



KeyCite Yellow Flag - Negative Treatment

Proposed Legislation

Michigan Compiled Laws Annotated
Chapter 324. Natural Resources and Environmental Protection
Natural Resources and Environmental Protection Act (Refs & Annos)
Article III. Natural Resources Management
Chapter 2. Management of Renewable Resources
Subchapter 1. Wildlife
Wildlife Conservation
Part 401. Wildlife Conservation

M.C.L.A. 324.40112

324.40112. Obstruction or interference in lawful taking of animals
or fish by another; violations; injunction; penalties; applicability

Effective: July 13, 2015

[Currentness](#)

Sec. 40112. (1) An individual shall not obstruct or interfere in the lawful taking of animals or fish by another individual.

(2) An individual violates this section when the individual intentionally or knowingly does any of the following:

- (a) Drives or disturbs animals or fish for the purpose of disrupting a lawful taking.
- (b) Blocks, impedes, or harasses another individual who is engaged in the process of lawfully taking an animal or fish.
- (c) Uses a natural or artificial visual, aural, olfactory, gustatory, or physical stimulus or an unmanned vehicle or unmanned device that uses aerodynamic forces to achieve flight or that operates on the surface of the water or underwater, to affect animal or fish behavior in order to hinder or prevent the lawful taking of an animal or a fish.
- (d) Erects barriers to deny ingress or egress to areas where the lawful taking of animals or fish may occur. This subdivision does not apply to an individual who erects barriers to prevent trespassing on his or her property.
- (e) Interjects himself or herself into the line of fire of an individual lawfully taking wildlife.
- (f) Affects the condition or placement of personal or public property intended for use in the lawful taking of an animal or a fish in order to impair the usefulness of the property or prevent the use of the property.
- (g) Enters or remains upon private lands without the permission of the owner or the owner's agent, for the purpose of violating this section.

(h) Engages in any other act or behavior for the purpose of violating this section.

(3) Upon petition of an aggrieved person or an individual who reasonably may be aggrieved by a violation of this section, a court of competent jurisdiction, upon a showing that an individual was engaged in and threatens to continue to engage in illegal conduct under this section, may enjoin that conduct.

(4) An individual who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not less than \$500.00 or more than \$1,000.00, or both, and the costs of prosecution. An individual who violates this section a second or subsequent time is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not less than \$1,000.00 or more than \$2,500.00, or both, and the costs of prosecution. In addition to the penalties provided for in this subsection, any permit or license issued by the department authorizing the individual to take animals or fish shall be revoked. A prosecution under this section does not preclude prosecution or other action under any other criminal or civil statute.

(5) This section does not apply to a peace officer while the peace officer performs his or her lawful duties.

Credits

[P.A.1994, No. 451, § 40112](#), added by [P.A.1995, No. 57, § 1](#), Imd. Eff. May 24, 1995. Amended by [P.A.1996, No. 316, § 1](#), Eff. July 1, 1996; [P.A.2015, No. 12](#), Eff. July 13, 2015.

M. C. L. A. 324.40112, MI ST 324.40112

The statutes are current through P.A.2018, No. 382, also 386-388, 395-399, 403-417, 421, 426, 430, 449, and 456, of the 2018 Regular Session, 99th Michigan Legislature.