Act No. 99
Public Acts of 2004
Approved by the Governor
May 13, 2004
Filed with the Secretary of State
May 13, 2004
EFFECTIVE DATE: May 13, 2004

STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004

Introduced by Reps. Acciavatti, Hummel, Milosch, Garfield, LaJoy, Drolet, Amos, Sheltrown, Tabor, Taub, Nofs, Pappageorge, Casperson, DeRoche, Hune, Caswell, Bisbee, Nitz, Gaffney, Emmons, Bradstreet, Rocca, Farhat, Pastor, Stahl, DeRossett, Vander Veen, Voorhees, Spade, Stewart, Minore, Zelenko, Jamnick, Richardville, Kooiman, Hager, Newell, Howell, Shackleton, Adamini, Accavitti, Stakoe, Gleason, Robertson, Shaffer, Ward, Huizenga, Elkins, Moolenaar, Palsrok and Gillard

ENROLLED HOUSE BILL No. 5427

AN ACT 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 section 12 (MCL 28.432), as amended by 2000 PA 381.

The People of the State of Michigan enact:

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

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

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

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

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

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

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

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

(h) Purchasing, owning, carrying, possessing, using, or transporting an antique firearm. As used in this subdivision, "antique firearm" means that term as defined in section 231a of the Michigan penal code, 1931 PA 328, MCL 750.231a.

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

This act is ordered to take immediate effect.

Clerk of the House of Representatives

Secretary of the Senate

Approved _____

Governor