



SENATE BILL No. 87

January 13, 1993, Introduced by Senator HONIGMAN and referred to the Committee on Family Law, Criminal Law, and Corrections.

A bill to amend section 231a of Act No. 328 of the Public Acts of 1931, entitled as amended:

"The Michigan penal code,"

being section 750.231a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 231a of Act No. 328 of the Public Acts
2 of 1931, being section 750.231a of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 231a. (1) Section 227 does not apply to any of the
5 following:

6 (a) ~~To a~~ A person ~~holding~~ CARRYING A PISTOL CONCEALED
7 UPON HIS OR HER PERSON WHO HAS a valid license to carry a pistol
8 ~~concealed upon his or her person~~ IN THAT FASHION issued by
9 another state, ~~except where~~ UNLESS the pistol is carried in
10 nonconformance with a restriction appearing on the license.

1 (b) ~~To the~~ THE regular and ordinary transportation of
2 pistols as merchandise by an authorized agent of a person
3 licensed to manufacture firearms.

4 (c) ~~To a~~ A person carrying an antique firearm, ~~as defined~~
5 ~~in subsection (2),~~ completely unloaded, in a wrapper or con-
6 tainer in the trunk of a vehicle while en route to or from a
7 hunting or target shooting area or function involving the exhibi-
8 tion, demonstration or sale of antique firearms.

9 (d) ~~To a~~ A person ~~while~~ carrying a pistol unloaded in a
10 wrapper or container in the trunk of the person's vehicle, while
11 in possession of a valid Michigan hunting license or proof of
12 valid membership in an organization having pistol shooting range
13 facilities, and while en route to or from a hunting or target
14 shooting area.

15 (e) ~~To a~~ A person ~~while~~ carrying a pistol unloaded in a
16 wrapper or container in the trunk of the person's vehicle from
17 the place of purchase to his or her home or place of business or
18 to a place of repair or back to his or her home or place of busi-
19 ness, or in moving goods from one place of abode or business to
20 another place of abode or business.

21 (f) ~~To a~~ A person ~~while~~ carrying an unloaded pistol in
22 the passenger compartment of a vehicle ~~which~~ THAT does not have
23 a trunk, if the person is otherwise complying with the require-
24 ments of subdivision (d) or (e) and the wrapper or container is
25 not readily accessible to the occupants of the vehicle.

26 (G) A PEACE OFFICER OF A DULY AUTHORIZED POLICE AGENCY OF
27 THE UNITED STATES, THIS STATE, OR A POLITICAL SUBDIVISION OF THIS

1 STATE, WHO IS REGULARLY EMPLOYED AS A PEACE OFFICER BY AND PAID
2 BY THE UNITED STATES, THIS STATE, OR A POLITICAL SUBDIVISION OF
3 THIS STATE.

4 (H) A RESERVE PEACE OFFICER CARRYING A PISTOL CONCEALED UPON
5 HIS OR HER PERSON OR CARRYING A PISTOL, WHETHER CONCEALED OR NOT,
6 IN A VEHICLE OPERATED OR OCCUPIED BY THE RESERVE PEACE OFFICER.
7 AS USED IN THIS SUBDIVISION, "RESERVE PEACE OFFICER" MEANS A
8 PERSON WHO IS A BONA FIDE MEMBER OF A RESERVE OR AUXILIARY UNIT
9 OF A DULY AUTHORIZED POLICE AGENCY OF THE UNITED STATES, THIS
10 STATE, OR A POLITICAL SUBDIVISION OF THIS STATE AND WHO HAS THE
11 POWERS AND PRIVILEGES OF A PEACE OFFICER.

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

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

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

24 Section 2. This amendatory act shall not take effect unless
25 Senate Bill No. 88

26 of the 87th Legislature is enacted into law.