

SUBSTITUTE FOR
HOUSE BILL NO. 5091

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 234e (MCL 750.234e), as added by 1990 PA 321.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 234e. (1) Except as provided in subsection (2), a person
2 shall not **WILLFULLY AND** knowingly brandish a firearm in public.

3 (2) Subsection (1) does not apply to ~~any~~**EITHER** of the
4 following:

5 (a) A peace officer lawfully performing his or her duties as a
6 peace officer.

7 ~~(b) A person lawfully engaged in hunting.~~

8 ~~(c) A person lawfully engaged in target practice.~~

9 ~~(d) A person lawfully engaged in the sale, purchase, repair,~~
10 ~~or transfer of that firearm.~~

11 **(B) A PERSON LAWFULLY ACTING IN SELF-DEFENSE OR DEFENSE OF**
12 **ANOTHER UNDER THE SELF-DEFENSE ACT, 2006 PA 309, MCL 780.971 TO**

1 780.974.

2 (3) A person who violates this section is guilty of a
3 misdemeanor punishable by imprisonment for not more than 90 days,
4 or a fine of not more than \$100.00, or both.

5 Enacting section 1. This amendatory act does not take effect
6 unless House Bill No. 5092 of the 97th Legislature is enacted into
7 law.