

Gun Violence Prevention Legislative Update
February 21, 2023

MSMS ADVOCACY LEGISLATIVE ALERT



As one of the main causes of intentional and unintentional injuries and deaths, the Michigan State Medical Society recognizes that firearms are a serious public health problem in our state and country. On February 13th, this crisis hit close to home as the campus of Michigan State University and the greater East Lansing community was devastated by a mass shooting. This horror played out just a few miles from our MSMS East Lansing offices, leaving three young college students dead and five more critically injured. This tragedy is on the heels of another school shooting at Oxford High School in Oakland County on November 30, 2021, which saw four high school students killed and seven others injured.

Now is the time to act. [SCAN THE QR CODE](#) or [CLICK HERE](#) to contact your legislator and urge them to support common sense gun safety reforms.



The follow is courtesy of Angie Kemppainen, CAE, Executive Director of Ingham and Washtenaw County Medical Societies

The following gun violence prevention bills were introduced last Thursday, February 16, 2023:

SB 76 by Kevin Hertel (D-St. Clair/Macomb/Wayne)

- Require license or background check for purchase of firearms

SB 77 by Jeremy Moss (D-Oakland/Wayne)

- Update references to pistol in penal code

SB 78 by Mary Cavanagh (D-Oakland/Wayne)

- Update references in sentencing guidelines

SB 79 by Rosemary Bayer (D-Oakland/Wayne)

- Provide for penalties for storing or leaving a firearm where it may be accessed by a minor

SB 80 by Kristen McDonald Rivet (D-Bay/Midland/Saginaw)

- Update sentencing guidelines reference

SB 81 by Jeff Irwin (D-Washtenaw/Lenawee)

- Exempt firearm safety devices from sales tax

SB 82 by Stephanie Chang (D-Oakland/Macomb/Wayne)

- Exempt firearm safety devices from use tax

SB 83 by Mallory McMorrow (D-Oakland/Wayne)

- Enact extreme risk protection order act

SB 84 by Dayna Polehanki (D-Wayne)

- Prohibit purchase of firearms if individual has an extreme risk protection order

SB 85 by Sarah Anthony (D-Ingham/Eaton)

- Enact sentencing guidelines for making a false statement in support of an extreme risk protection order

SB 86 by Sam Singh (D-Ingham/Canton/Shiawassee)

- Provide for and waive court fees for service of process for extreme risk protection order actions

Senator Jeff Irwin has sponsored one of the bills in the package. The bills might be brought up in the Senate Judiciary Committee as soon as this Thursday, February 23, 2023, at noon. I will be at the committee hearing and will help to coordinate any of our members/students who wish to attend as well.

Angie Kemppainen, CAE

Executive Director

Ingham and Washtenaw County Medical Societies

Mobile: (517) 896-3910

akemppainen@outlook.com

SEE FOLLOWING FOR MSMS AND AMA FIREARM SAFETY POLICIES

MSMS AND AMA FIREARM SAFETY POLICIES

MSMS Policy

Medical Education & Training

Safe Gun Storage Education, Training, and Counseling: MSMS supports the training of Michigan medical students on gun safety (safe storage, lethal means) and how to counsel patients on gun safety. (Res35-19)

Safety & Accident Prevention Firearm Safety

Address Gun Violence Using a Public Health Approach: MSMS supports physicians working with local and state public health agencies, law enforcement agencies, and other community organizations and leaders to identify, develop and evaluate strategies to increase firearm safety and prevent firearm injury and death. (Res44-18)

– Reaffirmed (Res78-19 AND Res80-19)

Ban Look-alike Toy Guns

MSMS supports a ban on look-alike toy guns. (Prior to 1990)

– Reaffirmed (Sunset Report 2022)

Evidence-based Research on Firearm Adverse Incidents

MSMS supports evidence-based research on gun-related injuries and deaths, including funding for such research, and the collection of health care, medical examiner, and criminal justice data at the local, state, and federal level. (Res44-18)

– Reaffirmed (Res80-19)

Firearm Education

MSMS supports a basic course in care and handling of firearms. (Res79-94A)

– Reaffirmed (Sunset Report 2022)

MSMS supports age- and developmentally-appropriate gun safety education. (Res33-01A)

– Reaffirmed (Sunset Report 2022)

Firearm Regulations

MSMS opposes the liberalization of concealed gun laws and efforts to weaken current laws regarding the manufacture, importation, and/or ownership of assault weapons and/or handguns. MSMS supports policies that 1) prohibit acquisition of firearms by high-risk persons; 2) require firearm owners to have firearm safety certification which includes but is not limited to basic education in the care and handling of firearms; 3) limit ownership and use of assault weapons; and, 4) ban the sale of assault weapons and large-capacity ammunition magazines. (Res37-96A)

– Amended (Res 44-18)

– Reaffirmed (Res78-19 AND Res80-19)

– Reaffirmed (Sunset Report 2019)

– Reaffirmed (Res27-20)

Firearm-Related Injury and Death: Adopt A Call to Action

MSMS endorses the specific recommendations made in the publication, "[Firearm-Related Injury and Death in the United States: A Call to Action From 8 Health Professional Organizations and the American Bar Association](#)," which is aimed at reducing the health and public health consequences of firearms.

(Res13-16)

- Reaffirmed (Res78-19 AND Res80-19)
- Reaffirmed (Res27-20)

Handgun Control and Education

MSMS recommends effective controls on the assembly, manufacture, distribution and possession of handguns. MSMS supports distribution of educational materials to firearm purchasers. The materials should address the use of lock boxes, trigger locks, childproof safety catches and loading indicators.

(Res58-92A)

- Amended 1993
- Edited 1998
- Reaffirmed (Res78-19 AND Res80-19)

Oppose Imposition of Penalties on Local Units of Government and/or Officials and Staff

MSMS opposes the prohibition of local units of government and/or their elected or appointed officials or staff from imposing restrictions on the ownership, registration, purchase, sale, transfer, transportation, or possession of guns within their area of jurisdiction and/or punishment for the imposition of such restrictions. (Res60-16)

Reduction of Gun Violence

MSMS supports federal and state legislation ensuring that physicians can fulfill their role in preventing firearm injuries by health screening, patient counseling on gun safety, and referral to mental health services for those with behavioral/emotional medical conditions and supports federal and state evidence based research on firearm injury and the use of state/national firearms injury databases to inform state/federal health policy. (Res78-13)

- Reaffirmed (Res80-19)

AMA Policy

Firearm Safety and Research, Reduction in Firearm Violence, and Enhancing Access to Mental Health Care H-145.975

1. Our AMA supports: a) federal and state research on firearm-related injuries and deaths; b) increased funding for and the use of state and national firearms injury databases, including the expansion of the National Violent Death Reporting System to all 50 states and U.S. territories, to inform state and federal health policy; c) encouraging physicians to access evidence-based data regarding firearm safety to educate and counsel patients about firearm safety; d) the rights of physicians to have free and open communication with their patients regarding firearm safety and the use of gun locks in their homes; e) encouraging local projects to facilitate the low-cost distribution of gun locks in homes; f) encouraging physicians to become involved in local firearm safety classes as a means of promoting injury prevention and the public health; and g) encouraging CME providers to consider, as appropriate, inclusion of presentations about the prevention of gun violence in national, state, and local continuing medical education programs.
2. Our AMA supports initiatives to enhance access to mental and cognitive health care, with greater focus on the diagnosis and management of mental illness and concurrent substance use disorders, and work with state and specialty medical societies and other interested stakeholders to identify and develop standardized approaches to mental health assessment for potential violent behavior.
3. Our AMA (a) recognizes the role of firearms in suicides, (b) encourages the development of curricula and training for physicians with a focus on suicide risk assessment and prevention as well as lethal means safety counseling, and (c) encourages physicians, as a part of their suicide prevention strategy, to discuss lethal means safety and work with families to reduce access to lethal means of suicide.

Firearms as a Public Health Problem in the United States - Injuries and Death H-145.997

1. Our AMA recognizes that uncontrolled ownership and use of firearms, especially handguns, is a serious threat to the public's health inasmuch as the weapons are one of the main causes of intentional and unintentional injuries and deaths.

Therefore, the AMA:

- (A) encourages and endorses the development and presentation of safety education programs that will engender more responsible use and storage of firearms;
- (B) urges that government agencies, the CDC in particular, enlarge their efforts in the study of firearm-related injuries and in the development of ways and means of reducing such injuries and deaths;
- (C) urges Congress to enact needed legislation to regulate more effectively the importation and interstate traffic of all handguns;
- (D) urges the Congress to support recent legislative efforts to ban the manufacture and importation of nonmetallic, not readily detectable weapons, which also resemble toy guns; (5) encourages the improvement or modification of firearms so as to make them as safe as humanly possible;
- (E) encourages nongovernmental organizations to develop and test new, less hazardous designs for firearms;
- (F) urges that a significant portion of any funds recovered from firearms manufacturers and dealers through legal proceedings be used for gun safety education and gun-violence prevention; and
- (G) strongly urges US legislators to fund further research into the epidemiology of risks related to gun violence on a national level.

2. Our AMA will advocate for firearm safety features, including but not limited to mechanical or smart technology, to reduce accidental discharge of a firearm or misappropriation of the weapon by a non-registered user; and support legislation and regulation to standardize the use of these firearm safety features on weapons sold for non-military and non-peace officer use within the U.S.; with the aim of establishing manufacturer liability for the absence of safety features on newly manufactured firearms.

Firearms and High-Risk Individuals H-145.972

Our AMA supports: (1) the establishment of laws allowing family members, intimate partners, household members, and law enforcement personnel to petition a court for the removal of a firearm when there is a high or imminent risk for violence; (2) prohibiting persons who are under domestic violence restraining orders, convicted of misdemeanor domestic violence crimes or stalking, from possessing or purchasing firearms; (3) expanding domestic violence restraining orders to include dating partners; (4) requiring states to have protocols or processes in place for requiring the removal of firearms by prohibited persons; (5) requiring domestic violence restraining orders and gun violence restraining orders to be entered into the National Instant Criminal Background Check System; and (6) efforts to ensure the public is aware of the existence of laws that allow for the removal of firearms from high-risk individuals.

Firearm Availability H-145.996

1. Our AMA: (a) advocates a waiting period and background check for all firearm purchasers; (b) encourages legislation that enforces a waiting period and background check for all firearm purchasers; and (c) urges legislation to prohibit the manufacture, sale or import of lethal and non-lethal guns made of plastic, ceramics, or other non-metallic materials that cannot be detected by airport and weapon detection devices.
2. Our AMA supports requiring the licensing/permitting of firearms-owners and purchasers, including the completion of a required safety course, and registration of all firearms.
3. Our AMA supports “gun violence restraining orders” for individuals arrested or convicted of domestic violence or stalking, and supports extreme risk protection orders, commonly known as “red-flag” laws, for individuals who have demonstrated significant signs of potential violence. In supporting restraining orders and “red-flag” laws, we also support the importance of due process so that individuals can petition for their rights to be restored.

Ban on Handguns and Automatic Repeating Weapons H-145.985

It is the policy of the AMA to:

1. Support interventions pertaining to firearm control, especially those that occur early in the life of the weapon (e.g., at the time of manufacture or importation, as opposed to those involving possession or use). Such interventions should include but not be limited to:
 - a. mandatory inclusion of safety devices on all firearms, whether manufactured or imported into the United States, including built-in locks, loading indicators, safety locks on triggers, and increases in the minimum pressure required to pull triggers;
 - b. bans on the possession and use of firearms and ammunition by unsupervised youths under the age of 21;
 - c. bans of sales of firearms and ammunition from licensed and unlicensed dealers to those under the age of 21 (excluding certain categories of individuals, such as military and law enforcement personnel);
 - d. the imposition of significant licensing fees for firearms dealers;
 - e. the imposition of federal and state surtaxes on manufacturers, dealers and purchasers of handguns and semi automatic repeating weapons along with the ammunition used in such firearms, with the attending revenue earmarked as additional revenue for health and law

enforcement activities that are directly related to the prevention and control of violence in U.S. society; and

- f. mandatory destruction of any weapons obtained in local buy-back programs.
2. Support legislation outlawing the Black Talon and other similarly constructed bullets.
3. Support the right of local jurisdictions to enact firearm regulations that are stricter than those that exist in state statutes and encourage state and local medical societies to evaluate and support local efforts to enact useful controls.
4. Oppose "concealed carry reciprocity" federal legislation that would require all states to recognize concealed carry firearm permits granted by other states and that would allow citizens with concealed gun carry permits in one state to carry guns across state lines into states that have stricter laws.
5. Support the concept of gun buyback programs as well as research to determine the effectiveness of the programs in reducing firearm injuries and deaths.

Firearm Related Injury and Death: Adopt a Call to Action H-145.973

Our AMA endorses the specific recommendations made by an interdisciplinary, inter-professional group of leaders from the American Academy of Family Physicians, American Academy of Pediatrics, American College of Emergency Physicians, American College of Obstetricians and Gynecologists, American College of Physicians, American College of Surgeons, American Psychiatric Association, American Public Health Association, and the American Bar Association in the publication "Firearm-Related Injury and Death in the United States: A Call to Action From 8 Health Professional Organizations and the American Bar Association," which is aimed at reducing the health and public health consequences of firearms and lobby for their adoption.

Gun Regulation H-145.999

Our AMA supports stricter enforcement of present federal and state gun legislation and the imposition of mandated penalties by the judiciary for crimes committed with the use of a firearm, including the illegal possession of a firearm.

Waiting Periods for Firearm Purchases H-145.991

The AMA supports using its influence in matters of health to effect passage of legislation in the Congress of the U.S. mandating a national waiting period that allows for a police background and positive identification check for anyone who wants to purchase a handgun from a gun dealer anywhere in our country.

Waiting Period Before Gun Purchase H-145.992

The AMA supports legislation calling for a waiting period of at least one week before purchasing any form of firearm in the U.S.

Restriction of Assault Weapons H-145.993

Our AMA supports appropriate legislation that would restrict the sale and private ownership of inexpensive handguns commonly referred to as "Saturday night specials," and large clip, high-rate-of-fire automatic and semi-automatic firearms, or any weapon that is modified or redesigned to operate as a large clip, high-rate-of-fire automatic or semi-automatic weapon and ban the sale and ownership to the public of all assault-type weapons, bump stocks and related devices, high capacity magazines and armor piercing bullets.

[Prevention of Unintentional Shooting Deaths Among Children H-145.979](#)

Our AMA supports legislation at the federal and state levels making gun owners legally responsible for injury or death caused by a child gaining unsupervised access to a gun, unless it can be shown that reasonable measures to prevent child access to the gun were taken by the gun owner, and that the specifics, including the nature of "reasonable measures," be determined by the individual constituencies affected by the law.

[School Violence H-145.983](#)

Our AMA: (1) encourages states to adopt legislation enabling schools to limit and control the possession and storage of weapons or potential weapons on school property; (2) advocates for schools to remain gun-free zones except for school-sanctioned activities and professional law enforcement officers; and (3) opposes requirements or incentives of teachers to carry weapons.

[Gun Violence as a Public Health Crisis D-145.995](#)

Our AMA: (1) will immediately make a public statement that gun violence represents a public health crisis which requires a comprehensive public health response and solution; and (2) will actively lobby Congress to lift the gun violence research ban.

Other AMA Policies:

[Firearm Safety Counseling in Physician-Led Health Care Teams H-145.976](#)

[Data on Firearm Deaths and Injuries H-145.984](#)

[Control of Non-Detectable Firearms H-145.994](#)

[Epidemiology of Firearm Injuries D-145.999](#)

[Preventing Firearm-Related Injury and Morbidity in Youth D-145.996](#)

[Gun Safety H-145.978](#)

[Physicians and the Public Health Issues of Gun Safety D-145.997](#)

[Removing Restrictions on Federal Funding for Firearm Violence Research D-145.994](#)

[AMA Campaign to Reduce Firearm Deaths H-145.988](#)

[Prevention of Firearm Accidents in Children H-145.990](#)

[Development and Implementation of Recommendations for Responsible Media Coverage of Mass Shootings H-145.971](#)

[Safety of Nonpowder \(Gas-Loaded/Spring-Loaded\) Guns H-145.989](#)

[Ban Realistic Toy Guns H-145.995](#)