

Legislative Analysis



INCREASE MAXIMUM FINE FOR ILLEGALLY TAKING OR POSSESSING LAKE STURGEON

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<http://www.house.mi.gov/hfa>

House Bill 4470 (proposed substitute H-2)

Sponsor: Rep. Sue Allor

Committee: Natural Resources and Outdoor Recreation

Complete to 4-21-21

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

SUMMARY:

House Bill 4018 would amend Part 487 (Sport Fishing) of the Natural Resources and Environmental Protection Act (NREPA) to increase the maximum fine for illegally taking or possessing lake sturgeon.

Currently under NREPA, an individual who takes or possesses sturgeon in violation of Part 487, or the rules or orders issued to implement Part 487,¹ is guilty of a misdemeanor punishable by imprisonment for up to 180 days or a fine of \$500 to \$2,000, plus the costs of prosecution.

The bill would increase the fine that may be imposed for illegally taking or possessing lake sturgeon to a range of \$500 to \$5,000.

MCL 324.48738

BACKGROUND:

In addition to the penalty described above, section 48740 of NREPA requires a person who is convicted of any of the following to forfeit to the state \$1,500 for each sturgeon illegally taken or possessed:

- Taking sturgeon during a closed season.
- Taking or possessing sturgeon in excess of lawful limits.
- Taking sturgeon by use of an unlawful device.
- Buying or selling sturgeon, or any parts of a sturgeon, that is taken by use of an unlawful device.

FISCAL IMPACT:

The bill would not affect costs or revenues for the Department of Natural Resources. Any increase in penal fine revenue would increase funding for local libraries, which are the constitutionally designated recipients of those 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 For current sturgeon season and limit information, see: https://www.michigan.gov/dnr/0,4570,7-350-79119_79146_82434---,00.html