

Act No. 29
Public Acts of 2018
Approved by the Governor
February 20, 2018
Filed with the Secretary of State
February 21, 2018
EFFECTIVE DATE: May 22, 2018

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Rep. Johnson

ENROLLED HOUSE BILL No. 5137

AN ACT to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” (MCL 750.1 to 750.568) by adding sections 204b and 204c.

The People of the State of Michigan enact:

Sec. 204b. (1) A person shall not import, manufacture, distribute, or store explosive materials in this state, unless the importation, manufacture, distribution, or storage of the explosive materials complies with 18 USC 841 to 848 and 27 CFR 555.

(2) A person that violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 2 years or a fine of not more than \$10,000.00, or both.

(3) A conviction or sentence imposed for a violation of this section does not preclude a conviction or sentence for a violation of any other applicable law. As used in this section, “explosive materials” means that term as defined in 18 USC 841.

Sec. 204c. (1) A person shall not handle any explosive materials while under the influence of an alcoholic liquor or controlled substance.

(2) A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$500.00, or both.

(3) As used in this section:

(a) “Alcoholic liquor” means that term as defined in section 1d of the Michigan vehicle code, 1949 PA 300, MCL 257.1d.

(b) “Controlled substance” means that term as defined in section 7104 of the public health code, 1978 PA 368, MCL 333.7104.

(c) “Explosive materials” means that term as defined in 18 USC 841.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor