

House Bill 4149 (Substitute H-1 as reported)
House Bill 4151 (as reported without amendment)
House Bill 4152 (Substitute S-2 as reported)
Sponsor: Representative John Damoose (H.B. 4149)
Representative Steven Johnson (H.B. 4151)
Representative Gary Howell (H.B. 4152)
House Committee: Judiciary
Senate Committee: Natural Resources

CONTENT

House Bill 4149 (H-1) would amend Part 487 (Sport Fishing) of the Natural Resources and Environmental Protection Act (NREPA) to specify that an individual who failed to attach his or her name and address to tip-ups, or fished with more than the authorized number of lines would be responsible for a State civil infraction instead of a misdemeanor.

House Bill 4151 would amend Part 435 (Hunting and Fishing Licensing) of NREPA to specify that an individual who failed to exhibit a hunting, fur harvester's, or fishing license in violation of a requirement to do so would be responsible for a State civil infraction instead of a misdemeanor.

House Bill 4152 (S-2) would amend Parts 401 (Wildlife Conservation), 435 (Hunting and Fishing License), 465 (Fishing Shanties), 801 (Marine Safety), and 821 (Snowmobiles) of NREPA to specify that an individual who violated any of the specified provisions within those Parts would be responsible for a State civil infraction instead of a misdemeanor.

House Bill 4152 (S-2) would take effect 90 days after its enactment.

MCL 324.48738 (H.B. 4149)
324.43560 (H.B. 4151)
324.40118 et al. (H.B. 4152)

Legislative Analyst: Dana Adams

FISCAL IMPACT

The bills would have an indeterminate fiscal impact on State and local units of government as a result of the proposed modifications to penalty provisions. Currently, the penalty for violation of the provisions described in the bills are misdemeanors punishable by up to 90 days in jail and/or a fine of up to \$250. The bills would reduce those violations from misdemeanors to civil infractions with a maximum civil fine of \$150.

Local units of government and local jails could realize savings from a reduction in their operating costs as violations of these provision no longer would require jail time. Additionally, local libraries and the Justice System Fund could see a reduction in revenue as the fines would be reduced. The amount of savings to local units of government is indeterminate and would depend on the actual number of violations in that locality.

The bills also would allow for the imposition of a \$150 civil fine. Revenue collected from civil fines is used to support local libraries. Additionally, \$10 of each civil fine is deposited into the State Justice System Fund. The Fund supports justice-related activities across State government in the Departments of Corrections, Health and Human Services, State Police, and Treasury. The Fund also supports justice-related issues in the Legislative Retirement System and the Judiciary. The amount of revenue to the State or for local libraries is indeterminate and would depend on the actual number of violations.

Date Completed: 12-13-21

Fiscal Analyst: Joe Carrasco