

Legislative Analysis



PROBABLE CAUSE FOR LICENSE INSPECTION

Phone: (517) 373-8080
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House Bill 4415 as introduced
Sponsor: Rep. Steven Johnson
Committee: Government Operations
Complete to 3-17-22

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4415 would amend the Natural Resources and Environmental Protection Act (NREPA) to provide that a conservation officer, law enforcement officer, or tribal law enforcement officer must have probable cause in order to stop someone and require them to show their hunting, trapping, or fishing license.

NREPA currently provides that an individual issued a hunting, fur harvester's (trapping), or fishing license must carry it with them and show it upon the demand of a conservation officer, law enforcement officer, or tribal *conservation* officer under either of the following circumstances:¹

- If the individual is hunting, trapping, or fishing.
- If the individual has hunting, trapping, or fishing apparatus (including, with some exceptions, a firearm) in an area that is frequented by wild animals or fish, as applicable.

The bill would prohibit a conservation officer, law enforcement officer, or tribal *law enforcement* officer from stopping an individual and requiring him or her to show his or her license unless the officer has probable cause to believe that the individual is committing a violation of Part 435 (Hunting and Fishing Licensing), Part 401 (Wildlife Conservation), or Part 487 (Sport Fishing) of NREPA.

MCL 324. 43516

FISCAL IMPACT:

House Bill 4415 would not have a fiscal impact on state, county, or local law enforcement agencies and is unlikely to affect revenues or costs for the Department of Natural Resources. The DNR's Law Enforcement Division is supported by appropriations totaling \$45.8 million Gross (\$12.6 million GF/GP) in FY 2021-22.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

¹ The owner or occupant of the land also can demand to see the license. The individual can show an electronic copy of the license if appropriate. A tribal conservation officer making such a demand must be in uniform, display proper credentials, and be on official duty in the ceded territory of the treaty of March 28, 1836.