

SENATE BILL No. 385

June 9, 2015, Introduced by Senators JONES, MACGREGOR, MARLEAU and PROOS and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 231 (MCL 750.231), as amended by 2006 PA 401.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 231. (1) Except as provided in subsection (2), sections
2 224, 224a, 224b, 224d, 226a, 227, 227c, and 227d do not apply to
3 any of the following:

4 (a) A peace officer of an authorized police agency of the
5 United States, of this state, or of a political subdivision of this
6 state, who is regularly employed and paid by the United States,
7 this state, or a political subdivision of this state.

8 (b) A person who is regularly employed by the state department
9 of corrections and who is authorized in writing by the director of
10 the department of corrections to carry a concealed weapon while in
11 the official performance of his or her duties or while going to or

1 returning from those duties.

2 (C) AN AGENT OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
3 OFFICE OF INSPECTOR GENERAL APPOINTED UNDER SECTION 43B(2) OF THE
4 SOCIAL WELFARE ACT, 1939 PA 280, MCL 400.43B.

5 (D) ~~(e)~~—A person employed by a private vendor that operates a
6 youth correctional facility authorized under section 20g of **THE**
7 **CORRECTIONS CODE OF 1953**, 1953 PA 232, MCL 791.220g, who meets the
8 same criteria established by the director of the state department
9 of corrections for departmental employees described in subdivision
10 (b) and who is authorized in writing by the director of the
11 department of corrections to carry a concealed weapon while in the
12 official performance of his or her duties or while going to or
13 returning from those duties.

14 (E) ~~(d)~~—A member of the United States army, air force, navy,
15 or marine corps or the United States coast guard while carrying
16 weapons in the line of or incidental to duty.

17 (F) ~~(e)~~—An organization authorized by law to purchase or
18 receive weapons from the United States or from this state.

19 (G) ~~(f)~~—A member of the national guard, armed forces reserve,
20 the United States coast guard reserve, or any other authorized
21 military organization while on duty or drill, or in going to or
22 returning from a place of assembly or practice, while carrying
23 weapons used for a purpose of the national guard, armed forces
24 reserve, United States coast guard reserve, or other duly
25 authorized military organization.

26 (H) ~~(g)~~—A security employee employed by the state and granted
27 limited arrest powers under section 6c of 1935 PA 59, MCL 28.6c.

1 (I) ~~(h)~~—A motor carrier officer appointed under section 6d of
2 1935 PA 59, MCL 28.6d.

3 (2) As applied to section 224a(1) only, subsection (1) is not
4 applicable to an individual included under subsection (1)(a), (b),
5 or ~~(e)~~—(D) unless he or she has been trained on the use, effects,
6 and risks of using a portable device or weapon described in section
7 224a(1).

8 Enacting section 1. This amendatory act takes effect 90 days
9 after the date it is enacted into law.

10 Enacting section 2. This amendatory act does not take effect
11 unless Senate Bill No. 384.

12 of the 98th Legislature is enacted into law.