

HOUSE BILL NO. 4205

March 07, 2023, Introduced by Reps. Skaggs, MacDonell, Brenda Carter, Pohutsky, Young, Tsernoglou, Rheingans, Wilson, Wegela, McFall, Price, Byrnes, Paiz, Neeley, O'Neal, Coffia, Brabec, Morgan, Scott, Hope, Martus, Hoskins, Grant, Arbit, Weiss, Brixie, Hood, McKinney, Farhat, Puri and Dievendorf and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 234g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 234g. (1) A person who openly carries an assault weapon
2 within 1,000 feet of a government building, courthouse, or school
3 knowing that the person is within 1,000 feet of a government
4 building, courthouse, or school is guilty of a crime as follows:

5 (a) For a first offense, the person is guilty of a misdemeanor
6 punishable by imprisonment for not more than 90 days or a fine of

1 not more than \$2,500.00, or both.

2 (b) For a second offense, the person is guilty of a
3 misdemeanor punishable by imprisonment for not more than 1 year or
4 a fine of not more than \$5,000.00, or both.

5 (c) For a third or subsequent offense, the person is guilty of
6 a felony punishable by imprisonment for not more than 5 years or a
7 fine of not more than \$10,000.00, or both.

8 (2) Subsection (1) does not apply to a law enforcement officer
9 lawfully performing the law enforcement officer's duties as a law
10 enforcement officer.

11 (3) As used in this section:

12 (a) "Assault weapon" includes all of the following:

13 (i) Any weapon which has a belt-fed ammunition system.

14 (ii) A semiautomatic rifle that has the ability to accept a
15 detachable magazine system and has any of the following:

16 (A) A folding or telescoping stock.

17 (B) A shroud that is attached to, or partially or completely
18 encircles, the barrel and that permits the shooter to hold the
19 firearm with their nontrigger hand without being burned.

20 (iii) A semiautomatic pistol that has the ability to accept a
21 detachable magazine and has any of the following:

22 (A) A folding or telescoping stock.

23 (B) A shroud that is attached to, or partially or completely
24 encircles, the barrel and that permits the shooter to hold the
25 firearm with their nontrigger hand without being burned.

26 (C) The capacity to accept a detachable magazine at a location
27 outside of the pistol grip.

28 (D) A detachable shoulder stock, allowing the shooter to fire
29 the pistol from a shoulder-fired position.

1 (iv) A semiautomatic shotgun that has all of the following
2 attributes:

3 (A) Has a folding or telescoping stock.

4 (B) Contains its ammunition in a revolving cylinder.

5 (C) Has an ability to accept a detachable magazine of more
6 than 5 rounds of ammunition.

7 (b) "Assault weapon" does not include any of the following
8 firearms:

9 (i) A firearm that is manually operated by bolt, pump, lever,
10 or slide action.

11 (ii) An unserviceable firearm or one that has been deemed
12 permanently inoperable.

13 (iii) An antique firearm as that term is defined in 18 USC
14 921(a) (16) .

15 (c) "Government building" includes a federal, state, county,
16 or local government building.

17 Enacting section 1. This amendatory act takes effect 90 days
18 after the date it is enacted into law.