



Summary of anti-gun legislation going into effect in 2024

Dear Dave,

As your state representative, I am a strong supporter of our 2nd Amendment rights. Last year, the House with a Democratic majority passed many anti-gun bills. While I voted against all these bills, I believe it's my duty to explain how these bills that were signed into law will affect you.

Below is a summary of gun legislation that was pushed through last year and will be effective next month.

As always, if I can be of service, please contact me at 517-373-0156 or daveprestin@house.mi.gov. You can also follow and comment on my [Facebook page](#). I am always happy to hear from those who sent me to Lansing to be their voice!

Sincerely,

Dave Prestin

Representative, District 108

Updated Firearm storage laws Effective February 13, 2024 (Senate Bill 79 & Senate Bill 80):

If a person stores or leaves a firearm unattended on property under their control, and they reasonably know that a minor is or is likely to be present on the property, that person will now be required to either:

1. Store the firearm in a locked box or locked container, or
2. Keep the firearm unloaded and locked with a trigger lock.

If a person stores or leaves a firearm unattended on someone else's property, and they reasonably know that a minor is or is likely to be present on the premises, that person will now be required to either:

1. Store the firearm in a locked box or locked container, or
2. Keep the firearm unloaded and locked with a trigger lock, or
3. Store the firearm in a locked motor vehicle, either inside a locked box or container, or locked with a trigger lock.

Updated Background checks Effective February 13, 2024 (House Bill 4138 & House Bill 4142):

A citizen purchasing any type of firearm, not just a handgun, will need to have a background check related to a firearm purchase.

1. Long guns (including AR Style)
2. Shot guns
3. Handguns

For long guns, those firearms purchased before the law went into effect are grandfathered in.

Lending / borrowing a long gun for the purpose of target shooting or hunting does not require any permits or background checks. If ownership is transferred that then triggers the need for a background check of the buyer, not the seller.

Under this new law, a family member can no longer gift a long gun to another family member unless the person acquiring the long gun gets a background check at their local police station or Sheriff's Department. The long gun does not need to be registered.

If you are a CPL holder and not exempt for some reason, it is not necessary for you to obtain a license to purchase a firearm otherwise required by MCL 28.422.

Updated Domestic violence regulations Effective February 13, 2024 (Senate Bill 471, Senate Bill 528, & House Bill 4945):

These new laws prohibit an individual convicted of a misdemeanor related to domestic violence from possessing firearms for at least an eight-year-period. Existing Michigan law only prohibited those convicted of felony domestic violence from possessing firearms.

Updated Red flag laws Effective February 13, 2024 (Senate Bill 83, House Bill 4146, House Bill 4147, & House Bill 4148):

These new laws create extreme risk protection order laws, also known as red flag laws. Red flag laws are designed to help prevent a person in distress or crisis from using a firearm to inflict harm on themselves or others. The laws don't seek to take firearms away from gun owners who aren't dangerous or in distress.

Enforcing this law requires court intervention.

Here's how it works:

1. A dating partner, current or former spouse, family member, a person with whom you have a child in common, a person who resided in the same household, law enforcement member, health care provider, or mental health professional can petition a court to have a person's firearms temporarily removed if that person is deemed a risk.

2. A judge may enter an emergency, short-term order after receiving evidence that the person in question poses an immediate risk.
3. A hearing must be held to review the evidence for and against issuing a temporary firearm removal order.
4. The person in question will be responsible for proving in court that they are not a risk and should regain access to their weapon(s), while those who filed the petition are to prove why the person might be a risk.
5. If a judge does issue a firearm removal order, that order typically has a limited duration. In most cases around the country, a firearm removal order can only be extended if another hearing is held.
6. Either way, in order for one or more firearms to be removed from someone's possession under an extreme risk protection order, the court must validate the concern that was initially petitioned. Meaning, in these cases: a judge is always behind the decision to remove the firearms from an at-risk person.

New Gun safety devices Effective February 13, 2024 (Senate Bill 81 & Senate Bill 82):

Gun safety devices will be exempted from sales and use taxes through the end of this year. Items included under the sales and use tax exemption will include safes, lock boxes, trigger and barrel locks, and other similar items. Again, these devices will only be exempted from sales and use tax through the end of this calendar year.

This summary is for your information only and should not be considered legal advice. Neither I nor my staff can give you legal advice or legal interpretations. Please consult your own attorney for if you need specific legal help with these gun bills.

[Contact Me](#)

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