



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 4262 (as reported without amendment)
Sponsor: Representative Frank Foster
House Committee: Tourism
Senate Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to remove a reference to certain types of knives from the felony of going armed with a dangerous weapon, and revise the restriction on carrying a concealed knife. The bill would take effect 90 days after its enactment.

Under the Penal Code, a person who goes armed with a pistol or other firearm, a dagger, dirk, razor, stiletto, or knife having a blade more than three inches long, or any other dangerous or deadly weapon, with the intent to use it against another person, is guilty of a felony punishable by up to five years' imprisonment and/or a maximum fine of \$2,500. The bill would delete dagger, dirk, and stiletto from that provision and would remove the three-inch restriction on a knife.

The Penal Code prohibits a person from carrying a concealed dagger, dirk, stiletto, double-edged nonfolding stabbing instrument of any length, or any other dangerous weapon, except a hunting knife. The prohibition extends to carrying the weapon in a vehicle, whether concealed or not. A violation is a felony, punishable by up to five years' imprisonment and/or a maximum fine of \$2,500.

Under the bill, instead, a person could not carry on his or her person a concealed double-edged nonfolding knife of any length, or any other bladed object designed, manufactured, or intended to be used to cause death or injury to any person, and could not carry such an item in any vehicle whether concealed or not. The prohibition would not apply to an object the person carried in his or her house or place of business or on other land he or she possessed; an object carried in transit between those locations that was securely encased and not readily accessible for immediate use; or an object carried in the course of hunting, fishing, or trapping or for use as a tool in the course of the person's occupation or hobby, if that hobby reasonably required the use of the object.

MCL 750.226 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local costs of incarceration and community supervision. In 2011, there were 2,156 felony dispositions related to the sections of the Michigan Penal Code that the bill would revise. However, there are no data to indicate whether the number of dispositions would decline as a result of the additional exceptions for transit and hunting and fishing that would be included under the bill.

Date Completed: 6-13-13

Fiscal Analyst: Dan O'Connor

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.