

# HOUSE BILL NO. 4191

March 11, 2025, Introduced by Reps. Beson, DeBoyer, Wortz, Neyer, Roth, Schmaltz, Kunse, Outman, Harris, Wozniak, Aragona, Fairbairn, Bierlein, Lightner, Schuette, Liberati, St. Germaine, Mueller and VanderWall 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 sections 40102 and 40111a (MCL 324.40102 and 324.40111a), section 40102 as amended by 2015 PA 24 and section 40111a as amended by 2015 PA 265.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1           Sec. 40102. (1) "Animals" means wild birds and wild mammals.
- 2           (2) "Bag limit" means the number of animals that may be taken
- 3 and possessed as determined by the department.
- 4           (3) "Bow" means a device for propelling an arrow from a string
- 5 drawn, held, and released by hand where the force used to hold the

1 string in the drawn position is provided by the archer's muscles.

2 (4) "Buy" or "sell" means an exchange or attempt or offer to  
3 exchange for money, barter, or anything of value.

4 (5) "Chase" means to follow animals with dogs or other wild or  
5 domestic animals trained for that purpose.

6 (6) "Cormorant damage" means adverse impacts of double-crested  
7 cormorants on fish, fish hatchery stock, wildlife, plants, and  
8 their habitats and on man-made structures.

9 (7) "Cormorant depredation order" means the depredation order  
10 for double-crested cormorants to protect public resources, 50 CFR  
11 21.48, issued by the United States Department of the Interior, Fish  
12 and Wildlife Service.

13 (8) "Crossbow" means a weapon consisting of a bow mounted  
14 transversely on a stock or frame and designed to fire an arrow,  
15 bolt, or quarrel by the release of a bow string that is controlled  
16 by a mechanical or electric trigger and has a working safety and a  
17 draw weight of 100 pounds or greater.

18 (9) **"Deer or elk baiting" means the depositing, distributing,**  
19 **or tending of feed in an area frequented by wild, free-ranging**  
20 **white-tailed deer or elk to aid in the taking of deer or elk. Deer**  
21 **or elk baiting does not include any of the following:**

22 (a) **Feeding wild birds or other wildlife if done in a manner**  
23 **to exclude wild, free-ranging white-tailed deer and elk from**  
24 **gaining access to the feed.**

25 (b) **The scattering of feed solely as the result of normal**  
26 **logging practices or normal agricultural practices.**

27 (c) **The storage or use of feed for agricultural purposes if 1**  
28 **or more of the following apply:**

29 (i) **The area is occupied by livestock actively consuming the**

1 feed on a daily basis.

2 (ii) The feed is covered to deter wild, free-ranging white-  
3 tailed deer or elk from gaining access to the feed.

4 (iii) The feed is in a storage facility that is consistent with  
5 normal agricultural practices.

6 (10) ~~(9)~~—"Deer or elk feeding" means the depositing,  
7 distributing, or tending of feed in an area frequented by wild,  
8 free-ranging white-tailed deer or elk. Deer or elk feeding does not  
9 include any of the following:

10 (a) Feeding wild birds or other wildlife if done in such a  
11 manner as to exclude wild, free-ranging white-tailed deer and elk  
12 from gaining access to the feed.

13 (b) The scattering of feed solely as the result of normal  
14 logging practices or normal agricultural practices.

15 (c) The storage or use of feed for agricultural purposes if 1  
16 or more of the following apply:

17 (i) The area is occupied by livestock actively consuming the  
18 feed on a daily basis.

19 (ii) The feed is covered to deter wild, free-ranging white-  
20 tailed deer or elk from gaining access to the feed.

21 (iii) The feed is in a storage facility that is consistent with  
22 normal agricultural practices.

23 ~~(d) Baiting to take game as provided by an order of the~~  
24 ~~commission under section 40113a.~~ **Deer or elk baiting.**

25 (11) ~~(10)~~—"Disability" means a determinable physical  
26 characteristic of an individual that may result from disease,  
27 injury, congenital condition of birth, or functional disorder.

28 (12) ~~(11)~~—"Feed" means a substance composed of grain, mineral,  
29 salt, fruit, vegetable, hay, or any other food material or

1 combination of these materials, whether natural or manufactured,  
 2 that may attract white-tailed deer or elk. Feed does not include  
 3 any of the following:

4 (a) Plantings for wildlife.

5 (b) Standing farm crops under normal agricultural practices.

6 (c) Agricultural commodities scattered solely as the result of  
 7 normal agricultural practices.

8 **(13)** ~~(12)~~—"Firearm" means any weapon which will, is designed  
 9 to, or may readily be converted to expel a projectile by action of  
 10 an explosive. A pneumatic gun, as defined in section 1 of 1990 PA  
 11 319, MCL 123.1101, other than a paintball gun that expels by  
 12 pneumatic pressure plastic balls filled with paint for the purpose  
 13 of marking the point of impact, is also considered a firearm for  
 14 the purpose of this act.

15 Sec. 40111a. (1) The commission, after consultation with the  
 16 commission of agriculture and rural development, shall issue in the  
 17 manner provided in section 40113a an order concerning deer ~~and or~~  
 18 elk feeding in this state.

19 ~~(2) As used in this section, "deer and elk feeding" means the~~  
 20 ~~depositing, distributing, or tending of feed in an area frequented~~  
 21 ~~by wild, free-ranging white-tailed deer and elk to prevent them~~  
 22 ~~from starving or for recreational viewing. Deer and elk feeding~~  
 23 ~~does not include any of the following:~~

24 ~~(a) Baiting to take game as provided by an order of the~~  
 25 ~~commission under section 40113a.~~

26 ~~(b) The scattering of feed solely as the result of normal~~  
 27 ~~logging practices or normal agricultural practices.~~

28 ~~(c) The storage or use of feed for agricultural purposes if 1~~  
 29 ~~or more of the following apply:~~

1       ~~(i) The area is occupied by livestock actively consuming the~~  
2 ~~feed on a daily basis.~~

3       ~~(ii) The feed is covered to deter wild, free-ranging white-~~  
4 ~~tailed deer and elk from gaining access to the feed or is being~~  
5 ~~used on a daily basis.~~

6       ~~(iii) The feed is in a storage facility or is stored in a manner~~  
7 ~~that is consistent with normal agricultural practices.~~

8       ~~(d) Feeding wild birds or other wildlife if done in such a~~  
9 ~~manner as to exclude wild, free-ranging white-tailed deer and elk~~  
10 ~~from gaining access to the feed.~~

11       (2) If the commission issues an order banning or restricting  
12 deer or elk baiting, an individual may, subject to subsection (3),  
13 engage in deer baiting during an open season for deer if that  
14 individual does both of the following:

15       (a) Purchases a deer baiting license. The fee for a deer  
16 baiting license is \$20.00.

17       (b) Possesses a valid deer hunting license under section  
18 43527a.

19       (c) Does not distribute more than 5 gallons of bait per day at  
20 each bait site.

21       (3) Any money raised under subsection (2) must be used for 1  
22 or more of the following purposes:

23       (a) To conduct research on chronic wasting disease, bovine  
24 tuberculosis, or other diseases in free-ranging deer or elk in this  
25 state.

26       (b) To provide for surveillance of chronic wasting disease,  
27 bovine tuberculosis, or other wildlife diseases, including the  
28 testing of free-ranging deer or elk.