

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4128**

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 234d (MCL 750.234d), as amended by 1994 PA 158.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 234d. (1) Except as provided in subsection (2), a person
2 shall not possess a firearm on the premises of any of the
3 following:

4 (a) A depository financial institution or a subsidiary or
5 affiliate of a depository financial institution.

6 (b) A church or other house of religious worship.

7 (c) A court.

8 (d) A theatre.

9 (e) A sports arena.

1 (f) A day care center.

2 (g) A hospital.

3 (h) An establishment licensed under the Michigan liquor
4 control act, ~~Act No. 8 of the Public Acts of the Extra Session of~~
5 ~~1933, being sections 436.1 to 436.58 of the Michigan Compiled~~
6 ~~Laws.~~ **code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303.**

7 (2) ~~This section~~ **Subsection (1)** does not apply to any of the
8 following:

9 (a) A person who owns, or is employed by or contracted by, an
10 entity described in subsection (1) if the possession of that
11 firearm is to provide security services for that entity.

12 (b) A peace officer.

13 (c) A person licensed by this state or another state to carry
14 a concealed weapon.

15 (d) A person who possesses a firearm on the premises of an
16 entity described in subsection (1) if that possession is with the
17 permission of the owner or an agent of the owner of that entity.

18 (3) **Except as provided in subsection (4), a person shall not**
19 **do any of the following:**

20 (a) **While the polls are open on an election day, possess a**
21 **firearm in a polling place or within 100 feet from any entrance to**
22 **a building in which a polling place is located.**

23 (b) **On any day early voting is conducted at an early voting**
24 **site as described in section 4(1)(m) of article II of the state**
25 **constitution of 1963, possess a firearm at an early voting site or**
26 **within 100 feet from any entrance to a building in which an early**
27 **voting site is located.**

28 (c) **For 40 days before an election, possess a firearm within**
29 **100 feet from any absent voter ballot drop box.**

1 (d) For the 40 days before an election when an absent voter
2 can vote an absent voter ballot in person with the city or township
3 clerk, possess a firearm in a city or township clerk's office, or
4 an official satellite office of a city or township clerk that is
5 staffed by employees of the city or township clerk, or within 100
6 feet from any entrance to a city or township clerk's office or
7 satellite office.

8 (4) Subsection (3) does not apply to any of the following:

9 (a) A peace officer.

10 (b) A person who possesses a firearm in that person's
11 residence or on that person's private property **or any other person**
12 **who has permission to possess a firearm in that person's residence**
13 **or on that person's private property.**

14 (c) A person carrying a concealed pistol if that person is
15 licensed by this state or another state to carry a concealed
16 pistol.

17 (5) Subsection (3) does not apply to a person who is lawfully
18 transporting or possessing a firearm in a vehicle.

19 (6) Except as provided in subsection (7), a person shall not,
20 while absent voter ballots are being processed, possess a firearm
21 in an absent voter counting place or a combined absent voter
22 counting place or within 100 feet from any entrance to an absent
23 voter counting place or a combined absent voter counting place.

24 (7) Subsection (6) does not apply to a uniformed law
25 enforcement officer acting in the course of the officer's duties.

26 (8) ~~(3)~~—A person who violates this section is guilty of a
27 misdemeanor punishable by imprisonment for not more than 90 days or
28 a fine of not more than \$100.00, or both.