

Act No. 209
Public Acts of 2010
Approved by the Governor
November 17, 2010
Filed with the Secretary of State
November 17, 2010
EFFECTIVE DATE: February 15, 2011

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2010**

Introduced by Reps. Bolger, Wayne Schmidt, Ball, Sheltroun, Huckleberry, Booher, Horn, Calley, Haveman, Crawford, Roberts, Neumann, Agema, Rick Jones, Amash, Kowall, Genetski, Lund, Walsh, Daley, Pavlov, Kurtz, Schuitmaker, LeBlanc, Hansen, Polidori, McDowell, Simpson, Spade, Meekhof, Caul, Angerer and Haase

ENROLLED HOUSE BILL No. 5473

AN ACT 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 2008 PA 195.

The People of the State of Michigan enact:

Sec. 12. (1) Section 2 does not apply to any of the following:

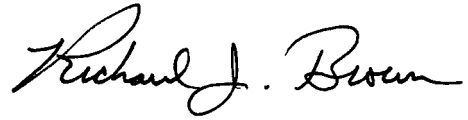
- (a) A police or correctional agency of the United States or of this state or any subdivision of this state.
- (b) The United States army, air force, navy, or marine corps.
- (c) An organization authorized by law to purchase or receive weapons from the United States or from this state.
- (d) The national guard, armed forces reserves, or other duly authorized military organization.
- (e) A member of an entity or organization described in subdivisions (a) through (d) for a pistol while engaged in the course of his or her duties with that entity or while going to or returning from those duties.
- (f) A United States citizen holding a license to carry a pistol concealed upon his or her person issued by another state.
- (g) The regular and ordinary possession and transportation of a pistol as merchandise by an authorized agent of a person licensed to manufacture firearms or a licensed dealer.
- (h) Purchasing, owning, carrying, possessing, using, or transporting an antique firearm. As used in this subdivision, “antique firearm” means that term as defined in section 231a of the Michigan penal code, 1931 PA 328, MCL 750.231a.
- (i) An individual carrying, possessing, using, or transporting a pistol belonging to another individual, if the other individual’s possession of the pistol is authorized by law and the individual carrying, possessing, using, or transporting the pistol has obtained a license under section 5b to carry a concealed pistol or is exempt from licensure as provided in section 12a.

(2) The amendatory act that added subsection (1)(h) shall be known and may be cited as the “Janet Kukuk act”.

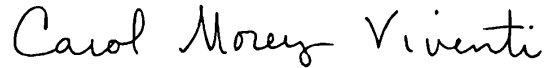
Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 5520 of the 95th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

Compiler's note: House Bill No. 5520, referred to in enacting section 2, was filed with the Secretary of State November 17, 2010, and became 2010 PA 210, Eff. Feb. 15, 2011.