

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

HB 5026, As Passed Senate, January 30, 2002

House Bill No. 5026 as amended January 30, 2002

2 (1 of 2)

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~~  
6 ~~unloaded in a wrapper~~ or container  
7 ~~in the trunk of the person's vehicle.~~  
8 ~~, while in possession of a valid Michigan hunting license or~~  
9 ~~proof of valid membership in an organization having pistol shoot-~~  
10 ~~ing range facilities, and while en route to or from a hunting or~~  
11 ~~target shooting area.~~ THE PERSON IS CARRYING HIS OR HER PISTOL THAT WAS  
12 INSPECTED PURSUANT TO SECTION 9 OF 1927 PA 372. MCL 28.429. FOR A LAWFUL  
PURPOSE. AND THE PISTOL IS UNLOADED IN A CLOSED CASE OR CONTAINER DESIGNED  
FOR THE STORAGE OF FIREARMS IN THE TRUNK OF THE VEHICLE.

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

19 (E) ~~(f)~~ To a person while carrying ~~an~~ HIS OR HER unloaded pistol  
20 THAT  
21 WAS INSPECTED UNDER SECTION 9 OF 1927 PA 372, MCL 28.429, FOR A  
22 LAWFUL PURPOSE, AND in the passenger compartment of a vehicle  
23 ~~which~~ THAT does not have a trunk ~~,~~ if the person is otherwise  
24 complying with the requirements of subdivision (d) ~~or (e)~~ and  
25 the ~~wrapper~~ CLOSED CASE or container DESIGNED FOR THE STORAGE  
26 OF FIREARMS is not readily accessible to the occupants of the  
vehicle.

(F) TO A PERSON WHO IS A LAWFUL PURCHASER OF A PISTOL UNDER SECTION 2  
OF 1927 PA 372. MCL 28.422. WHILE THE PERSON IS CARRYING THE PISTOL IN A  
VEHICLE TO A SAFETY INSPECTION AS REQUIRED UNDER SECTION 9 OF 1927 PA 372,  
MCL 28.429, IF ALL OF THE FOLLOWING APPLY:

(i) THE PISTOL IS UNLOADED.

(ii) THE PISTOL IS IN A CLOSED CASE OR CONTAINER DESIGNED FOR THE

**HB 5026, As Passed Senate, January 30, 2002**

House Bill No. 5026 as amended January 30, 2002

2 (2 of 2)

**STORAGE OF FIREARMS.**

*(iii)* THE PISTOL IS IN THE TRUNK OF THE VEHICLE OR, IF THE VEHICLE DOES NOT HAVE A TRUNK, IN THE PASSENGER COMPARTMENT OF THE VEHICLE BUT IS NOT READILY ACCESSIBLE TO THE OCCUPANTS OF THE VEHICLE.

H04565'01 (S-1)

**HB 5026, As Passed Senate, January 30, 2002**

House Bill No. 5026

3

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

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

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