

HOUSE BILL No. 5091

October 22, 2013, Introduced by Reps. Johnson, Dillon, Outman, VerHeulen, Brown, Dianda, McMillin, Kivela, LaVoy, Lamonte and Yonker 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 in public.

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

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

6 (b) A person lawfully engaged in hunting.

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

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

10 **(E) A PERSON WHO IS NOT PROHIBITED FROM OWNING OR POSSESSING A**

1 FIREARM AND IS IN LAWFUL POSSESSION OF AN OPENLY CARRIED FIREARM
2 THAT IS HOLSTERED OR CARRIED ON A SLING.

3 (3) A person who violates this section is guilty of a
4 misdemeanor punishable by imprisonment for not more than 90 days,
5 or a fine of not more than \$100.00, or both.

6 Enacting section 1. This amendatory act does not take effect
7 unless Senate Bill No. ____ or House Bill No. ____ (request no.
8 03299'13) of the 97th Legislature is enacted into law.