

Legislative Analysis



ALLOW CONCEALED CARRY OF CERTAIN WEAPONS

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

House Bills 5883 and 5884 as introduced

Sponsor: Rep. Ryan Berman

Committee: Military, Veterans and Homeland Security

Complete to 4-12-22

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

SUMMARY:

House Bill 5883 would amend the Michigan Penal Code to remove general prohibitions against carrying knives concealed or carrying a pistol concealed in a vehicle operated or occupied by the person and to reduce the penalties for violations under the act. House Bill 5884 would amend the Code of Criminal Procedure to update the sentencing guidelines associated with the penalties addressed by HB 5883.

House Bill 5883

The Michigan Penal Code currently prohibits a person from carrying a dagger, dirk, stiletto, double-edged nonfolding stabbing instrument of any length, or any other dangerous weapon (except a hunting knife that is adapted and carried as such) concealed on or about his or her person or, whether concealed or not, in any vehicle operated or occupied by the person, except in his or her dwelling house, place of business, or on other land possessed by the person.

The bill would remove this provision.

The Michigan Penal Code also prohibits a person from carrying a pistol concealed on or about his or her person or, whether concealed or not, in a vehicle operated or occupied by the person, except in his or her dwelling house, place of business, or on other land possessed by the person, without a license to carry the pistol.

The bill would amend this provision to remove the prohibiting against carrying a pistol, concealed or not, in a vehicle operated or occupied by the person.

Currently, a person who violates these provisions of the code is guilty of a felony punishable by imprisonment for up to five years or a fine of up to \$2,500.

The bill would reduce these penalties to up to two years' imprisonment or up to a \$1,000 fine.

MCL 750.227 and 750.231a

House Bill 5884 would amend the sentencing guidelines in the Code of Criminal Procedure to account for the changed penalties listed in HB 5883.

Currently, carrying a concealed weapon is a Class E felony with a statutory maximum imprisonment of five years. The bill would change the violation to a Class G felony and reduce the statutory maximum to two years.

MCL 777.16m

FISCAL IMPACT:

A fiscal analysis is in progress.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.