

SENATE BILL No. 40

January 27, 2009, Introduced by Senators BASHAM and SWITALSKI and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 234e (MCL 750.234e), as added by 1990 PA 321.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 234e. (1) Except as provided in subsection (2), a person
2 shall not knowingly brandish a firearm **OR AN OBJECT THAT APPEARS TO**
3 **BE A FIREARM** in public.

4 (2) Subsection (1) does not apply to any of the following:

5 (a) A peace officer lawfully performing his or her duties as a
6 peace officer.

7 (b) A person lawfully engaged in hunting.

8 (c) A person lawfully engaged in target practice.

9 (d) A person lawfully engaged in the sale, purchase, repair,
10 or transfer of that firearm.

1 (3) A person who violates this section is guilty of a
2 misdemeanor punishable by imprisonment for not more than ~~90~~**93** days
3 ~~—~~or a fine of not more than \$100.00, or both.