



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 1149 (Substitute S-2 as reported)
Senate Bill 1150 (Substitute S-1 as reported)
Sponsor: Senator Mallory McMorrow
Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

Senate Bill 1149 (S-2) would amend the handgun licensure Act to do the following:

- Prohibit an individual from manufacturing, assembling, importing, purchasing, selling, or transferring a firearm, frame, or receiver that did not have a valid serial number.
- Beginning three years after the bill's effective date, prohibit a person from knowingly possessing a firearm receiver that was a ghost gun precursor or was not imprinted with a valid serial number.
- Require a person to have a license to manufacture firearms with a three-dimensional (3D) printer or computer numerical control milling machine.
- Require a person who manufactured or assembled firearms or completed unfinished frames with the intent to sell to or manufactured or assembled more than five firearms or completed five unfinished frames have a manufacturers license.
- Require an individual to notify the Michigan State Police within 10 days of producing a firearm and have it serialized in accordance with the bill's provisions.
- Prescribe misdemeanor and felony penalties for violating the bill's provisions.
- Specify that the bill's prohibitions would not apply to antique or inoperative firearms, transactions involving law enforcement agencies, law enforcement activities, or buyback programs, among other things.
- Specify that the bill's provisions would not apply to the transportation of a firearm to a federally licensed gunsmith or other entity authorized to serialize firearms, before three years after the bill's effective date.
- Require a person who moved into the State to comply with the serialization requirements within 90 days of moving.

Senate Bill 1150 (S-1) would add sentencing guidelines to the Code of Criminal Procedure to make a second or subsequent violation of Senate Bill 1149 (S-2)'s prohibitions a Class E felony against the public safety punishable by up to five years' imprisonment.

Proposed MCL 28.434c (S.B. 1149)
MCL 777.11b (S.B. 1150)

BRIEF RATIONALE

Generally, ghost guns are un-serialized firearms built from separate pieces or a kit and are often made of 3D printed material and untraceable. According to testimony before the Senate Committee on Civil Rights, Judiciary, and Public Safety, minors and prohibited individuals can easily acquire ghost guns. Some believe that un-serialized firearms and ghost gun precursors should be regulated and undergo serialization to reduce unauthorized and potentially dangerous access to guns.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bills' criminal penalties could have a negative fiscal impact on the State and local government. Violations of the bill would be punishable as misdemeanors and felonies of different severity. More misdemeanor and felony arrests and convictions could increase resource demands on law enforcement, court systems, community supervision, jails, and correctional facilities. Misdemeanor convictions could increase county jail and local probation supervision costs, which vary by jurisdiction and are thus indeterminate. Based on 2023 data, the average cost to State government for felony probation supervision is approximately \$4,600 per probationer per year. For any increase in prison intakes the average annual cost of housing a prisoner in a State correctional facility is an estimated \$48,700. Per diem rates range from \$100 to \$431 per day (average per diem is \$135), depending on the security level of the facility. Additionally, any associated fine revenue would increase funding to public libraries.

Senate Bill 1149 (S-2) would have a minimal fiscal impact on State and local governments other than the education and training of law enforcement agencies as to the requirements of the bill, likely provided by the Michigan Council on Law Enforcement Standards within its existing budgetary resources.

Senate Bill 1150 (S-1) would have no fiscal impact on local government and an indeterminate fiscal impact on the State, in light of the Michigan Supreme Court's July 2015 opinion in *People v. Lockridge*, in which the Court ruled that the sentencing guidelines are advisory for all cases. This means that the addition to the guidelines under the bill would not be compulsory for the sentencing judge. As penalties for felony convictions vary, the fiscal impact of any given felony conviction depends on judicial decisions.

Date Completed: 12-12-24

Fiscal Analyst: Bruce R. Baker
Joe Carrasco, Jr.

SAS\Floors2324\sb1149

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.