

HOUSE BILL NO. 6422

September 27, 2022, Introduced by Rep. Fink and referred to the Committee on Military, Veterans and Homeland Security.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending sections 227, 227d, and 231a (MCL 750.227, 750.227d,
and 750.231a), section 227 as amended by 1986 PA 8, section 227d as
amended by 2015 PA 26, and section 231a as amended by 2012 PA 427.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 227. (1) A person shall not carry a dagger, dirk,
2 stiletto, a double-edged nonfolding stabbing instrument of any
3 length, or any other dangerous weapon, except a hunting **or fishing**
4 knife adapted and carried as ~~such,~~ **a hunting or fishing knife,**

concealed on or about his or her person, or, whether concealed or otherwise, in ~~any a~~ vehicle operated or occupied by the person, except in his or her dwelling house, **at his or her** place of business, or on other land possessed by ~~the~~**that** person.

(2) A person shall not carry a pistol concealed on or about his or her person, or, whether concealed or otherwise, in a vehicle operated or occupied by the person, ~~except in his or her dwelling house, place of business, or on other land possessed by the person,~~ without a license to carry the pistol as provided by law. ~~and if licensed, shall not carry the pistol in a place or manner inconsistent with any restrictions upon such license.~~**This subsection does not apply to any of the following:**

(a) A person carrying a pistol in his or her dwelling, at his or her place of business, or on other land possessed by that person.

(b) A pistol that is unloaded and is 1 or more of the following:

(i) Taken down.

(ii) Enclosed in a case.

(iii) Carried in the trunk of the vehicle.

(iv) Not immediately accessible to the occupants of the vehicle.

(v) Inoperable, including by the use of an installed barrel lock or trigger lock.

(3) A person who violates this section is guilty of a felony ~~τ~~ punishable by imprisonment for not more than 5 years ~~τ~~ or ~~by a~~ fine of not more than \$2,500.00.

Sec. 227d. (1) Except as otherwise permitted by law, a person shall not transport or possess in or upon a motor vehicle or any

1 self-propelled vehicle designed for land travel either of the
2 following:

3 (a) A firearm, other than a pistol, unless the firearm is
4 unloaded and is 1 or more of the following:

5 (i) Taken down.

6 (ii) Enclosed in a case.

7 (iii) Carried in the trunk of the vehicle.

8 (iv) ~~Inaccessible from the interior~~ **Not immediately accessible**
9 **to the occupants** of the vehicle.

10 (v) **Inoperable, including by the use of an installed barrel**
11 **lock or trigger lock.**

12 (b) A pneumatic gun that expels a metallic BB or metallic
13 pellet greater than .177 caliber unless the pneumatic gun is
14 unloaded and is 1 or more of the following:

15 (i) Taken down.

16 (ii) Enclosed in a case.

17 (iii) Carried in the trunk of the vehicle.

18 (iv) ~~Inaccessible from the interior~~ **Not immediately accessible**
19 **to the occupants** of the vehicle.

20 (v) **Inoperable, including by the use of an installed barrel**
21 **lock or trigger lock.**

22 (2) A person who violates this section is guilty of a
23 misdemeanor punishable by imprisonment for not more than ~~90~~ **93** days
24 or a fine of not more than \$100.00, or both.

25 Sec. 231a. (1) ~~Subsection (2) of section 227~~ **Section 227(2)**
26 does not apply to any of the following:

27 (a) To a person holding a valid license to carry a pistol
28 concealed upon his or her person issued by his or her state of
29 residence except where the pistol is carried in nonconformance with

1 a restriction appearing on the license.

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

5 (c) To a person carrying an antique firearm, completely
6 unloaded in a closed case or container designed for the storage of
7 firearms in the trunk of a vehicle.

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

13 ~~(e) To a person while transporting a pistol for a lawful~~
14 ~~purpose that is licensed by the owner or occupant of the motor~~
15 ~~vehicle in compliance with section 2 of 1927 PA 372, MCL 28.422,~~
16 ~~and the pistol is unloaded in a closed case designed for the~~
17 ~~storage of firearms in a vehicle that does not have a trunk and is~~
18 ~~not readily accessible to the occupants of the vehicle.~~

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

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

26 (ii) A firearm using fixed ammunition manufactured in or before
27 1898, for which ammunition is no longer manufactured in the United
28 States and is not readily available in the ordinary channels of
29 commercial trade.

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