

HOUSE BILL NO. 5737

May 22, 2024, Introduced by Reps. Aiyash, Hoadley, McKinney, Puri, DeBoyer, Rheingans, Pohutsky, Young, Hill and Posthumus and referred to the Committee on Natural Resources, Environment, Tourism and Outdoor Recreation.

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** shall not
3 permit or allow the minor child **or adult who has a developmental**
4 **disability** to hunt game under the authority of a license issued
5 under this part except under 1 of the following conditions:

1 (a) The minor child hunts only on land upon which a parent or
 2 guardian is regularly domiciled or a parent or guardian, or another
 3 individual at least 18 years old authorized by a parent or
 4 guardian, accompanies the minor child. This subdivision does not
 5 apply under ~~either~~**any** of the following circumstances:

6 (i) The license is an apprentice license.

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

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

11 (b) If the license is an apprentice license, a parent or
 12 guardian, or another individual at least 21 years old authorized by
 13 a parent or guardian, who is licensed to hunt that game under a
 14 license other than an apprentice license accompanies the minor
 15 child **or adult who has a developmental 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 individual is an individual who has a developmental**
 21 **disability or intellectual disability and is unable to obtain**
 22 **certification of completion of training in hunter safety, the**
 23 **individual hunts only with a mentor in compliance with the mentored**
 24 **hunting program established by the commission under subsection (2).**

25 (e) If the adult who has a developmental disability has a
 26 guardian appointed under chapter 6 of the mental health code, 1974
 27 PA 258, MCL 330.1600 to 330.1644, and is unable to obtain
 28 certification of completion of training in hunter safety, the adult
 29 hunts only with a mentor in compliance with the mentored hunting

1 **program established by the commission under subsection (2).**

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

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

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

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

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

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

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

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

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

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

3 (c) The license fee is paid.

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

26 (3) An individual who does not meet the requirements of
27 subsection (2) may obtain an apprentice license for the same price
28 as the corresponding regular license that the individual would
29 otherwise be qualified to obtain. An individual 17 years old or

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

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

1 who has a developmental disability and a guardian appointed under
 2 chapter 6 of the mental health code, 1974 PA 258, MCL 330.1600 to
 3 330.1644, shall not hunt game under a mentored youth-hunting
 4 license unless that ~~minor~~ individual complies with all requirements
 5 of the mentored youth-hunting program established by the commission
 6 under section 43517.

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

- 9 (a) Base license.
- 10 (b) Deer license.
- 11 (c) All-species fishing license.
- 12 (d) Spring wild turkey hunting license and fall wild turkey
 13 hunting license.
- 14 (e) Fur harvester's license.

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

- 19 (a) Antlerless deer licenses under section 43527a.
- 20 (b) A bear hunting license under section 43528.
- 21 (c) An elk hunting license under section 43529.

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

26 (8) By September 1, ~~2015~~ **2023** and every 4 years after that
 27 date, the department shall submit a report to the standing
 28 committees of the senate and house of representatives with primary
 29 responsibility for conservation and outdoor recreation issues

1 evaluating whether the fee revenue received by the department from
2 mentored ~~youth~~-hunting licenses under subsection (5) is adequate to
3 administer the mentored ~~youth~~-hunting program.

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

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

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