



Senate Fiscal Agency  
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## BILL ANALYSIS

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House Bills 4712 and 4713 (as passed by the House)  
Sponsor: Representative Steven Johnson (H.B. 4712)  
Representative Aaron Miller (H.B. 4713)  
House Committee: Judiciary  
Senate Committee: Judiciary and Public Safety

Date Completed: 1-29-20

### **CONTENT**

**House Bill 4712 would repeal Section 421 of the Michigan Penal Code, which generally prohibits a person from constructing, reconstructing, devising, manufacturing, purchasing, selling, possessing, or operating a motor vehicle or other vehicle capable of being drawn by a motor vehicle designed for the use or purpose of defense or attack.**

**House Bill 4713 would delete from the sentencing guidelines in the Code of Criminal Procedure a violation of Section 421 of the Penal Code, which is a Class H felony against public safety with a statutory maximum sentence of five years' imprisonment.**

House Bill 4713 is tie-barred to House Bill 4712. Each bill would take effect 90 days after its enactment.

House Bill 4712 is described in greater detail below.

Section 421 of the Penal Code specifies that any person who constructs, reconstructs, devises, manufactures, purchases, sells, possesses or operates any motor vehicle or other vehicle capable of being drawn by a motor vehicle, designed for the use or purpose of defense or attack, from or by explosives, projectiles, ammunition, gases, fumes or other missiles, weapons and firearms, without first obtaining a license from the Director of the Department of State Police (MSP), or his or her duly authorized deputy, is guilty of a felony punishable by up to five years' imprisonment or a maximum fine of \$2,500.

Section 421 does not apply to a person who engages in these activities by virtue of any contract with any department of the United States government, or with any foreign government, state, or municipality, or a political subdivision or the U.S. government, a foreign government, state, or municipality.

Applications for a license must be on forms provided by the MSP. The applicant must possess the same qualifications and the license must be issued and revoked in the same manner and subject to the same conditions as are prescribed by law for the issuing and revoking of licenses for carrying concealed weapons, as far as the same are applicable. The Director may prescribe other rules and regulations as are necessary to carry out the purpose of Section 421.

The bill would repeal Section 421.

**FISCAL IMPACT**

The bills would have a minimal fiscal impact on State and local government. Fewer arrests and convictions could result from the bill's provisions, which could result in cost savings for the State. Also, local units could lose revenue for local libraries, as current law designates any additional revenue from imposed fines to go to local libraries.

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