

# HOUSE BILL NO. 4312

February 23, 2021, Introduced by Reps. Whitsett, Bellino, Neeley, Steckloff, Ellison, Scott, Steven Johnson, O'Neal, Cynthia Johnson, Young, Calley, Cambensy, Garza, Tyrone Carter, Maddock, Hoitenga, LaFave and Meerman and referred to the Committee on Military, Veterans and Homeland Security.

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to

carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,"

by amending section 12a (MCL 28.432a), as amended by 2016 PA 301.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 12a. **(1)** The requirements of this act for obtaining a  
2 license to carry a concealed pistol do not apply to any of the  
3 following:

4           (a) A peace officer of a duly authorized police agency of the  
5 United States or of this state or a political subdivision of this  
6 state, who is regularly employed and paid by the United States or  
7 this state or a subdivision of this state, except a township  
8 constable.

9           (b) A constable who is trained and licensed or certified under  
10 the Michigan commission on law enforcement standards act, 1965 PA  
11 203, MCL 28.601 to 28.615, while engaged in his or her official  
12 duties or going to or ~~coming~~**returning** from his or her official  
13 duties, and who is regularly employed and paid by a political  
14 subdivision of this state.

15           (c) An individual regularly employed by the department of  
16 corrections and authorized in writing by the director of the  
17 department of corrections to carry a concealed pistol during the  
18 performance of his or her duties or while going to or returning  
19 from his or her duties.

20           (d) An individual regularly employed as a local corrections  
21 officer by a county sheriff, who is trained in the use of force and  
22 is authorized in writing by the county sheriff to carry a concealed  
23 pistol during the performance of his or her duties.

24           (e) An individual regularly employed in a city jail or lockup  
25 who has custody of individuals detained or incarcerated in the jail

1 or lockup, is trained in the use of force, and is authorized in  
2 writing by the chief of police or the county sheriff to carry a  
3 concealed pistol during the performance of his or her duties.

4 (f) A member of the United States Army, Air Force, Navy, or  
5 Marine Corps while carrying a concealed pistol in the line of duty.

6 (g) A member of the National Guard, armed forces reserves, or  
7 other duly authorized military organization while on duty or drill  
8 or while going to or returning from his or her place of assembly or  
9 practice or while carrying a concealed pistol for purposes of that  
10 military organization.

11 (h) A resident of another state who is licensed by that state  
12 to carry a concealed pistol.

13 (i) The regular and ordinary transportation of a pistol as  
14 merchandise by an authorized agent of a person licensed to  
15 manufacture firearms.

16 (j) An individual while carrying a pistol unloaded in a  
17 wrapper or container in the trunk of his or her vehicle or, if the  
18 vehicle does not have a trunk, from transporting that pistol  
19 unloaded in a locked compartment or container that is separated  
20 from the ammunition for that pistol from the place of purchase to  
21 his or her home or place of business or to a place of repair or  
22 back to his or her home or place of business, or in moving goods  
23 from 1 place of abode or business to another place of abode or  
24 business.

25 (k) A peace officer or law enforcement officer from Canada.

26 **(l) An animal control officer as described in sections 29a and**  
27 **29b of the dog law of 1919, 1919 PA 339, MCL 287.289a and 287.289b,**  
28 **or a city, village, or township animal control officer as described**  
29 **in section 29c of the dog law of 1919, 1919 PA 339, MCL 287.289c,**

1 while engaged in his or her official duties or going to or  
2 returning from his or her official duties, and who is regularly  
3 employed and paid by a political subdivision of this state.

4 (2) As used in this section, "political subdivision" means  
5 that term as defined in section 15.