



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 5282 (as reported without amendment)
Sponsor: Representative Bruce R. Rendon
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to delete the definition of "lawful purpose" in a provision regulating the transport of a pistol.

Section 227(2) of the Penal Code prohibits a person from carrying a pistol in a vehicle, whether concealed or not, without a license to carry the pistol or, if licensed, in a place or manner that is inconsistent with any restrictions on the license.

Section 231a specifies that the prohibition in Section 227(2) does not apply to a person while transporting for a "lawful purpose" a pistol that is licensed by the owner or occupant of the vehicle and that is unloaded in a closed case designed for the storage of firearms and in the trunk of the vehicle. For a vehicle that does not have a trunk, the pistol must be not readily accessible to the occupants of the vehicle.

The bill would retain this exemption but delete the definition of "lawful purpose".

"Lawful purpose" includes while transporting a pistol en route to or from the person's home or place of business and place of repair; while moving goods from one place of abode or business to another place of abode or business; while transporting a licensed pistol en route to or from a law enforcement agency or for the purpose of having a law enforcement official take possession of the weapon; and while en route to or from the following: a hunting or target shooting area; the person's abode or place of business and a gun show or places of purchase or sale; the person's abode to a public shooting facility or public land where discharge of firearms is permitted by law, rule, regulation, or local ordinance; or the person's abode to a private property location where the pistol is to be used as is permitted by law, rule, regulation, or local ordinance.

MCL 750.231a

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State government and a negligible fiscal impact on local government. Violators of Section 227(2), which prohibits individuals from carrying a pistol in a vehicle, can be charged with a misdemeanor punishable by imprisonment for not more than 90 days, or a fine of \$100, or both, unless the pistol is transported for a lawful purpose under specified conditions. By deleting the definition of "lawful purpose", the bill would give law enforcement greater discretion, which could result in a minor (but likely negligible) decrease in those found in violation of Section 227(2).

Date Completed: 12-5-12

Fiscal Analyst: Dan O'Connor