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Senate Bill 809 (as reported without amendment)  
Sponsor: Senator Valde Garcia  
Committee: Judiciary

## **CONTENT**

The bill would amend the Michigan Penal Code to expand the list of weapons offenses from which certain officials are exempt, and to include among those officials a member of the U.S. Coast Guard or Coast Guard reserve.

Under the Code, the officials to whom certain weapons offenses do not apply include a peace officer; a Department of Corrections employee who is authorized to carry a concealed weapon while performing official duties; a member of the U.S. Army, Air Force, Navy, or Marine Corps carrying weapons in the line of duty; an organization authorized to purchase or receive weapons from the U.S. or the State; or a member of the National Guard, armed forces reserve, or any other authorized military organization while carrying weapons for an official purpose. The bill would add to that list a member of the U.S. Coast Guard, while carrying weapons in the line of duty, and a member of the U.S. Coast Guard reserve while carrying weapons for an official purpose.

The weapons offenses from which those listed above are exempt include: 1) possessing a machine gun or firearm designed to shoot more than one shot without manual reloading; a muffler or silencer; a bomb or bombshell; or a device designed to disable a person by the ejection, release, or emission of a gas or other substance; 2) carrying a concealed dagger, dirk, stiletto, double-edged nonfolding stabbing instrument of any length, or any other dangerous weapon, except a hunting knife, or carrying a concealed pistol without a license; 3) transporting or possessing a loaded firearm, other than a pistol, in or upon a boat, motor vehicle, aircraft or other mechanically propelled vehicle; and 4) transporting or possessing a firearm, other than a pistol, in or upon a motor vehicle or any self-propelled vehicle unless the firearm is unloaded and is taken down, enclosed in a case, carried in the trunk, or inaccessible from the vehicle's interior.

The bill would add all of the following to the offenses from which the people listed above are exempt: 1) possessing a portable device or weapon from which an electrical current, impulse, wave, or beam may be directed and that is designed to incapacitate temporarily, injure, or kill; 2) possessing a short-barreled shotgun or a short-barreled rifle; and 3) possessing any knife having the appearance of a pocket knife, whose blade can be opened by a mechanical contrivance.

MCL 750.231

Legislative Analyst: Patrick Affholter

## **FISCAL IMPACT**

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

Date Completed: 2-14-02

Fiscal Analyst: Bethany Wicksall

