

HOUSE BILL No. 6394

September 5, 2006, Introduced by Reps. Jones, Kahn, David Law, Elsenheimer, Hansen, Ball, Stakoe and Sheltroun and referred to the Committee on Judiciary.

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 12a (MCL 28.432a), as amended by 2002 PA 719.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 12a. (1) The requirements of this act for obtaining a

1 license to carry a concealed pistol do not apply to any of the
2 following:

3 (a) A peace officer of a duly authorized police agency of the
4 United States or of this state or a political subdivision of this
5 state, who is regularly employed and paid by the United States or
6 this state or a subdivision of this state, except a township
7 constable.

8 (b) A constable who is trained and certified under the
9 commission on law enforcement standards act, 1965 PA 203, MCL
10 28.601 to 28.616, while engaged in his or her official duties or
11 going to or coming from his or her official duties, and who is
12 regularly employed and paid by a political subdivision of this
13 state.

14 (c) A person regularly employed by the department of
15 corrections and authorized in writing by the director of the
16 department of corrections to carry a concealed pistol during the
17 performance of his or her duties or while going to or returning
18 from his or her duties.

19 **(D) A PERSON REGULARLY EMPLOYED AS A LOCAL CORRECTIONS OFFICER**
20 **BY A COUNTY SHERIFF AND AUTHORIZED IN WRITING BY THE COUNTY SHERIFF**
21 **TO CARRY A CONCEALED PISTOL DURING THE PERFORMANCE OF HIS OR HER**
22 **DUTIES OR WHILE GOING TO OR RETURNING FROM HIS OR HER DUTIES.**

23 **(E) A PERSON REGULARLY EMPLOYED IN A CITY JAIL OR LOCKUP WHO**
24 **HAS CUSTODY OF PERSONS DETAINED OR INCARCERATED IN THE JAIL OR**
25 **LOCKUP AND WHO IS AUTHORIZED IN WRITING BY THE CHIEF OF POLICE OR**
26 **THE COUNTY SHERIFF TO CARRY A CONCEALED PISTOL DURING THE**
27 **PERFORMANCE OF HIS OR HER DUTIES OR WHILE GOING TO OR RETURNING**

1 FROM HIS OR HER DUTIES.

2 (F) ~~-(d)-~~ A member of the United States army, air force, navy,
3 or marine corps while carrying a concealed pistol in the line of
4 duty.

5 (G) ~~-(e)-~~ A member of the national guard, armed forces
6 reserves, or other duly authorized military organization while on
7 duty or drill or while going to or returning from his or her place
8 of assembly or practice or while carrying a concealed pistol for
9 purposes of that military organization.

10 (H) ~~-(f)-~~ A resident of another state who is licensed by that
11 state to carry a concealed pistol.

12 (I) ~~-(g)-~~ The regular and ordinary transportation of a pistol
13 as merchandise by an authorized agent of a person licensed to
14 manufacture firearms.

15 (J) ~~-(h)-~~ A person while carrying a pistol unloaded in a
16 wrapper or container in the trunk of his or her vehicle or, if the
17 vehicle does not have a trunk, from transporting that pistol
18 unloaded in a locked compartment or container that is separated
19 from the ammunition for that pistol from the place of purchase to
20 his or her home or place of business or to a place of repair or
21 back to his or her home or place of business, or in moving goods
22 from 1 place of abode or business to another place of abode or
23 business.

24 (K) ~~-(i)-~~ A peace officer or law enforcement officer from
25 Canada.

26 (2) AS USED IN THIS ACT, "LOCAL CORRECTIONS OFFICER" MEANS
27 THAT TERM AS DEFINED IN SECTION 2 OF THE LOCAL CORRECTIONS OFFICERS

1 TRAINING ACT, 2003 PA 125, MCL 791.532.