

HOUSE SUBSTITUTE FOR SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5026

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 231a. (1) ~~Section~~ SUBSECTION (2) OF SECTION 227 does
2 not apply to 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 ~~another state~~ HIS OR
5 HER STATE OF RESIDENCE except where the pistol is carried in non-
6 conformance with 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 manu-
9 facture firearms.
10 (c) To a person carrying an antique firearm as defined in
11 subsection (2), completely unloaded ~~—~~ in a ~~wrapper~~ CLOSED

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1 CASE or container DESIGNED FOR THE STORAGE OF FIREARMS in the
2 trunk of a vehicle. ~~while en route to or from a hunting or~~
3 ~~target shooting area or function involving the exhibition, demon-~~
4 ~~stration or sale of antique firearms.~~

5 (d) To a person while ~~carrying a pistol unloaded in a wrap-~~
6 ~~per or container in the trunk of the person's vehicle, while in~~
7 ~~possession of a valid Michigan hunting license or proof of valid~~
8 ~~membership in an organization having pistol shooting range facil-~~
9 ~~ities, and while en route to or from a hunting or target shooting~~
10 ~~area~~ TRANSPORTING A PISTOL FOR A LAWFUL PURPOSE THAT IS LICENSED
11 BY THE OWNER OR OCCUPANT OF THE MOTOR VEHICLE IN COMPLIANCE WITH
12 SECTION 2 OF 1927 PA 372, MCL 28.422, AND THE PISTOL IS UNLOADED
13 IN A CLOSED CASE DESIGNED FOR THE STORAGE OF FIREARMS IN THE
14 TRUNK OF THE VEHICLE.

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

21 (E) ~~(f)~~ To a person while ~~carrying an unloaded pistol in~~
22 ~~the passenger compartment of a vehicle which does not have a~~
23 ~~trunk, if the person is otherwise complying with the requirements~~
24 ~~of subdivision (d) or (e) and the wrapper or container is not~~
25 ~~readily accessible to the occupants of the vehicle~~ TRANSPORTING
26 A PISTOL FOR A LAWFUL PURPOSE THAT IS LICENSED BY THE OWNER OR
27 OCCUPANT OF THE MOTOR VEHICLE IN COMPLIANCE WITH SECTION 2 OF

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1 1927 PA 372, MCL 28.422, AND THE PISTOL IS UNLOADED IN A CLOSED
2 CASE DESIGNED FOR THE STORAGE OF FIREARMS IN A VEHICLE THAT DOES
3 NOT HAVE A TRUNK AND IS NOT READILY ACCESSIBLE TO THE OCCUPANTS
4 OF THE VEHICLE.

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

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

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

17 (A) "ANTIQUE FIREARM" MEANS EITHER OF THE FOLLOWING:

18 (i) A FIREARM NOT DESIGNED OR REDESIGNED FOR USING RIMFIRE
19 OR CONVENTIONAL CENTER FIRE IGNITION WITH FIXED AMMUNITION AND
20 MANUFACTURED IN OR BEFORE 1898, INCLUDING A MATCHLOCK, FLINTLOCK,
21 PERCUSSION CAP, OR SIMILAR TYPE OF IGNITION SYSTEM OR REPLICA OF
22 SUCH A FIREARM, WHETHER ACTUALLY MANUFACTURED BEFORE OR AFTER
23 1898.

24 (ii) A FIREARM USING FIXED AMMUNITION MANUFACTURED IN OR
25 BEFORE 1898, FOR WHICH AMMUNITION IS NO LONGER MANUFACTURED IN
26 THE UNITED STATES AND IS NOT READILY AVAILABLE IN THE ORDINARY
27 CHANNELS OF COMMERCIAL TRADE.

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1 (B) "LAWFUL PURPOSE" INCLUDES THE FOLLOWING:

2 (i) WHILE EN ROUTE TO OR FROM A HUNTING OR TARGET SHOOTING
3 AREA.

4 (ii) WHILE TRANSPORTING A PISTOL EN ROUTE TO OR FROM HIS OR
5 HER HOME OR PLACE OF BUSINESS AND PLACE OF REPAIR.

6 (iii) WHILE MOVING GOODS FROM 1 PLACE OF ABODE OR BUSINESS
7 TO ANOTHER PLACE OF ABODE OR BUSINESS.

8 (iv) WHILE TRANSPORTING A LICENSED PISTOL EN ROUTE TO OR
9 FROM A LAW ENFORCEMENT AGENCY FOR THE PURPOSE OF HAVING A SAFETY
10 INSPECTION PERFORMED ON THE PISTOL AS IS REQUIRED BY SECTION 9 OF
11 1927 PA 372, MCL 28.429, OR FOR THE PURPOSE OF HAVING A LAW
12 ENFORCEMENT OFFICIAL TAKE POSSESSION OF THE WEAPON.

13 (v) WHILE EN ROUTE TO OR FROM HIS OR HER ABODE OR PLACE OF
14 BUSINESS AND A GUN SHOW OR PLACES OF PURCHASE OR SALE.

15 (vi) WHILE EN ROUTE TO OR FROM HIS OR HER ABODE TO A PUBLIC
16 SHOOTING FACILITY OR PUBLIC LAND WHERE DISCHARGE OF FIREARMS IS
17 PERMITTED BY LAW, RULE, REGULATION, OR LOCAL ORDINANCE.

18 (vii) WHILE EN ROUTE TO OR FROM HIS OR HER ABODE TO A PRI-
19 VATE PROPERTY LOCATION WHERE THE PISTOL IS TO BE USED AS IS PER-
20 MITTED BY LAW, RULE, REGULATION, OR LOCAL ORDINANCE.