

Legislative Analysis



ALLOW CERTAIN DATA RELATING TO LOCATION OF GAME TO BE EXEMPTED FROM FOIA DISCLOSURE

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House Bill 4050 as introduced
Sponsor: Rep. John D. Cherry
Committee: Natural Resources
Complete to 3-3-21

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

SUMMARY:

House Bill 4050 would amend the Freedom of Information Act (FOIA) to allow the exemption from disclosure of certain data relating to the location of game.

Under FOIA, public records are generally required to be made publicly available. However, FOIA also includes a list of exempted information that a public body is not required to disclose. The bill would add to this list, and allow a public body to exempt from disclosure, records or information that would reveal the specific location or GPS coordinates of **game**, including records or information of the specific location or GPS coordinates obtained by the Department of Natural Resources during any restoration, management, or research project conducted under section 40501 of the Natural Resources and Environmental Protection Act (NREPA)¹ or in connection with the expenditure of money under section 43553 of NREPA.²

Game would mean any of the animals listed in section 40103 of NREPA as well as any species of wildlife designated by the legislature or the Natural Resources Commission as game under section 40110. Game would not include privately owned cervidae (deer) species located on a cervidae livestock facility registered under the Privately Owned Cervidae Producers Marketing Act.³

MCL 15.243

FISCAL IMPACT:

House Bill 4050 may allow the Department of Natural Resources to realize costs savings on FOIA requests that meet the conditions specified in the bill, although such savings are unlikely to be significant. The bill is unlikely to affect DNR revenues or local government costs or revenues.

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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 Section 40501 pertains to wildlife restoration, management, and research projects:
<http://legislature.mi.gov/doc.aspx?mcl-324-40501>

² Section 53553 addresses the disposition of money received from the sale of passbooks and licenses, as well as other payments, grants, and funds under Part 435 (Hunting and Fishing Licensing): <http://legislature.mi.gov/doc.aspx?mcl-324-43553>

³ The list of animals specified as game under section 40103: <http://legislature.mi.gov/doc.aspx?mcl-324-40103>