



Senate Fiscal Agency
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House Bill 5450 (Substitute H-2 as passed by the House)
House Bill 5750 (as passed by the House)
Sponsor: Representative Mike Shirkey (H.B. 5450)
Representative Ray A. Franz (H.B. 5750)
House Committee: Judiciary
Senate Committee: Judiciary

Date Completed: 11-24-14

CONTENT

The bills would revise the definition of "firearm" in separate statutes, to refer to a weapon that will, is designed to, or may be readily converted to expel a projectile by action of an explosive.

The bills would take effect on January 1, 2015.

House Bill 5450 (H-2)

The handgun licensure law provides for the regulation and licensure of the sale, purchase, possession, and carrying of certain firearms and other devices.

The law defines "firearm" as a weapon from which a dangerous projectile may be propelled by an explosive, or by gas or air. The term does not include a smooth bore rifle or handgun designed and manufactured exclusively for propelling BBs not exceeding .177 caliber by a spring, gas, or air. The bill would define "firearm" instead as described above.

House Bill 5750

Public Act 10 of 1952 establishes the duties of a person who discharges a firearm and thereby injures or fatally wounds another person. The person who discharges the firearm must stop at the scene and provide his or her name and address and render immediate and reasonable assistance. The person also must report the incident to law enforcement. A violation of the Act is punishable by a maximum fine of \$100 and/or up to 90 days' imprisonment.

The Act defines "firearm" as any weapon or device from which is propelled any missile, projectile, bullet, shot, pellet, or other mass by means of explosives, compressed air or gas, or springs, levers, or other mechanical device. The bill would define "firearm" instead as described above.

MCL 28.421 (H.B. 5450)
752.841 (H.B. 5750)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

House Bill 5450 (H-2)

The bill would have no fiscal impact on State or local government.

House Bill 5750

The bill would have an indeterminate fiscal impact on both State and local government. For calendar years 2009 through 2013, there were on average 15 to 20 court dispositions associated with the misdemeanor offense under Public Act 10 of 1952. The data do not show the type of firearm used in the offense. Therefore, to the extent any of the misdemeanors associated with the current definition of "firearm" would no longer be offenses, there could be a reduction in costs to local courts and law enforcement as well as to fine revenue dedicated to public libraries.

Fiscal Analyst: Bruce Baker
John Maxwell

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.