



Senate Fiscal Agency  
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Senate Bill 963 (Substitute S-4 as reported by the Committee of the Whole)  
Senate Bill 964 (Substitute S-2 as reported)  
Senate Bill 965 (Substitute S-2 as reported)  
Senate Bill 966 (Substitute S-3 as reported by the Committee of the Whole)  
Sponsor: Senator Dave Hildenbrand (S.B. 963)  
Senator Phil Pavlov (S.B. 964)  
Senator Joe Hune (S.B. 965)  
Senator Rick Jones (S.B. 966)  
Committee: Judiciary

### **CONTENT**

The bills would revise the definition of "firearm" in various statutes, to refer to a weapon that will, is designed to, or may be readily converted to expel a projectile by action of an explosive. The bills would take effect on January 1, 2015.

Senate Bill 963 (S-4) would amend the handgun licensure law, which defines "firearm" as a weapon from which a dangerous projectile may be propelled by an explosive, or by gas or air. The term does not include a smooth bore rifle or handgun designed and manufactured exclusively for propelling BBs not exceeding .177 caliber by a spring, gas, or air. The bill would define "firearm" instead as described above.

Senate Bill 964 (S-2) would amend Chapter 1 of the Revised Statutes of 1846, which defines certain terms used in the Michigan compiled laws. The term "firearm", except as otherwise specifically defined in statute, includes any weapon from which a dangerous projectile may be propelled by using explosives, gas, or air as a means of propulsion, except for any smooth bore rifle or handgun designed and manufactured exclusively for propelling BBs not exceeding .177 caliber by means of spring, gas, or air. Under the bill, instead, "firearm" would have the meaning described above, except as otherwise specifically defined in statute.

Senate Bill 965 (S-2) would amend Chapter 37 (Firearms) and Section 528a of the Michigan Penal Code. Under Chapter 37, "firearm" means a weapon from which a dangerous projectile may be propelled by an explosive, or by gas or air. The term does not include a smooth bore rifle or handgun designed and manufactured exclusively for propelling BBs not exceeding .177 caliber by a spring, or by gas or air.

Section 528a makes it a felony to teach or demonstrate the use or construction of a firearm for purposes of a civil disorder. The section defines "firearm" as any weapon from which a dangerous projectile may be propelled by using explosives, gas, or air as a means of propulsion; any weapon that may be readily converted to expel any projectile by the action of an explosive, or the frame or receiver of such a firearm or weapon, except any smooth bore rifle or handgun designed and manufactured exclusively for propelling BBs not exceeding .177 caliber by means of spring, gas, or air.

Under the bill, in both Chapter 37 and Section 528a, "firearm" instead would have the meaning described above.

Senate Bill 966 (S-3) would amend Part 401 (Wildlife Conservation) and Part 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act (NREPA). Part 401 defines "firearm" as a weapon from which a dangerous projectile may be propelled by using explosives, gas, or air. Part 435 defines "firearm" as a weapon from which a dangerous projectile may be propelled by using explosives, gas, or air as a means of propulsion. Both definitions exclude a smooth bore rifle or handgun designed and manufactured exclusively for propelling BBs not exceeding .177 caliber by means of a spring, air, or gas.

Under the bill, Parts 401 and 435 instead would define "firearm" as described above.

The bill also specifies that a pneumatic gun as defined in Public Act 319 of 1990, other than a paintball gun, also would be considered a firearm under NREPA. The bill is tie-barred to Senate Bill 979. (Senate Bill 979 (S-2) would amend Public Act 319 to define "pneumatic gun" as any implement designed as a gun, that will expel a BB or pellet by spring, gas, or air.)

MCL 28.421 (S.B. 963)

8.3t (S.B. 964)

750.222 & 750.528a (S.B. 965)

324.40102 & 324.43503 (S.B. 966)

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

Senate Bills 963 (S-4), 964 (S-2), and 965 (S-2) would modify statutory definitions of "firearm" to exclude weapons that fire a projectile by gas or air. Relative to current law, there could be a decrease in the number of firearm offenses related to such weapons.

Senate Bill 966 (S-3) would have no fiscal impact on State or local government.

Date Completed: 9-17-14

Fiscal Analyst: John Maxwell  
Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.