

# SENATE BILL No. 40

January 27, 2009, Introduced by Senators BASHAM and SWITALSKI and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 234e (MCL 750.234e), as added by 1990 PA 321.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 234e. (1) Except as provided in subsection (2), a person  
2 shall not knowingly brandish a firearm **OR AN OBJECT THAT APPEARS TO**  
3 **BE A FIREARM** in public.

4       (2) Subsection (1) does not apply to any of the following:

5       (a) A peace officer lawfully performing his or her duties as a  
6 peace officer.

7       (b) A person lawfully engaged in hunting.

8       (c) A person lawfully engaged in target practice.

9       (d) A person lawfully engaged in the sale, purchase, repair,  
10 or transfer of that firearm.

1           (3) A person who violates this section is guilty of a  
2 misdemeanor punishable by imprisonment for not more than ~~90~~**93** days  
3 ~~—~~or a fine of not more than \$100.00, or both.