

## ALLOW LOCAL GOVERNMENTS TO PROHIBIT OPEN CARRY OF FIREARMS

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 4198 as introduced**  
**Sponsor: Rep. Carol Glanville**  
**Committee: Judiciary**  
**Complete to 12-10-24**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 4198 would amend 1990 PA 319, which prohibits local units of government from imposing certain restrictions on *firearms* and ammunition. The bill would newly allow cities, villages, townships, or counties to prohibit the *open carry*<sup>1</sup> of firearms within their boundaries by adding open carry to the following list of currently regulatable exceptions:

- Prohibit or regulate conduct with a *pistol*, other firearm, or *pneumatic gun* that is a criminal offense under state law.
- Prohibit or regulate the transportation, carrying, or possession of pistols, other firearms, or pneumatic guns by employees of that local unit of government in the course of their employment.
- Require that a person below the age of 16 who is in possession of a pneumatic gun within the boundaries of the local unit of government be under the supervision of a parent, a guardian, or an individual 18 years of age or older (unless the possession takes place on or within private property and the person below the age of 16 is authorized by a parent or guardian and the property owner or legal possessor of the pneumatic gun).

***Firearm*** means any weapon which will, is designed to, or may readily be converted to expel a projectile by action of an explosive.

***Pistol*** means a loaded or unloaded firearm that is 26 inches or less in length, or a loaded or unloaded firearm that by its construction and appearance conceals itself as a firearm (defined by section 222 of the Michigan Penal Code).

***Pneumatic gun*** means any implement, designed as a gun, that will expel a BB or pellet by spring, gas, or air. (This definition includes a paintball gun that expels by pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.)

MCL 123.1103

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<sup>1</sup> The *open carry* (or open possession) of firearms is not explicitly regulated by statute. A person with or without a concealed pistol license is allowed to openly carry a firearm in a public place as long as the person is carrying with a lawful intent and the firearm is not concealed, with certain exceptions defined by section 50 of the firearms licensure act (MCL 28.425o).

**FISCAL IMPACT:**

House Bill 4198 would have no fiscal impact on the state or local units of government.

Fiscal Analyst: Aaron A. Meek

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.