



**House
Legislative
Analysis
Section**

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FIREARMS AMENDMENTS

House Bill 4822

**Sponsor: Rep. Jerry C. Bartnik
Committee: Tourism, Fisheries &
Wildlife**

Complete to 5-15-91

A SUMMARY OF HOUSE BILL 4822 AS INTRODUCED 5-14-91

Public Act 321 of 1990 amended the Penal Code to add a number of provisions related to the use of firearms. House Bill 4822 would make several changes in those provisions.

Under the 1990 legislation, a person who commits or attempts a violent act while wearing body armor is guilty of a felony. The bill would add a penalty for this offense: violation of the body armor provision would be punishable by up to four years imprisonment, a fine of up to \$2,000, or both. Further, the bill would specify that the body armor provision would not apply to on-duty peace officers, nor to security officers working on a scheduled work shift.

The 1990 law made it a felony to intentionally discharge a firearm from a motor vehicle, a snowmobile, or an off-road vehicle in a manner endangering the safety of others. The bill would specify that the provision would not apply to on-duty peace officers.

The 1990 legislation added a prohibition against possessing a firearm on the premises of financial institutions, churches, schools, courts, theaters, sports arenas, day care centers, hospitals, and establishments holding liquor licenses. However, the act makes certain exceptions, including for a peace officer "lawfully performing his or her duties as a peace officer." The bill would delete the language specifically requiring the officer to be on duty, making the exception apply to peace officers at any time. Further, the act contains an exception allowing the possession of a firearm in those public places for purposes of display or exhibition, if the person had the permission of the owner of the establishment. The bill would delete language that limits the exception to cases of display or exhibition; the possession of a firearm would be allowed simply with the permission of the owner of the establishment.

Finally, the 1990 act prohibits the possession of firearms in public by minors, except under the direct supervision of an adult. The bill would specify that this provision would not apply to a minor who possessed a firearm while legally hunting.

MCL 750.227f et al.