Act No. 433
Public Acts of 2006
Approved by the Governor
October 3, 2006
Filed with the Secretary of State
October 5, 2006
EFFECTIVE DATE: October 5, 2006

STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006

Introduced by Reps. Moore, Drolet, Hildenbrand, Elsenheimer, Booher, Taub, Baxter, Mayes, Hansen, Miller, Gosselin, Vander Veen, Proos, Meyer, Casperson, Sheltrown, Stahl, Farhat, Gleason, Polidori, Caswell, Van Regenmorter, Kahn and Hummel

ENROLLED HOUSE BILL No. 5408

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 43510, 43511, 43513, and 43516 (MCL 324.43510, 324.43511, 324.43513, and 324.43516), sections 43510 and 43516 as amended by 2004 PA 129, section 43511 as added by 1995 PA 57, and section 43513 as amended by 1998 PA 129.

The People of the State of Michigan enact:

Sec. 43510. (1) Subject to subsection (2) and except as provided in section 43513, a person shall not carry or transport a firearm, slingshot, bow and arrow, crossbow, or a trap while in any area frequented by wild animals unless that person has in his or her possession a license as required under this part.

(2) This act or a rule promulgated or order issued by the department or the commission under this act shall not be construed to prohibit a person from transporting a pistol or carrying a loaded pistol, whether concealed or not, if either of the following applies:

(a) The person has in his or her possession a license to carry a concealed pistol under 1927 PA 372, MCL 28.421 to 28.435.

(b) The person is authorized under the circumstances to carry a concealed pistol without obtaining a license to carry a concealed pistol under 1927 PA 372, MCL 28.421 to 28.435, as provided for under any of the following:

(*i*) Section 12a of 1927 PA 372, MCL 28.432a.

(*ii*) Section 227, 227a, 231, or 231a of the Michigan penal code, 1931 PA 328, MCL 750.227, 750.227a, 750.231, and 750.231a.

(3) Subsection (2) does not authorize an individual to take or attempt to take a wild animal except as provided by law.

Sec. 43511. (1) Subject to subsection (2), and except as provided in section 43513, during the open season for the taking of deer or elk with a firearm, a person shall not transport or possess a shotgun with buckshot, slug load, ball load, or cut shell or a rifle other than a .22 caliber rim fire, unless the person has in his or her possession a license to hunt deer or elk with a firearm.

(2) Subsection (1) does not apply during muzzle-loading deer season.

Sec. 43513. (1) A person may carry, transport, or possess a firearm without a hunting license if the firearm is unloaded in both barrel and magazine and either enclosed in a case or carried in a vehicle in a location that is not readily accessible to any occupant of the vehicle. A person may carry, transport, or possess a slingshot, bow and arrow, or crossbow without a hunting license if the slingshot, bow, or crossbow is unstrung, enclosed in a case, or carried in a vehicle in a location that is not readily accessible to any occupant of the vehicle.

(2) Regardless of whether the person has a license or it is open season for the taking of game, a person may carry, transport, possess or discharge a firearm, a bow and arrow, or a crossbow if all of the following apply:

(a) The person is not taking or attempting to take game but is engaged in 1 or more of the following activities:

(*i*) Target practice using an identifiable, artificially constructed target or targets.

(*ii*) Practice with silhouettes, plinking, skeet, or trap.

(*iii*) Sighting-in the firearm, bow and arrow, or crossbow.

(b) The person is, or is accompanied by or has the permission of, either of the following:

(*i*) The owner of the property on which the activity under subdivision (a) is taking place.

(*ii*) The lessee of that property for a term of not less than 1 year.

(c) The owner or lessee of the property does not receive remuneration for the activity under subdivision (a).

(3) A person may carry or possess an unloaded weapon at any time if the person is traveling to or from or participating in a historical reenactment.

Sec. 43516. (1) A person who has been issued a hunting, fur harvester's, or fishing license shall carry the license and shall exhibit the license upon the demand of a conservation officer, a law enforcement officer, or the owner or occupant of the land if either or both of the following apply:

(a) The person is hunting, trapping, or fishing.

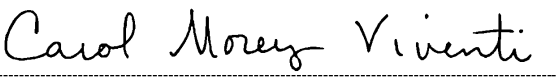
(b) Subject to section 43510(2) and except as provided in section 43513, the person is in possession of a firearm or other hunting or trapping apparatus or fishing apparatus in an area frequented by wild animals or fish, respectively.

(2) Subject to section 43510(2) and except as provided in section 43513, a person shall not carry or possess afield a shotgun with buckshot, slug loads, or ball loads; a bow and arrow; a muzzle-loading rifle or black powder handgun; or a centerfire handgun or centerfire rifle during firearm deer season unless that person has a valid firearm deer license, with an unused kill tag, if issued, issued in his or her name. The person shall exhibit an unused kill tag, if issued, upon the request of a conservation officer, a law enforcement officer, or the owner or occupant of the land.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor