

# SENATE BILL No. 979

June 11, 2014, Introduced by Senator HILDENBRAND and referred to the Committee on Judiciary.

A bill to amend 1990 PA 319, entitled

"An act to prohibit local units of government from imposing certain restrictions on the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols or other firearms, ammunition for pistols or other firearms, or components of pistols or other firearms,"

by amending sections 1, 2, 3, and 4 (MCL 123.1101, 123.1102, 123.1103, and 123.1104).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. As used in this act:

2           (A) "FIREARM" MEANS ANY WEAPON WHICH WILL, IS DESIGNED TO, OR  
3 MAY READILY BE CONVERTED TO EXPEL A PROJECTILE BY ACTION OF AN  
4 EXPLOSIVE.

5           (B) ~~(a)~~—"Local unit of government" means a city, village,  
6 township, or county.

1           (C) ~~(b)~~ "Pistol" means that term as defined in section 222 of  
2 the Michigan penal code, ~~Act No. 328 of the Public Acts of 1931,~~  
3 ~~being section 750.222 of the Michigan Compiled Laws.1931 PA 328,~~  
4 **MCL 750.222.**

5           (D) "PNEUMATIC GUN" MEANS ANY IMPLEMENT, DESIGNED AS A GUN,  
6 THAT WILL EXPEL A BB OR PELLET BY SPRING, GAS, OR AIR. PNEUMATIC  
7 GUN INCLUDES A PAINTBALL GUN THAT EXPELS BY PNEUMATIC PRESSURE  
8 PLASTIC BALLS FILLED WITH PAINT FOR THE PURPOSE OF MARKING THE  
9 POINT OF IMPACT.

10           Sec. 2. A local unit of government shall not impose special  
11 taxation on, enact or enforce any ordinance or regulation  
12 pertaining to, or regulate in any other manner the ownership,  
13 registration, purchase, sale, transfer, transportation, or  
14 possession of pistols, ~~or~~ other firearms, **OR PNEUMATIC GUNS,**  
15 ammunition for pistols or other firearms, or components of pistols  
16 or other firearms, except as otherwise provided by federal law or a  
17 law of this state.

18           Sec. 3. This act does not prohibit a local unit of government  
19 from doing either of the following:

20           (a) Prohibiting or regulating conduct with a pistol, ~~or~~ other  
21 firearm, **OR PNEUMATIC GUN** that is a criminal offense under state  
22 law.

23           (b) Prohibiting or regulating the transportation, carrying, or  
24 possession of pistols, ~~and~~ other firearms, **OR PNEUMATIC GUNS** by  
25 employees of that local unit of government in the course of their  
26 employment with that local unit of government.

27           (C) **REGULATING THE POSSESSION OF PNEUMATIC GUNS WITHIN THE**

1 LOCAL UNIT OF GOVERNMENT BY REQUIRING THAT AN INDIVIDUAL BELOW THE  
2 AGE OF 16 WHO IS IN POSSESSION OF A PNEUMATIC GUN BE UNDER THE  
3 SUPERVISION OF A PARENT, A GUARDIAN, OR AN INDIVIDUAL 18 YEARS OF  
4 AGE OR OLDER, EXCEPT THAT AN ORDINANCE SHALL NOT REGULATE  
5 POSSESSION OF A PNEUMATIC GUN ON OR WITHIN PRIVATE PROPERTY IF THE  
6 INDIVIDUAL BELOW THE AGE OF 16 IS AUTHORIZED BY A PARENT OR  
7 GUARDIAN AND THE PROPERTY OWNER OR LEGAL POSSESSOR TO POSSESS THE  
8 PNEUMATIC GUN.

9 (D) PROHIBITING AN INDIVIDUAL FROM POINTING, WAVING ABOUT, OR  
10 DISPLAYING A PNEUMATIC GUN IN A THREATENING MANNER WITH THE INTENT  
11 TO INDUCE FEAR IN ANOTHER INDIVIDUAL.

12 Sec. 4. This act does not prohibit a ~~city or a charter~~  
13 ~~township~~ LOCAL UNIT OF GOVERNMENT from ~~prohibiting~~ DOING ANY OF THE  
14 FOLLOWING:

15 (A) PROHIBITING the discharge of a pistol or other firearm  
16 within the jurisdiction of that ~~city or charter township~~ LOCAL UNIT  
17 OF GOVERNMENT.

18 (B) PROHIBITING THE DISCHARGE OF PNEUMATIC GUNS IN ANY AREA  
19 WITHIN THE JURISDICTION OF THE LOCAL UNIT OF GOVERNMENT THAT IS SO  
20 HEAVILY POPULATED AS TO MAKE THAT CONDUCT DANGEROUS TO THE  
21 INHABITANTS OF THAT AREA, EXCEPT THAT AN ORDINANCE SHALL NOT  
22 PROHIBIT THE DISCHARGE OF PNEUMATIC GUNS AT AUTHORIZED TARGET  
23 RANGES, ON OTHER PROPERTY WHERE FIREARMS MAY BE DISCHARGED, OR ON  
24 OR WITHIN PRIVATE PROPERTY WITH THE PERMISSION OF THE OWNER OR  
25 POSSESSOR OF THAT PROPERTY IF CONDUCTED WITH REASONABLE CARE TO  
26 PREVENT A PROJECTILE FROM CROSSING THE BOUNDS OF THE PROPERTY.