

HOUSE BILL No. 5303

September 2, 2009, Introduced by Reps. Sheltroun, Meltzer, Meekhof, Agema, Mayes, LeBlanc, Hansen, Opsommer, Neumann, Calley, Wayne Schmidt, Spade, Melton, Rick Jones, McDowell, Lahti, Walsh, Lori, Polidori, Bolger, Lund and Booher and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 231a (MCL 750.231a), as amended by 2008 PA 196.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 231a. (1) Subsection (2) of section 227 does not apply to
2 any of the following:

3 (a) To a person holding a valid license to carry a pistol
4 concealed upon his or her person issued by his or her state of
5 residence except where the pistol is carried in nonconformance with
6 a restriction appearing on the license.

7 (b) To the regular and ordinary transportation of pistols as
8 merchandise by an authorized agent of a person licensed to
9 manufacture firearms.

1 (c) To a person carrying an antique firearm as defined in
2 subsection (2), completely unloaded in a closed case or container
3 designed for the storage of firearms in the trunk of a vehicle.

4 (d) To a person while transporting a pistol for a lawful
5 purpose that is licensed by the owner or occupant of the motor
6 vehicle in compliance with section 2 of 1927 PA 372, MCL 28.422,
7 and the pistol is unloaded in a closed case designed for the
8 storage of firearms in the trunk of the vehicle.

9 (e) To a person while transporting a pistol for a lawful
10 purpose that is licensed by the owner or occupant of the motor
11 vehicle in compliance with section 2 of 1927 PA 372, MCL 28.422,
12 and the pistol is unloaded in a closed case designed for the
13 storage of firearms in a vehicle that does not have a trunk and is
14 not readily accessible to the occupants of the vehicle.

15 (2) As used in this section:

16 (a) "Antique firearm" means either of the following:

17 (i) A firearm not designed or redesigned for using rimfire or
18 conventional center fire ignition with fixed ammunition and
19 manufactured in or before 1898, including a matchlock, flintlock,
20 percussion cap, or similar type of ignition system or replica of
21 such a firearm, whether actually manufactured before or after 1898.

22 (ii) A firearm using fixed ammunition manufactured in or before
23 1898, for which ammunition is no longer manufactured in the United
24 States and is not readily available in the ordinary channels of
25 commercial trade.

26 (b) "Lawful purpose" includes the following:

27 (i) While en route, **DIRECTLY OR INDIRECTLY**, to or from a

1 hunting or target shooting area.

2 (ii) While transporting a pistol en route, **DIRECTLY OR**
3 **INDIRECTLY**, to or from his or her home or place of business and
4 place of repair.

5 (iii) While moving goods, **DIRECTLY OR INDIRECTLY**, from 1 place
6 of abode or business to another place of abode or business.

7 (iv) While transporting a licensed pistol en route, **DIRECTLY OR**
8 **INDIRECTLY**, to or from a law enforcement agency or for the purpose
9 of having a law enforcement official take possession of the weapon.

10 (v) While en route, **DIRECTLY OR INDIRECTLY**, to or from his or
11 her abode or place of business and a gun show or places of purchase
12 or sale.

13 (vi) While en route, **DIRECTLY OR INDIRECTLY**, to or from his or
14 her abode to a public shooting facility or public land where
15 discharge of firearms is permitted by law, rule, regulation, or
16 local ordinance.

17 (vii) While en route, **DIRECTLY OR INDIRECTLY**, to or from his or
18 her abode to a private property location where the pistol is to be
19 used as is permitted by law, rule, regulation, or local ordinance.