

Legislative Analysis



ELIMINATE PISTOL SAFETY INSPECTIONS AND DESTROY EXISTING RECORDS

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House Bill 4490

Sponsor: Rep. Paul Opsommer

House Bill 4491

Sponsor: Rep. Joel Sheltroun

Committee: Tourism, Outdoor Recreation, and Natural Resources

Complete to 10-15-07

A SUMMARY OF HOUSE BILLS 4490 AND 4491 AS INTRODUCED 3-20-07

These bills would (1) eliminate the current requirement in the Michigan handgun licensure law that pistol owners obtain safety inspection certificates; (2) require that all existing records of inspection certificates maintained by local and state law enforcement officials be destroyed; and (3) eliminate the misdemeanor crime of failing to have one's pistol inspected.

House Bill 4490 would repeal Section 9 of the handgun licensure act (MCL 28.429), which requires people who purchase or otherwise come into possession of a pistol in Michigan to obtain a safety inspection certificate from their local police department (or local sheriff, if they reside in a part of the state without an organized police department). That section also requires local law enforcement officials and the State Police to maintain records of safety inspection certificates. The bill would require state and local law enforcement officials to destroy all of their existing records of pistol safety inspections within one year.

House Bill 4491 would repeal Section 228 of the Michigan Penal Code (MCL 750.228) under which a person who fails to have his or her pistol inspected as required is guilty of a misdemeanor punishable by imprisonment for up to 90 days, or a fine of up to \$100, or both. The bill would also eliminate other references to Section 9 and safety inspections contained in the Penal Code. House Bill 4491 is tie-barred to House Bill 4490, meaning it could not take effect unless both bills were enacted.

FISCAL IMPACT

House Bill 4490 would have an indeterminate fiscal impact on the state and on local governments. Some administrative costs may be associated with the destruction of safety inspection records by the State Police and local law enforcement agencies.

House Bill 4491 would have an indeterminate fiscal impact on the state and on local governments.

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