



**House
Legislative
Analysis
Section**

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BLACK POWDER HANDGUNS

Senate Bill 839 with House committee amendments
Senate Bill 840 as introduced
Sponsor: Sen. James Barcia

Senate Committee: Natural Resources & Environmental
Affairs

House Committee: Tourism & Recreation
First Analysis (6-20-88)

Mich. State Law Library

THE APPARENT PROBLEM:

Within the past decade there has been an upsurge in the number of hunters using primitive firearms, such as muzzle-loading shotguns, rifles and handguns. Until recently, many hunters used round balls (a type of bullet) and black powder (propellant of the bullet) when hunting with muzzle-loading firearms. Increased usage of these firearms has led to development of substitutes (called projectiles) for round balls and black powder which increase the accuracy and durability of muzzle-loading firearms. Some people believe that hunting laws should be amended to allow Michigan hunters to take advantage of developments within the muzzle-loading industry, and to further allow the use of muzzle-loading handguns.

THE CONTENT OF THE BILL:

Senate Bill 839 would amend the Game Law to allow deer hunting with a black powder handgun during the open season for deer hunting with muzzle-loading firearms. The law permits hunting with muzzle-loading rifles or shotguns that are loaded with round balls that are at least .44 caliber and propelled by black powder. The bill would amend the law to allow the use of muzzle-loading firearms and black powder handguns loaded with .44 caliber or larger projectile propelled by black powder or other commercially manufactured black powder substitute.

The bill would take effect on September 1, 1988.

MCL 312.11

Currently, the Hunting and Fishing License Act restricts a holder of a deer license from carrying a shotgun with buckshot, slug loads, or ball loads; a bow and arrow; a muzzle-loading rifle; or a centerfire rifle unless the person has a valid firearm deer license with an unused kill tag issued in his or her name. Senate Bill 840 would extend the restriction to black powder and center fire handguns.

The bill would take effect September 1, 1988 and is tie-barred to Senate bill 839.

MCL 316.208

HOUSE COMMITTEE ACTION:

The House Standing Committee on Tourism and Recreation amended Senate Bill 839 to allow .44 caliber or larger projectiles to be used in muzzle-loading firearms.

FISCAL IMPLICATIONS:

According to the Department of Natural Resources, neither bill would have fiscal implications to the state. (6-16-88)

ARGUMENTS:

For:

Until recently, round balls were one of the preferred types of ammunition for muzzle-loaders. However, developments within the muzzle-loading industry have led

to the production of other types of ammunition for muzzle-loaders that are more accurate and allow the ammunition to travel much farther. In addition, it was common for some black powders to leave residue or scratches on the barrel of a firearm which often lead to the deterioration of the weapon, but many of the new commercial substitutes for black powder do not have this problem. Senate Bill 839 will allow Michigan hunters to take advantage of all of the new black powder substitutes and ammunition for muzzle-loaders.

Currently, Michigan hunters are not allowed to use black powder handguns (also called muzzle-loading handguns) during the muzzle-loading season. However, the handguns can be used during the regular firearm season for the taking of deer. Senate Bill 839 will correct this oversight.

Against:

A muzzle-loading firearm will explode if it is loaded with more than one projectile. Senate Bill 839 should specify that only one projectile could be used at a time in a muzzle-loader.

Further, most muzzle-loading handguns do not generate enough energy to humanely kill a deer. If muzzle-loading handguns are allowed to be used during muzzle-loading season the number of deer that are killed inhumanely will probably increase. The bill does not address this issue.

Response: Hunters are already allowed to use muzzle-loading handguns during the regular firearm season for the taking of deer. The number of deer killed inhumanely does not appear to have increased substantially during the regular firearm season and it is not likely that a dramatic increase will occur.

For:

Currently, holders of firearm deer licenses are prohibited from carrying certain weapons during the deer season unless the person has an unused kill tag. This provision was established to deter group hunting and the illegal taking of deer. Senate Bill 840 would prohibit possession of centerfire handguns and black powder handguns unless the holder of the firearm deer license had a valid firearm deer license and an unused kill tag.

POSITIONS:

The Department of Natural Resources supports both bills. (6-16-88)

S.B. 839 & 840 (6-20-88)

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