

HOUSE BILL No. 5026

July 11, 2001, Introduced by Reps. Vear, Tabor, Gosselin, Bradstreet, Drolet, Rocca, DeVuyst, Howell, Raczkowski, DeRossett, Sanborn, Richardville, Patterson, Jelinek, Bishop, Vander Veen, Ehardt, Stewart, Gilbert, Kuipers, Vander Roest, Hager and Meyer and referred to the Committee on Criminal Justice.

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 227 does not apply to any of the
2 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 except
5 where the pistol is carried in nonconformance with a restriction
6 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 or container

1 in the trunk of a vehicle. ~~while en route to or from a hunting~~
2 ~~or target shooting area or function involving the exhibition,~~
3 ~~demonstration or sale of antique firearms.~~

4 (d) To a person while carrying a pistol unloaded in a wrap-
5 per or container in the trunk of ~~the person's~~ A vehicle. ~~,~~
6 ~~while in possession of a valid Michigan hunting license or proof~~
7 ~~of valid membership in an organization having pistol shooting~~
8 ~~range facilities, and while en route to or from a hunting or~~
9 ~~target shooting area.~~

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

16 (E) ~~(f)~~ To a person while carrying an unloaded pistol in
17 the passenger compartment of a vehicle ~~which~~ THAT does not have
18 a trunk ~~,~~ if the person is otherwise complying with the
19 requirements of subdivision (d) ~~or (e)~~ and the wrapper or con-
20 tainer is not readily accessible to the occupants of the
21 vehicle.

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

24 (a) A firearm not designed or redesigned for using rimfire
25 or conventional center fire ignition with fixed ammunition and
26 manufactured in or before 1898, including a matchlock, flintlock,
27 percussion cap, or similar type of ignition system or replica

1 ~~thereof~~ OF SUCH A FIREARM, whether actually manufactured before
2 or after ~~the year~~ 1898.

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