

HOUSE BILL No. 4565

May 7, 2015, Introduced by Reps. Dianda, Chirkun and Crawford and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 227d, 231a, and 234f (MCL 750.227d, 750.231a, and 750.234f), section 227d as added by 1981 PA 103, section 231a as amended by 2012 PA 427, and section 234f as amended by 1996 PA 80.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 227d. (1) Except as otherwise permitted by law, a person
2 shall not transport or possess in or upon a motor vehicle or any
3 self-propelled vehicle designed for land travel a firearm, other
4 than a pistol, unless the firearm is unloaded. ~~and is 1 or more of~~
5 ~~the following:~~

- 6 ~~— (a) Taken down.~~
- 7 ~~— (b) Enclosed in a case.~~
- 8 ~~— (c) Carried in the trunk of the vehicle.~~

1 ~~—— (d) Inaccessible from the interior of the vehicle.~~

2 (2) A person who violates this section is guilty of a
3 misdemeanor, punishable by imprisonment for not more than 90 days,
4 or a fine of not more than \$100.00, or both.

5 Sec. 231a. (1) Subsection (2) of section 227 does not apply to
6 any of the following:

7 (a) To a person holding a valid license to carry a pistol
8 concealed upon his or her person issued by his or her state of
9 residence except where the pistol is carried in nonconformance with
10 a restriction appearing on the license.

11 (b) To the regular and ordinary transportation of pistols as
12 merchandise by an authorized agent of a person licensed to
13 manufacture firearms.

14 (c) To a person carrying an antique firearm, completely
15 unloaded. ~~in a closed case or container designed for the storage of~~
16 ~~firearms in the trunk of a vehicle.~~

17 (d) To a person while transporting a pistol for a lawful
18 purpose that is licensed by the owner or occupant of the motor
19 vehicle in compliance with section 2 of 1927 PA 372, MCL 28.422,
20 and the pistol is unloaded. ~~in a closed case designed for the~~
21 ~~storage of firearms in the trunk of the vehicle.~~

22 ~~—— (e) To a person while transporting a pistol for a lawful~~
23 ~~purpose that is licensed by the owner or occupant of the motor~~
24 ~~vehicle in compliance with section 2 of 1927 PA 372, MCL 28.422,~~
25 ~~and the pistol is unloaded in a closed case designed for the~~
26 ~~storage of firearms in a vehicle that does not have a trunk and is~~
27 ~~not readily accessible to the occupants of the vehicle.~~

1 (2) As used in this section, "antique firearm" means either of
2 the following:

3 (i) A firearm not designed or redesigned for using rimfire or
4 conventional center fire ignition with fixed ammunition and
5 manufactured in or before 1898, including a matchlock, flintlock,
6 percussion cap, or similar type of ignition system or replica of
7 such a firearm, whether actually manufactured before or after 1898.

8 (ii) A firearm using fixed ammunition manufactured in or
9 before 1898, for which ammunition is no longer manufactured in the
10 United States and is not readily available in the ordinary channels
11 of commercial trade.

12 Sec. 234f. (1) Except as provided in subsection (2), an
13 individual less than 18 years of age shall not possess a firearm in
14 public except under the direct supervision of an individual 18
15 years of age or older.

16 (2) Subsection (1) does not apply to an individual less than
17 18 years of age who possesses a firearm in accordance with part 401
18 ~~(wildlife conservation)~~ of the natural resources and environmental
19 protection act, ~~Act No. 451 of the Public Acts of 1994, being~~
20 ~~sections 324.40101 to 324.40119 of the Michigan Compiled Laws, 1994~~
21 **PA 451, MCL 324.40101 TO 324.40120**, or part 435 ~~(hunting and~~
22 ~~fishing licensing)~~ of Act No. 451 of the Public Acts of 1994, being
23 ~~sections 324.43501 to 324.43561 of the Michigan Compiled Laws. THE~~
24 **NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451,**
25 **MCL 324.43501 TO 324.43561.** However, an individual less than 18
26 years of age may possess a firearm without a hunting license while
27 at, or going to or from, a recognized target range or trap or skeet

1 shooting ground if, while going to or from the range or ground, the
2 firearm is ~~enclosed and securely fastened in a case or locked in~~
3 ~~the trunk of a motor vehicle.~~**UNLOADED.**

4 (3) An individual who violates this section is guilty of a
5 misdemeanor, punishable by imprisonment for not more than 90 days,
6 or a fine of not more than \$100.00, or both.

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