



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 6363 (Substitute H-2 as reported without amendment)
House Bill 6364 (Substitute H-2 as reported without amendment)
Sponsor: Representative Scott Hummel
House Committee: Government Operations
Senate Committee: Judiciary

CONTENT

The bills would amend separate statutes to prohibit the seizure, taking, or confiscation of firearms, weapons, or ammunition in a state of emergency.

House Bill 6363 (H-2) would amend the Emergency Management Act, which authorizes the Governor to take certain actions upon declaring a state of disaster or a state of emergency. The actions include suspending or limiting the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles. The bill would remove reference to firearms, and specifies that this provision would not authorize the seizure, taking, or confiscation of lawfully possessed firearms or ammunition.

House Bill 6364 (H-2) would amend Public Act 302 of 1945, which authorizes the Governor to declare a state of emergency during times of great public crisis, disaster, rioting, catastrophe, or similar public emergency within the State. The Governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation under control. Among other things, the orders, rules, and regulations may include control of the possession, sale, carrying, and use of firearms, other dangerous weapons, and ammunition. The bill would remove reference to the control of firearms, other dangerous weapons, and ammunition. The bill specifies that these provisions would not authorize the seizure, taking, or confiscation of lawfully possessed firearms, ammunition, or other weapons.

MCL 30.405 (H.B. 6363)
10.31 (H.B. 6364)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Date Completed: 12-7-06

Fiscal Analyst: Bruce Baker