

HOUSE BILL No. 4490

March 20, 2007, Introduced by Reps. Opsommer, Sheltroun, Stahl, Miller, Palsrok, Hoogendyk, Meekhof, Nitz, LeBlanc, Mayes and Meltzer and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,"

by amending sections 12 and 12b (MCL 28.432 and 28.432b), section 12 as amended by 2006 PA 75 and section 12b as added by 1982 PA 182, and by adding section 9d; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SEC. 9D. (1) THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE

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1 SHALL, WITHIN 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT
2 THAT ADDED THIS SECTION, DESTROY ALL RECORDS OF SAFETY INSPECTIONS
3 CONDUCTED UNDER SECTION 9 THAT ARE MAINTAINED BY THE DEPARTMENT.

4 (2) EACH SHERIFF, COMMISSIONER, OR CHIEF OF POLICE SHALL,
5 WITHIN 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
6 ADDED THIS SECTION, DESTROY ALL RECORDS OF SAFETY INSPECTIONS
7 CONDUCTED UNDER SECTION 9 THAT ARE MAINTAINED BY THAT SHERIFF,
8 COMMISSIONER, OR CHIEF OF POLICE.

9 Sec. 12. (1) ~~Sections~~ SECTION 2 and 9 ~~do~~ DOES not apply to any
10 of the following:

11 (a) A police or correctional agency of the United States or of
12 this state or any subdivision of this state.

13 (b) The United States army, air force, navy, or marine corps.

14 (c) An organization authorized by law to purchase or receive
15 weapons from the United States or from this state.

16 (d) The national guard, armed forces reserves, or other duly
17 authorized military organization.

18 (e) A member of an entity or organization described in
19 subdivisions (a) to (d) for a pistol while engaged in the course of
20 his or her duties with that entity or while going to or returning
21 from those duties.

22 (f) A United States citizen holding a license to carry a
23 pistol concealed upon his or her person issued by another state.

24 (g) The regular and ordinary transportation of a pistol as
25 merchandise by an authorized agent of a person licensed to
26 manufacture firearms or a licensed dealer.

27 (h) Purchasing, owning, carrying, possessing, using, or

1 transporting an antique firearm. As used in this subdivision,
2 "antique firearm" means that term as defined in section 231a of the
3 Michigan penal code, 1931 PA 328, MCL 750.231a.

4 (i) An individual carrying, possessing, using, or transporting
5 a pistol belonging to another individual, if the other individual's
6 pistol is properly licensed and inspected under this act and the
7 individual carrying, possessing, using, or transporting the pistol
8 has obtained a license under section 5b to carry a concealed
9 pistol.

10 (2) The amendatory act that added subdivision (h) shall be
11 known and may be cited as the "Janet Kukuk act".

12 Sec. 12b. ~~Sections~~ **SECTION 2** ~~and 9 do~~ **DOES** not apply to a
13 signaling device ~~which~~ **THAT** is approved by the United States coast
14 guard pursuant to regulations issued under ~~section 4488 of the~~
15 ~~Revised Statutes of the United States, 46 U.S.C. USC 481, or under~~
16 ~~section 5 of the federal boat safety act of 1971, Public Law 92-75,~~
17 ~~46 U.S.C. USC 1454.~~

18 Enacting section 1. Section 9 of 1927 PA 372, MCL 28.429, is
19 repealed.