

# HOUSE BILL No. 4642

April 20, 2005, Introduced by Reps. Jones, LaJoy, Baxter, Stewart, Elsenheimer, Rocca, Robertson, Sheltroun, Steil, Garfield, Acciavatti, Pearce, Wenke, Palsrok, Hummel, Hansen, Gosselin, Booher, Polidori, Stahl, Cushingberry, Anderson, Hune, Nofs, Farhat, Vander Veen, Ball and Moolenaar and referred to the Committee on Conservation, Forestry, and Outdoor Recreation.

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,"

by amending section 12 (MCL 28.432), as amended by 2004 PA 99.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 12. (1) Sections 2 and 9 do not apply to any of the  
2 following:

3       (a) A police or correctional agency of the United States or of  
4 this state or any subdivision of this state.

5       (b) The United States army, air force, navy, or marine corps.

1 (c) An organization authorized by law to purchase or receive  
2 weapons from the United States or from this state.

3 (d) The national guard, armed forces reserves, or other duly  
4 authorized military organization.

5 (e) A member of an entity or organization described in  
6 subdivisions (a) to (d) for a pistol while engaged in the course of  
7 his or her duties with that entity or while going to or returning  
8 from those duties.

9 (f) A United States citizen holding a license to carry a  
10 pistol concealed upon his or her person issued by another state.

11 (g) The regular and ordinary transportation of a pistol as  
12 merchandise by an authorized agent of a person licensed to  
13 manufacture firearms or a licensed dealer.

14 (h) Purchasing, owning, carrying, possessing, using, or  
15 transporting an antique firearm. As used in this subdivision,  
16 "antique firearm" means that term as defined in section 231a of the  
17 Michigan penal code, 1931 PA 328, MCL 750.231a.

18 **(I) AN INDIVIDUAL CARRYING, POSSESSING, USING, OR TRANSPORTING**  
19 **A PISTOL BELONGING TO HIS OR HER SPOUSE, IF THE SPOUSE'S PISTOL IS**  
20 **PROPERLY LICENSED AND INSPECTED UNDER THIS ACT AND THE INDIVIDUAL**  
21 **CARRYING, POSSESSING, USING, OR TRANSPORTING THE PISTOL HAS ALSO**  
22 **OBTAINED A LICENSE UNDER THIS ACT TO CARRY, POSSESS, USE, OR**  
23 **TRANSPORT A PISTOL.**

24 (2) The amendatory act that added subdivision (h) shall be  
25 known and may be cited as the "Janet Kukuk act".