

Legislative Analysis



MICHIGAN KNIFE RIGHTS ACT

House Bill 5286 as introduced
Sponsor: Rep. Steven Johnson
Committee: Judiciary
Complete to 3-2-20

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5286 would create a new act, entitled the Michigan Knife Rights Act, to prohibit *political subdivisions* from enacting local ordinances relating to *knives* that are more restrictive than state law.

Political subdivision would mean a county, city, village, township, municipal corporation, or special district or a board, commission, or agency of such an entity.

Knife would mean a cutting instrument and include a sharpened or pointed blade.

Under the new act, a political subdivision could not enact an ordinance, rule, or tax relating to the transportation, possession, carrying, sale, transfer, purchase, gift, devise, licensing, registration, or use of a knife or knife making components that was more restrictive than state law.

A political subdivision also could not enact a rule or ordinance relating to the manufacture of a knife that was more restrictive than a rule or ordinance relating to the manufacture of any other commercial goods.

A rule or ordinance conflicting with the bill that was adopted by a political subdivision either before or after the bill's effective date would be void.

FISCAL IMPACT:

House Bill 5286 could have a fiscal impact on local units of government. Penalties for violations of ordinances of political subdivisions are typically either misdemeanors or civil infractions punishable by fines or imprisonment, or both. Depending on the number of political subdivisions that have existing ordinances that are more restrictive than state law, depending on the number of convictions for violations of these ordinances, and depending on the associated penalties assessed, local units could experience a reduction in costs related to county jails and/or a reduction in penal fine revenue. Costs of local incarceration in county jails and how those costs are financed vary by jurisdiction. Any decrease in penal fine revenue would decrease funding for public and county law libraries, which are the constitutionally designated recipients of those revenues.

Legislative Analyst: Emily S. Smith
Fiscal Analyst: Robin Risko

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