

# HOUSE BILL No. 5137

October 18, 2017, Introduced by Rep. Johnson and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
(MCL 750.1 to 750.568) by adding sections 204b and 204c.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 204B. (1) A PERSON SHALL NOT IMPORT, MANUFACTURE,  
2        DISTRIBUTE, OR STORE EXPLOSIVE MATERIALS IN THIS STATE, UNLESS THE  
3        IMPORTATION, MANUFACTURE, DISTRIBUTION, OR STORAGE OF THE EXPLOSIVE  
4        MATERIALS COMPLIES WITH 18 USC 841 TO 848 AND 27 CFR 555.

5        (2) A PERSON THAT VIOLATES THIS SECTION IS GUILTY OF A  
6        MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR  
7        A FINE OF NOT MORE THAN \$10,000.00, OR BOTH.

8        (3) A CONVICTION OR SENTENCE IMPOSED FOR A VIOLATION OF THIS  
9        SECTION DOES NOT PRECLUDE A CONVICTION OR SENTENCE FOR A VIOLATION  
10       OF ANY OTHER APPLICABLE LAW. AS USED IN THIS SECTION, "EXPLOSIVE  
11       MATERIALS" MEANS THAT TERM AS DEFINED IN 18 USC 841.

1           SEC. 204C. (1) A PERSON SHALL NOT HANDLE ANY EXPLOSIVE  
2 MATERIALS WHILE UNDER THE INFLUENCE OF AN ALCOHOLIC LIQUOR OR  
3 CONTROLLED SUBSTANCE.

4           (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
5 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR  
6 A FINE OF NOT MORE THAN \$500.00, OR BOTH.

7           (3) AS USED IN THIS SECTION:

8           (A) "ALCOHOLIC LIQUOR" MEANS THAT TERM AS DEFINED IN SECTION  
9 1D OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1D.

10          (B) "CONTROLLED SUBSTANCE" MEANS THAT TERM AS DEFINED IN  
11 SECTION 7104 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7104.

12          (C) "EXPLOSIVE MATERIALS" MEANS THAT TERM AS DEFINED IN 18 USC  
13 841.

14          Enacting section 1. This amendatory act takes effect 90 days  
15 after the date it is enacted into law.