

Senate Fiscal Agency
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House Bill 5026 (Substitute H-2 as passed by the House)
Sponsor: Representative Steve Vear
House Committee: Conservation and Outdoor Recreation
Senate Committee: Hunting, Fishing and Forestry

Date Completed: 11-6-01

CONTENT

The bill would amend the Michigan Penal Code to revise the conditions under which a person may transport an antique firearm or a pistol in a vehicle without a license to carry a concealed weapon. The bill also would delete provisions that allow these weapons to be transported only to or from certain places.

The Code generally prohibits a person from transporting a pistol in a vehicle unless the person has a license to carry a concealed weapon. This prohibition does not apply under certain circumstances, including those described below.

Currently, a person may carry an antique firearm completely unloaded in a wrapper or container in the trunk of a vehicle while en route to or from a hunting or target shooting area or function involving the exhibition, demonstration, or sale of antique firearms. The bill, instead, would allow a person to carry an antique firearm that was completely unloaded in a closed case or container designed for the storage of firearms in the trunk of a vehicle.

The Code also allows a person to carry a pistol unloaded in a wrapper or container in the trunk of his or her vehicle, while in possession of a valid State hunting license or proof of valid membership in an organization having pistol shooting range facilities, while en route to or from a hunting or target shooting area. The bill, instead, would allow a person to carry a pistol that was inspected under Section 9 of the handgun licensure Act (which requires a pistol safety inspection), for a lawful purpose, and unloaded in a wrapper or container designed for the storage of firearms in the trunk of a vehicle.

Under the Code, a person may carry a pistol unloaded in a wrapper or container in the trunk of the person's vehicle from the place of purchase to his or her home or place of business or to a place of repair or back to his or her home or place of business, or in moving goods from one place of abode or business to another. The bill would delete this provision

The Code also allows a person to carry a pistol unloaded in the passenger compartment of a vehicle that does not have a trunk, if the person is otherwise complying with the preceding requirements and the wrapper or container is not readily accessible to the occupants of the vehicle. The bill, instead, would allow a person to carry an unloaded pistol that was inspected under Section 9 of the handgun licensure Act, for a lawful purpose, in the passenger compartment of a vehicle without a trunk, if the person complied with the Code and the closed case or container designed for the storage of firearms were not readily accessible to vehicle occupants.

MCL 750.231a

Legislative Analyst: N. Nagata

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: B. Wicksall