



Written by [Ty Bodden](#) on August 5, 2026

Follow the “Science”? Michigan Legalizes Deer Feeding — but Not for Hunters

Michigan residents may now place limited amounts of food near their homes for deer, elk, birds, and other wildlife, following Governor Gretchen Whitmer’s July 27 signing of [House Bill 4350](#) (HB4350). Although the measure partially restores property rights, it creates a problematic distinction: Residents may feed deer for recreational viewing, but most Lower Peninsula hunters may not use the same food to harvest deer for their families.



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Limited Feeding Now Legal

[HB4350](#), sponsored by [state Representative Ken Borton](#) (R-Gaylord), allows wildlife feeding within 300 feet of a residence, provided that no more than two gallons of feed are present within that area. The food must be placed either to prevent wildlife from starving or for recreational viewing. The act took effect immediately.

The law expressly excludes “baiting to take game” from its definition of wildlife feeding. As a result, the legal status of the food may depend largely on the property owner’s purpose. Two gallons placed near a home to watch deer is now lawful, while food placed to help a hunter harvest a deer remains illegal.

That distinction raises questions about equal treatment and the proper exercise of government power. Michigan is granting greater freedom to someone who wants to photograph a deer than to a hunter hoping to put venison on his family’s table. The state has effectively selected one acceptable reason for attracting wildlife while continuing to punish another.

Hunters Still Face Restrictions

Under state Department of Natural Resources [regulations](#), deer baiting is generally prohibited throughout the Lower Peninsula on both public and private property. Certain hunters with disabilities may use bait during the Liberty and Independence Hunts, provided they meet eligibility requirements. In the Upper Peninsula, baiting is permitted from September 15 through January 1. Bait there is generally limited to two gallons, must be scattered directly on the ground, and must cover at least a 10-foot-by-10-foot area.

Supporters of baiting restrictions [argue](#) that concentrating deer around food can accelerate the transmission of chronic wasting disease and bovine tuberculosis. Whitmer relied on that argument when she vetoed nearly identical legislation in 2021, contending that feeding disrupts wildlife movement and causes animals to congregate. The new law attempts to address those concerns by requiring state feeding orders to comply with federal disease-control standards and agreements. Chronic wasting disease, a common disease among cervids, [does not affect](#) humans who consume



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infected deer.

Disease prevention is a legitimate concern, but regulations should be consistent and narrowly tailored. If two gallons of food poses an unacceptable risk when placed by a hunter, the same food does not become harmless merely because the person placing it intends to watch rather than harvest the deer. A deer cannot distinguish between recreational feed and hunting bait.

Furthermore, responsible hunting is an important wildlife-management tool. Hunters help control deer populations, purchase licenses that finance conservation (although requiring government-issued licenses undermines limited-government principles), and provide food for their families and communities. Michigan's policy therefore creates the odd result of allowing residents to attract deer for entertainment while restricting hunters who seek to harvest those animals.

Constitutional Concerns

Requiring Michigan's wildlife policies to comply with federal disease-control standards undermines state sovereignty and further entrenches unconstitutional federal involvement in matters reserved to the states. Under the [10th Amendment](#) of the U.S. Constitution, wildlife management within Michigan should remain under the authority of the state and, ultimately, property owners — not distant federal agencies and bureaucrats playing king sitting behind their desks.

These restrictions also implicate fundamental [property rights](#). The [Fourth Amendment](#) of the [U.S. Constitution](#) protects Americans against unreasonable government searches and seizures of their homes and property, reinforcing the principle that private land should remain free from arbitrary government intrusion. A property owner should therefore be permitted to place feed on his own land and hunt over that feed. The [Ninth Amendment](#) further recognizes that the rights listed in the Constitution are not the only rights retained by the people. [God-given rights](#) are also consistent with Scripture, which grants mankind dominion over animals and permits their use for food ([Genesis 1:28; 9:3](#)). Government should not transform the lawful use of private property and the responsible harvesting of food into an offense merely because bureaucrats prefer a different wildlife-management policy.

A Step Toward Freedom

HB4350 is nevertheless a small step toward restoring the freedom of property owners to use their land without unnecessary government interference. Residents should not face criminal penalties merely because deer visit a bird feeder or consume a small amount of food placed near a home.

Michigan lawmakers should now apply the same principles of property rights, personal responsibility, and equal treatment to hunters. The Legislature should repeal restrictions that prevent citizens from feeding and lawfully harvesting deer on their own land, and refrain from dictating how peaceful property owners use their private property.



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