1, ~~2015~~-**2023** and every 4 years after that



1 date, the department shall submit a report to the standing
2 committees of the senate and house of representatives with primary
3 responsibility for conservation and outdoor recreation issues
4 evaluating whether the fee revenue received by the department from
5 mentored ~~youth~~-hunting licenses under subsection (5) is adequate to
6 administer the mentored ~~youth~~-hunting program.

7 **(9) As used in this section:**

8 **(a) "Developmental disability" means that term as defined in**
9 **section 100a of the mental health code, 1974 PA 258, MCL 330.1100a.**

10 **(b) "Intellectual disability" means that term as defined in**
11 **section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.**

