



**House  
Legislative  
Analysis  
Section**

House Office Building, 9 South  
Lansing, Michigan 48909  
Phone: 517/373-6466

**BLACK GUNPOWDER FIREARM  
SALES**

**House Bills 4123, 4124 and 4125  
Sponsor: Rep. Janet Kukuk  
Committee: Conservation and Outdoor  
Recreation**

**Complete to 11-8-00**

**A SUMMARY OF HOUSE BILLS 4123, 4124 and 4125 AS INTRODUCED 2-2-99**

House Bill 4123 would add a new section to the Michigan Penal Code to clarify that a permit is not required in order to sell an antique firearm (as that term is defined under the act) through any media. House Bill 4124 would amend Public Act 372 of 1927, the act that regulates and licenses the sale and possession of certain firearms, to clarify that a license is not required for the manufacture, sale, distribution, or possession of black gunpowder antique firearms. The provisions of the bills would also apply to ammunition, black gunpowder, substitutes for black gunpowder, and percussion caps that are used in antique firearms. In addition, House Bills 4124 and 4125 would specify that the provisions of Public Act 372 concerning licensing and safety inspections do not apply to antique firearms.

House Bill 4123 would amend the Penal Code (MCL 750.227g) to specify that a person could not be required to have a permit in order to lawfully sell or lawfully offer to sell any of the following in Michigan through the Internet or other electronic media, or through a newspaper, magazine, or other print media:

- An antique firearm.
- Ammunition for an antique firearm.
- Percussion caps for use on antique firearms.
- Black gunpowder or a product substantially equivalent to black gunpowder.

House Bill 4124 would amend Public Act 372 of 1927, the act regulating and licensing firearms (MCL 28.425 et al.) to specify that the provisions of the act do not apply to any of the following:

- The manufacture, sale, distribution, or possession of black gunpowder for antique firearms.
- The use of black gunpowder in an antique firearm.
- The manufacture, sale, distribution, or possession of a substitute for black gunpowder for antique firearms.
- The use of a substitute for black gunpowder in an antique firearm.

House Bill 4124 and House Bill 4125 would also amend the current provision in Public Act 372 (MCL 28.432) concerning the inapplicability of licensing and safety inspections to clarify current language and to specify that the licensing and safety inspection provisions of the act do not apply to antique firearms.

Analyst: R. Young

---

#This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.