

# HOUSE BILL NO. 5299

November 03, 2023, Introduced by Reps. Bierlein, Cavitt, Hoadley, Markkanen, Kunse, DeBoyer, Schuette, Borton, Friske, Jaime Greene and Bruck and referred to the Committee on Natural Resources, Environment, Tourism and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 40111a (MCL 324.40111a), as amended by 2015 PA  
265.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 40111a. (1) The commission, after consultation with the  
2           commission of agriculture and rural development, shall issue in the  
3           manner provided in section 40113a an order concerning deer ~~and or~~  
4           elk feeding in this state.

5           ~~(2) As used in this section, "deer and elk feeding" means the~~  
6           ~~depositing, distributing, or tending of feed in an area frequented~~

1 ~~by wild, free-ranging white-tailed deer and elk to prevent them~~  
2 ~~from starving or for recreational viewing. Deer and elk feeding~~  
3 ~~does not include any of the following:~~

4 ~~(a) Baiting to take game as provided by an order of the~~  
5 ~~commission under section 40113a.~~

6 ~~(b) The scattering of feed solely as the result of normal~~  
7 ~~logging practices or normal agricultural practices.~~

8 ~~(c) The storage or use of feed for agricultural purposes if 1~~  
9 ~~or more of the following apply:~~

10 ~~(i) The area is occupied by livestock actively consuming the~~  
11 ~~feed on a daily basis.~~

12 ~~(ii) The feed is covered to deter wild, free-ranging white-~~  
13 ~~tailed deer and elk from gaining access to the feed or is being~~  
14 ~~used on a daily basis.~~

15 ~~(iii) The feed is in a storage facility or is stored in a manner~~  
16 ~~that is consistent with normal agricultural practices.~~

17 ~~(d) Feeding wild birds or other wildlife if done in such a~~  
18 ~~manner as to exclude wild, free-ranging white-tailed deer and elk~~  
19 ~~from gaining access to the feed.~~

20 **(2) Except as otherwise provided in subsection (3), if the**  
21 **commission issues an order banning or restricting deer or elk**  
22 **baiting, an individual may engage in deer or elk baiting if that**  
23 **individual does all of the following:**

24 **(a) Obtains a free deer or elk baiting license for the deer**  
25 **management unit where the individual has baiting locations.**

26 **(b) Does not use more than 10 gallons of bait at any time at**  
27 **the bait site.**

28 **(c) Only uses 1 bait site per bait location.**

29 **(3) The department may limit or prohibit deer or elk baiting**

1 in a deer management unit if the department determines that there  
2 is a high risk of spreading infectious disease in that management  
3 unit.

4 Enacting section 1. This amendatory act does not take effect  
5 unless Senate Bill No. \_\_\_\_ or House Bill No. 5298 (request no.  
6 00693'23) of the 102nd Legislature is enacted into law.