

SENATE BILL No. 809

(As amended by the Senate)

November 1, 2001, Introduced by Senators GARCIA, DINGELL, BENNETT, HOFFMAN, GOUGEON, SCHUETTE and STEIL and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 231 (MCL 750.231), as amended by 1998 PA
510.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 231. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), Sections 224,
224A, 224B, 226A, 227, 227c, and
2 227d do not apply to any of the following:

3 (a) A peace officer of ~~a duty~~ AN authorized police agency
4 of the United States, of this state, or of ~~any~~ A political sub-
5 division of this state, who is regularly employed and paid by the
6 United States, this state, or a political subdivision of this
7 state.

8 (b) ~~Any~~ A person WHO IS regularly employed by the state
9 department of corrections —, and WHO IS authorized in writing by
10 the director of the department of corrections to carry a

SB809, As Passed House, June 27, 2002

Senate Bill No. 809 as amended by the Senate and House
[House amendments June 19, 2002 shown in brackets]

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1 concealed weapon while in the official performance of his or her
2 duties or while going to or returning from those duties.

3 (c) A person employed by a private vendor that operates a
4 youth correctional facility authorized under section 20g of 1953
5 PA 232, MCL 791.220g, who meets the same criteria established by
6 the director of the state department of corrections for depart-
7 mental employees described in subdivision (b) and who is autho-
8 rized in writing by the director of the department of corrections
9 to carry a concealed weapon while in the official performance of
10 his or her duties or while going to or returning from those
11 duties.

12 (d) ~~Any~~ A member of the UNITED STATES army, air force,
13 navy, or marine corps ~~of the United States when~~ OR THE UNITED
14 STATES COAST GUARD WHILE carrying weapons in THE line of or inci-
15 dental to duty.

16 (e) ~~Organizations~~ AN ORGANIZATION authorized by law to
17 purchase or receive weapons from the United States or from this
18 state.

19 (f) ~~Members~~ A MEMBER of the national guard, armed forces
20 ~~reserves~~ RESERVE, THE UNITED STATES COAST GUARD RESERVE, or ANY
21 other ~~duly~~ authorized military ~~organizations when~~
22 ORGANIZATION WHILE on duty or drill, or in going to or returning
23 from ~~their places~~ A PLACE of assembly or practice, ~~by a direct~~
24 ~~route or otherwise,~~ while carrying weapons used for ~~purposes~~ A
25 PURPOSE of the national guard, armed forces ~~reserves~~ RESERVE,
26 UNITED STATES COAST GUARD RESERVE, or other duly authorized
27 military ~~organizations~~ ORGANIZATION.

(2) AS APPLIED TO SECTION [224A(1)] ONLY, SUBSECTION (1) IS NOT
APPLICABLE TO AN INDIVIDUAL INCLUDED UNDER [SUBSECTION] (1)(A),(B),OR (C)
UNLESS HE OR SHE HAS BEEN TRAINED IN THE USE, EFFECTS, AND RISKS OF USING
A PORTABLE DEVICE OR WEAPON DESCRIBED IN SECTION [224A(1)].