

Legislative Analysis



ALLOW TRANSPORTATION OF FIREARMS IN VEHICLES ON PRIVATE PROPERTY

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House Bill 4078 as introduced
Sponsor: Rep. Beau Matthew LaFave
Committee: Military, Veterans and Homeland Security
Complete to 3-22-21

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

SUMMARY:

House Bill 4078 would amend the Natural Resources and Environmental Protection Act (NREPA) to allow an individual to transport or possess a loaded firearm in or on a vehicle on private property if he or she is, is with, or has the permission of the property owner or lessee.

The act now generally prohibits an individual from transporting or possessing a firearm in or on a vehicle unless the firearm is unloaded and enclosed in a case, unloaded and carried in the trunk of the vehicle, or unloaded in a motorized boat. A violation is a misdemeanor punishable by imprisonment for up to 90 days or a \$50 to \$500 fine, or both, as well as payment of the costs of prosecution and revocation of any permit issued under Part 401 (Wildlife Conservation) of NREPA.

The bill would add an exception to the above prohibition, to allow an individual to transport or possess a loaded firearm in or on a vehicle, including an *ATV* or a *UTV*, if the individual is on private land and either of the following applies:

- The individual is the owner of the private land or the lessee (for a term of at least one year) of the private land.
- The individual is accompanied by, or has the permission of, the owner of the private land or the lessee (for a term of at least one year) of the private land.

ATV would mean a vehicle with three or more wheels that is designed for off-road use, has low-pressure tires, has a seat designed to be straddled by the rider, and is powered by a 50cc to 1,000cc gasoline engine or an engine of comparable size using other fuels.

UTV would mean a vehicle with four wheels that is designed for off-road use, has low-pressure tires, has a side-by-side seating arrangement with bench or bucket seating for each rider, and is powered by a 50cc to 1,000cc gasoline engine or an engine of comparable size using other fuels.

MCL 324.40111

FISCAL IMPACT:

House Bill 4078 would have an indeterminate fiscal impact on local units of government. Depending on the number of people who would no longer be charged with a misdemeanor for transporting or possessing a loaded firearm on private land, the bill could result in reduced costs for the state and for local units of government. Fewer individuals sentenced to jail or community sanctions would result in reduced costs related to county jails

and/or local misdemeanor probation supervision. Costs of local incarceration in county jails and local misdemeanor probation supervision, and how those costs are financed, vary by jurisdiction. The fiscal impact on local court systems would depend on how provisions of the bill affected caseloads and related administrative costs. Any reduction in penal fine revenue would decrease funding for local libraries, which are the constitutionally designated recipients of those revenues.

The bill would not affect costs or revenues for the Department of Natural Resources.

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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.