

# HOUSE BILL No. 4568

March 12, 2009, Introduced by Reps. Mayes, Rick Jones, Polidori, Espinoza, Pearce, Opsommer, Stamas, Lori, Walsh, Kowall, Sheltroun, Marleau, Kurtz, Knollenberg, Smith, Miller and Schuitmaker and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 231a (MCL 750.231a), as amended by 2008 PA 196.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

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

10       (c) To a person carrying an antique firearm as defined in

1 subsection (2), completely unloaded in a closed case or container  
2 designed for the storage of firearms in the trunk of a vehicle.

3 (d) To a person while transporting a pistol for a lawful  
4 purpose that is licensed by the owner or occupant of the motor  
5 vehicle in compliance with section 2 of 1927 PA 372, MCL 28.422,  
6 and the pistol is unloaded in a closed case designed for the  
7 storage of firearms in the trunk of the vehicle.

8 (e) 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 a vehicle that does not have a trunk and is  
13 not readily accessible to the occupants of the vehicle.

14 **(F) TO A PERSON WHILE TRANSPORTING AN UNLOADED PISTOL EN ROUTE**  
15 **TO OR FROM A LAW ENFORCEMENT AGENCY FOR THE PURPOSE OF COMPLYING**  
16 **WITH SECTION 2 OF 1927 PA 372, MCL 28.422, IF THE PISTOL IS**  
17 **UNLOADED AND IN A CLOSED CASE OR CONTAINER DESIGNED FOR THE STORAGE**  
18 **OF FIREARMS AND EITHER IN THE TRUNK OF THE VEHICLE OR NOT READILY**  
19 **ACCESSIBLE TO THE OCCUPANTS OF A VEHICLE THAT DOES NOT HAVE A**  
20 **TRUNK.**

21 (2) As used in this section:

22 (a) "Antique firearm" means either of the following:

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

1           (ii) A firearm using fixed ammunition manufactured in or before  
2 1898, for which ammunition is no longer manufactured in the United  
3 States and is not readily available in the ordinary channels of  
4 commercial trade.

5           (b) "Lawful purpose" includes the following:

6           (i) While en route to or from a hunting or target shooting  
7 area.

8           (ii) While transporting a pistol en route to or from his or her  
9 home or place of business and place of repair.

10          (iii) While moving goods from 1 place of abode or business to  
11 another place of abode or business.

12          (iv) While transporting a licensed pistol en route to or from a  
13 law enforcement agency or for the purpose of having a law  
14 enforcement official take possession of the weapon.

15          (v) While en route to or from his or her abode or place of  
16 business and a gun show or places of purchase or sale.

17          (vi) While en route to or from his or her abode to a public  
18 shooting facility or public land where discharge of firearms is  
19 permitted by law, rule, regulation, or local ordinance.

20          (vii) While en route to or from his or her abode to a private  
21 property location where the pistol is to be used as is permitted by  
22 law, rule, regulation, or local ordinance.