



Senate Fiscal Agency
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Senate Bills 760, 761, and 762 (as reported without amendment)

Sponsor: Senator Mike Green (S.B. 760)
Senator Mike Kowall (S.B. 761)
Senator Dave Robertson (S.B. 762)

Committee: Judiciary

CONTENT

The bills would amend separate statutes to reduce the maximum length of a firearm in the laws' definitions of "pistol", by referring to a loaded or unloaded firearm that is 26 inches or less in length, rather than 30 inches or less. The bills are tie-barred and would take effect on January 1, 2012.

Senate Bill 760 would amend Chapter 37 (Firearms) of the Michigan Penal Code. In addition to amending the definition of "pistol", the bill would revise a provision that makes it a misdemeanor to sell a firearm that is more than 30 inches long to a person under 18 years of age. The bill would refer, instead, to a firearm longer than 26 inches.

Senate Bill 761 would amend the definition of "pistol" in the handgun licensure law, which regulates the sale, purchase, possession, and carrying of pistols.

Senate Bill 762 would amend a provision of the Revised Judicature Act that makes a person strictly liable for any damage or injury caused by his or her use of an approved signaling device, unless the person reasonably believes that the use is necessary for his or her safety, or the safety of another person, on Michigan waters or in an aircraft emergency situation.

The Act defines "approved signaling device" as a pistol that is a signaling device approved by the U.S. Coast Guard, and the definition of "pistol" includes a loaded or unloaded firearm that is 30 inches or less in length.

In addition to amending the definition of "pistol", the bill would delete the phrase "emergency situation" from the exception to strict liability, leaving the reference to an aircraft.

MCL 750.222 & 750.223 (S.B. 760)
28.421 (S.B. 761)
600.2951 (S.B. 762)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have an indeterminate, but likely negligible, fiscal impact on State and local government. To the extent that the revised definitions in the bills led to a reduction in the number of misdemeanor and felony convictions related to the sale of pistols, the State and local units of government could experience a reduction in correctional costs. Any foregone penal fine revenue would affect public libraries, which are the beneficiaries of that revenue.

Date Completed: 11-2-11

Fiscal Analyst: Matthew Grabowski

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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.

Bill Analysis @ www.senate.michigan.gov/sfa