



HOUSE BILL No. 5120

November 10, 1999, Introduced by Reps. Tabor, Green, Bradstreet, Voorhees, DeHart, Schermesser, Kowall, Julian and DeVuyst and referred to the Committee on Conservation and Outdoor Recreation.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 227. (1) A person shall not carry a dagger, dirk, sti-
2 letto, a double-edged nonfolding stabbing instrument of any
3 length, or any other dangerous weapon, except a hunting knife
4 adapted and carried as such, concealed on or about his or her
5 person, or whether concealed or otherwise in any vehicle operated
6 or occupied by the person, except in his or her dwelling house,
7 place of business or on other land possessed by the person.

8 (2) ~~A~~ SUBJECT TO SECTION 231A, A person shall not carry a
9 pistol concealed on or about his or her person, or, whether
10 concealed or otherwise, in a vehicle operated or occupied by the

1 person, except in his or her dwelling house, place of business,
2 or on other land possessed by the person, without a license to
3 carry the pistol as provided by law and if licensed, shall not
4 carry the pistol in a place or manner inconsistent with any
5 restrictions upon such license.

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

9 Sec. 231a. (1) Section 227 does not apply to any of the
10 following:

11 (a) To a person holding a valid license to carry a pistol
12 concealed upon his or her person issued by another state except
13 where the pistol is carried in nonconformance with a restriction
14 appearing on the license.

15 (b) To the regular and ordinary transportation of pistols as
16 merchandise by an authorized agent of a person licensed to manu-
17 facture firearms.

18 (c) To a person carrying an antique firearm as defined in
19 subsection (2), completely unloaded, in a wrapper or container in
20 the trunk of a vehicle while en route to or from a hunting or
21 target shooting area or function involving the exhibition, demon-
22 stration or sale of antique firearms.

23 (d) To a person while carrying a pistol unloaded in a wrap-
24 per or container in the trunk of the person's vehicle, while ~~in~~
25 ~~possession of a valid Michigan hunting license or proof of valid~~
26 ~~membership in an organization having pistol shooting range~~

1 ~~facilities, and while en route~~ GOING to or from a hunting or
2 target shooting area.

3 (e) To a person while carrying a pistol unloaded in a wrap-
4 per or container in the trunk of the person's vehicle from the
5 place of purchase to his or her home or place of business or to a
6 place of repair or back to his or her home or place of business,
7 or in moving goods from one place of abode or business to another
8 place of abode or business.

9 (f) To a person while carrying an unloaded pistol in the
10 passenger compartment of a vehicle which does not have a trunk,
11 if the person is otherwise complying with the requirements of
12 subdivision (d) or (e) and the wrapper or container is not
13 readily accessible to the occupants of the vehicle.

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

16 (a) A firearm not designed or redesigned for using rimfire
17 or conventional center fire ignition with fixed ammunition and
18 manufactured in or before 1898, including a matchlock, flintlock,
19 percussion cap, or similar type of ignition system or replica
20 thereof, whether actually manufactured before or after the year
21 1898.

22 (b) A firearm using fixed ammunition manufactured in or
23 before 1898, for which ammunition is no longer manufactured in
24 the United States and is not readily available in the ordinary
25 channels of commercial trade.