

HOUSE BILL No. 5497

February 10, 2004, Introduced by Reps. Julian, Caswell, Milosch, Meyer, Stakoe, Gaffney, Plakas, Pastor, Voorhees, LaJoy, Garfield, O'Neil, Pappageorge, Hoogendyk, Ehardt, Van Regenmorter, Richardville, Farhat, Drolet, Vander Veen and Nofs 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 2002 PA
536.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 231. (1) Except as provided in subsection (2),
2 sections 224, 224a, 224b, 226a, 227, 227c, and 227d do not apply
3 to any of the following:

4 (a) A peace officer of an authorized police agency of the
5 United States, of this state **or another state**, or of a political
6 subdivision of this state **or another state**, who is regularly
7 employed and paid by the United States, this state **or another**
8 **state**, or a political subdivision of this state **or another**
9 **state**.

10 (b) A person who is regularly employed by the state

1 department of corrections and who is authorized in writing by the
2 director of the department of corrections to carry a concealed
3 weapon while in the official performance of his or her duties or
4 while going to or returning from those duties.

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

14 (d) A member of the United States army, air force, navy, or
15 marine corps or the United States coast guard while carrying
16 weapons in the line of or incidental to duty.

17 (e) An organization authorized by law to purchase or receive
18 weapons from the United States or from this state.

19 (f) A member of the national guard, armed forces reserve, the
20 United States coast guard reserve, or any other authorized
21 military organization while on duty or drill, or in going to or
22 returning from a place of assembly or practice, while carrying
23 weapons used for a purpose of the national guard, armed forces
24 reserve, United States coast guard reserve, or other duly
25 authorized military organization.

26 (2) As applied to section 224a(1) only, subsection (1) ~~is~~
27 ~~not applicable to~~ **does not exempt** an individual included under

1 subsection (1)(a), (b), or (c) unless he or she has been trained
2 on the use, effects, and risks of using a portable device or
3 weapon described in section 224a(1).