

HOUSE BILL No. 4580

April 17, 2013, Introduced by Rep. Shirkey and referred to the Committee on Local Government.

A bill to amend 1989 PA 269, entitled

"An act to provide civil immunity to persons who operate or use certain sport shooting ranges; and to regulate the application of state and local laws, rules, regulations, and ordinances regarding sport shooting ranges,"

by amending sections 1 and 2a (MCL 691.1541 and 691.1542a), section 1 as amended and section 2a as added by 1994 PA 250.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Generally accepted operation practices" means ~~those~~
3 practices adopted by the ~~commission of~~ natural resources **COMMISSION**
4 that are established by a nationally recognized nonprofit
5 membership organization that provides voluntary firearm safety
6 programs that include training individuals in the safe handling and
7 use of firearms, ~~which practices~~ **AND THAT** are developed with
8 consideration of all information reasonably available regarding the

1 operation of shooting ranges. The generally accepted operation
2 practices shall be reviewed at least every 5 years by the **NATURAL**
3 **RESOURCES** commission ~~of natural resources~~ and revised as the
4 commission considers necessary. ~~The commission shall adopt~~
5 ~~generally accepted operation practices within 90 days of the~~
6 ~~effective date of section 2a.~~

7 (b) "Local unit of government" means a county, city, township,
8 or village.

9 (c) "Person" means an individual, proprietorship, partnership,
10 corporation, club, governmental entity, or other legal entity.

11 (d) "Sport shooting range" or "range" means an area designed
12 and operated for the use of archery, rifles, shotguns, pistols,
13 silhouettes, skeet, trap, black powder, or any other similar sport
14 shooting. **SPORT SHOOTING RANGE INCLUDES A RANGE THAT CHARGES DUES,**
15 **COLLECTS MEMBERSHIP FEES, CONDUCTS PUBLIC OR PRIVATE TRAINING OR**
16 **TESTING, SELLS CONCESSIONS OR RANGE-RELATED SUPPLIES, OR CONDUCTS**
17 **SIMILAR ACTIVITIES, AND A SPORT SHOOTING RANGE THAT CONDUCTS 1 OR**
18 **MORE OF THESE ACTIVITIES RETAINS ITS STATUS AND STATUTORY**
19 **PROTECTIONS AS A SPORT SHOOTING RANGE OR RANGE UNDER THIS ACT.**

20 Sec. 2a. (1) A sport shooting range that is operated and is
21 not in violation of existing law at the time of the enactment of an
22 ordinance shall be permitted to continue in operation even if the
23 operation of the sport shooting range at a later date does not
24 conform to the new ordinance or an amendment to an existing
25 ordinance **AND REGARDLESS OF WHETHER COMMERCIAL ACTIVITIES TAKE**
26 **PLACE AT THE RANGE.**

27 (2) A sport shooting range that is in existence ~~as of the~~

1 ~~effective date of this section~~ **ON JULY 5, 1994** and operates in
2 compliance with generally accepted operation practices, even if not
3 in compliance with an ordinance of a local unit of government,
4 shall be permitted to do all of the following within its
5 preexisting geographic boundaries if in compliance with generally
6 accepted operation practices, **REGARDLESS OF WHETHER COMMERCIAL**
7 **ACTIVITIES TAKE PLACE AT THE RANGE:**

8 (a) Repair, remodel, or reinforce any conforming or
9 nonconforming building or structure as ~~may be necessary~~ in the
10 interest of public safety or to secure the continued use of the
11 building or structure.

12 (b) Reconstruct, repair, restore, or resume the use of a
13 nonconforming building damaged by fire, collapse, explosion, act of
14 god, or act of war occurring after ~~the effective date of this~~
15 ~~section.~~ **JULY 5, 1994.** The reconstruction, repair, or restoration
16 shall be completed within 1 year following the date of the damage
17 or settlement of any property damage claim. If reconstruction,
18 repair, or restoration is not completed within 1 year, continuation
19 of the nonconforming use may be terminated in the discretion of the
20 local unit of government.

21 (c) Do anything authorized under generally accepted operation
22 practices, including, but not limited to:

23 (i) Expand or increase its membership or opportunities for
24 public participation.

25 (ii) Expand or increase events and activities.