

ANTIQUE FIREARMS

House Bills 4431 and 4432

Sponsor: Rep. Janet Kukuk

**Committee: Conservation and Outdoor
Recreation**

Complete to 3-29-99

A SUMMARY OF HOUSE BILLS 4431 AND 4432 AS INTRODUCED 3-23-99

House Bills 4431 and 4432 would amend the firearms act (MCL 28.421 et al.) and the Explosives Act (MCL 29.43), respectively, to allow the purchase and sale of antique weapons without a license, and to exempt black powder that was intended for use in antique firearms from the permit requirements of the Explosives Act. Under House Bill 4431, "antique firearm" would be defined to mean either of the following:

- A firearm, manufactured in or before 1898, that was not designed or redesigned for using rimfire or conventional center fire ignition with fixed ammunition, including a matchlock, flintlock, percussion cap, or similar type of ignition system or a replica of such a firearm, whether actually manufactured before or after the year 1898.
- A firearm using fixed ammunition manufactured in or before 1898, for which ammunition was no longer manufactured in the United States, and wasn't readily available in the ordinary channels of commercial trade.

House Bill 4431. Currently, the firearms act specifies that no one -- including a person on leave from active duty, or one who has been discharged from active duty -- may purchase, carry, or transport a pistol within the state without a license. The bill would exempt a person who was buying, selling, or who came into possession of an antique firearm from this provision, unless the person was prohibited from owning a firearm by any other law. The act also specifies that anyone who owns a pistol, or who comes into possession of one, must present the pistol for safety inspection to the police or the county sheriff. House Bill 4431 would exempt the owner of an antique firearm from this provision unless that person was prohibited from owning a firearm under another law.

House Bill 4432. The Explosives Act specifies that no one may handle, store, control, use, sell, purchase, transfer, transport, or otherwise dispose of an explosive without a valid permit. This provision does not apply to the employee or agent of a person whose employer has a valid permit, unless that person is an independent contractor. The bill would extend the exemption to include a person who sold or purchased black powder, or a substitute for black powder, that was manufactured for and intended for use in antique firearms.

Analyst: R. Young

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