

HOUSE BILL No. 5512

February 1, 2018, Introduced by Reps. Johnson, Lucido and Reilly and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 227 and 231a (MCL 750.227 and 750.231a), section 227 as amended by 1986 PA 8 and section 231a as amended by 2012 PA 427.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 227. ~~(1) A person shall not carry a dagger, dirk,~~
2 ~~stiletto, a double edged nonfolding stabbing instrument of any~~
3 ~~length, or any other dangerous weapon, except a hunting knife~~
4 ~~adapted and carried as such, concealed on or about his or her~~
5 ~~person, or whether concealed or otherwise in any vehicle operated~~
6 ~~or occupied by the person, except in his or her dwelling house,~~
7 ~~place of business or on other land possessed by the person.~~

8 **(1)** ~~(2)~~ A person shall not carry a pistol concealed on or

1 about his or her person, or, whether concealed or otherwise, in a
2 vehicle operated or occupied by the person, except in his or her
3 dwelling house, place of business, or on other land possessed by
4 the person, without a license to carry the pistol as provided by
5 law and if licensed, shall not carry the pistol in a place or
6 manner inconsistent with any restrictions upon ~~such~~**THAT** license.

7 (2) ~~(3)~~A person who violates this section is guilty of a
8 felony ~~—~~punishable by imprisonment for not more than 5 years ~~—~~or
9 ~~by~~a fine of not more than \$2,500.00.

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

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

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

19 (c) To a person carrying an antique firearm, completely
20 unloaded in a closed case or container designed for the storage of
21 firearms in the trunk of a vehicle.

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

27 (e) To a person while transporting a pistol for a lawful

1 purpose that is licensed by the owner or occupant of the motor
2 vehicle in compliance with section 2 of 1927 PA 372, MCL 28.422,
3 and the pistol is unloaded in a closed case designed for the
4 storage of firearms in a vehicle that does not have a trunk and is
5 not readily accessible to the occupants of the vehicle.

6 (2) As used in this section, "antique firearm" means either of
7 the following:

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

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

17 Enacting section 1. This amendatory act takes effect 90 days
18 after the date it is enacted into law.