

Legislative Analysis



TRANSPORTATION OF SLINGSHOT, BOW, OR CROSSBOW

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House Bill 5417 (reported from committee as H-1)
Sponsor: Rep. Steven Johnson
Committee: Judiciary
Complete to 3-1-18

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

BRIEF SUMMARY: House Bill 5417 would amend the Natural Resources and Environmental Protection Act to allow for the open transportation of slingshots, bows, and crossbows.

FISCAL IMPACT: House Bill 5417 is unlikely to affect costs or revenues for the Department of Natural Resources or local units of government. The bill would likely have a nominal fiscal impact on state and local law enforcement agencies, the extent of which would be determined by forgone citation revenues resulting from any decline in citations issued for improperly transporting a bow, crossbow, or slingshot.

THE APPARENT PROBLEM:

According to the bill's sponsor, bows and crossbows are too large and awkward to carry in a case on a small personal vehicle, such as an ATV, while hunting in the woods. As a result, many hunters transport their weapons uncased. However, current law mandates that bows and crossbows be in a case during any transporting. Violations are a misdemeanor with up to 90 days in jail. As part of the initiative for criminal justice reform, the sponsor of the bill would like hunters to be able to traverse the woods unencumbered by large cases while still remaining safe.

THE CONTENT OF THE BILL:

Currently, bows and crossbows must be unstrung, enclosed in a case, or carried in the trunk of a vehicle when transported on public land or roads in Michigan. Also, without a hunting license, slingshots, bows, and crossbows must be unstrung, enclosed in a case, or carried in a vehicle in a location that is not readily accessible to any occupant of the vehicle when they are being carried or transported.

The bill would remove these restrictions to allow for the possession and transportation of slingshots, bows, and crossbows without their having to be unstrung, enclosed in a case, or carried in the trunk of a vehicle or in a location that is not readily accessible. However, bows and crossbows would have to be **uncocked** and **unloaded**.

The bill would define **uncocked** to mean that a *bow* is not in the drawn position and that a *crossbow* is not in the cocked position. The current definition for **unloaded** would remain the same for a firearm, but the bill would add that a *bow* is unloaded when an arrow is not nocked (that is, when the string of the bow is not inserted in the notch at the end of the

arrow, which is called a nock) and that a *crossbow* is unloaded when a bolt is not in the flight groove.

MCL 324.40111 and 324.43513

ARGUMENTS:

For:

Supporters of the bill argued that crossbows, bows, and slingshots should be treated like a firearm, which can be carried on a person's hip even in a traveling vehicle with a concealed carry permit. Likewise, bows, crossbows, and slingshots should be allowed to be carried uncased and not confined to the trunk of a vehicle.

Proponents also argued that the bill would help persons with disabilities who cannot traverse woods with cased weapons. This bill would allow those persons flexibility to be able to hunt in various locations while transporting their bows, crossbows, or slingshots more easily.

Against:

Critics of the bill raised public safety concerns, arguing that an uncased weapon that is not stored out of reach during transport would make it easier for anyone to load up a weapon and use it while traveling. With allowing uncased bows, crossbows, and slingshots to be within reach, opportunists would be more likely to engage in illegal poaching from a vehicle.

Opponents also argued that firearms still have to be cased during transport, so bows, crossbows, and slingshot should also still be held to the same standards. No matter the weapon, some felt, it should be cased, unloaded, and out of reach during transport in a vehicle.

POSITIONS:

A representative from the Department of Natural Resources testified with no position on the bill (2-13-18) and continued this position with regard to the H-1 (2-20-18).

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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.