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Senate Bill 793 (as introduced 9-9-09)
Sponsor: Senator Jim Barcia
Committee: Hunting, Fishing and Outdoor Recreation

Date Completed: 11-9-09

CONTENT

The bill would amend Chapter 37 (Firearms) of the Michigan Penal Code to revise the term "lawful purpose" with regard to certain exceptions to the concealed pistol license requirement.

Chapter 37 prohibits a person from carrying a pistol concealed on or about his or her person, or, whether concealed or otherwise, in a vehicle he or she operates or owns, except in his or her dwelling house, place of business, or on other land he or she possesses, without a license to carry it as provided by law. Additionally, if licensed, a person may not carry the pistol in a place or manner inconsistent with any license restrictions. These provisions do not apply to a person while transporting a pistol for a lawful purpose that is licensed by the owner or occupant of the vehicle in compliance with Section 2 of Public Act 372 of 1927, if the pistol is unloaded in a closed case designed for the storage of firearms and in the vehicle's trunk or, if the vehicle does not have a trunk, is not readily accessible to the occupants.

(Section 2 of Public Act 372 prohibits a person from purchasing, carrying, possessing, or transporting a pistol in Michigan without obtaining a license.)

Under the Code, "lawful purpose" includes the following:

- While en route to or from a hunting or target shooting area.
- While transporting a pistol en route to or from his or her home or place of business and place of repair.
- While moving goods from one place of abode or business to another.
- While transporting a licensed pistol en route to or from a law enforcement agency for the purpose of having a law enforcement official take possession of the weapon.
- While en route to or from his or her abode or place of business and a gun show or places of purchase or sale.
- While en route to or from his or her abode to a public shooting facility or public land where discharge of firearms is permitted by law, rule, regulation, or local ordinance.
- While en route to or from his or her abode to a private property location where the pistol is to be used as permitted by law, rule, regulation, or local ordinance.

Under the bill, the definition would apply whether a person was *directly or indirectly* en route to or from any of the specified places, moving goods from one place to another, or transporting a pistol to or from a law enforcement agency.

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Matthew Grabowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.