

HOUSE BILL NO. 4243

March 09, 2023, Introduced by Reps. Brenda Carter, Wegela, Wilson, Hope, Paiz, Martus and Whitsett and referred to the Committee on Criminal Justice.

A bill to impose liability for the sale, delivery, or transfer of firearms; and to require liability insurance.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "gun seller liability
2 act".

3 Sec. 2. As used in this act:

4 (a) "Federal firearms license" means a license issued under 18
5 USC 923.

6 (b) "Firearm" means that term as defined in section 1 of 1927

1 PA 372, MCL 28.421.

2 (c) "Firearms dealer" means a person that holds a federal
3 firearms license and that is engaged in the business of selling
4 firearms.

5 (d) "Person" means an individual or a partnership,
6 corporation, limited liability company, association, or other legal
7 entity. Person includes the holder of a federal firearms license.

8 Sec. 3. A person is strictly liable for damages that result if
9 all of the following apply:

10 (a) The person sells, delivers, or transfers a firearm to an
11 individual.

12 (b) The person knows or should know that the individual is
13 prohibited from possessing the firearm under federal law or the law
14 of this state.

15 (c) The individual, or another individual who obtains
16 possession of the firearm, uses the firearm to cause the injury or
17 death of any other individual or to threaten or intimidate any
18 other individual.

19 Sec. 4. A person that is a firearms dealer shall maintain
20 liability insurance that provides coverage for personal injury or
21 property damage that results from the sale, delivery, or transfer
22 of firearms by the person, including coverage for liability imposed
23 by this act. The limits of the coverage required by this section
24 must be not less than \$1,000,000.00.