

# SENATE BILL No. 809

(As amended February 28, 2002)

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,  
2       224A, 224B, 226A, 227, 227c, and  
3       227d do not apply to any of the following:

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

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

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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 ONLY. SUBSECTION (1) IS NOT APPLICABLE  
TO AN INDIVIDUAL INCLUDED UNDER SUBDIVISIONS (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.