

# HOUSE BILL No. 5356

December 12, 1989, Introduced by Reps. Kosteva, Bartnik, Berman, Profit, Gubow, DeMars, Weeks, Wallace, Stallworth, Porreca, Richard A. Young, Emerson, Jonker, Pitoniak, Leland, Jondahl, Hood, O'Neill, Bennane, Perry Bullard, Hart, Barns, Owen, Kilpatrick, Palamara, Saunders, Harrison, Brown and Gire and referred to the Committee on Tourism, Fisheries and Wildlife.

A bill to amend Act No. 328 of the Public Acts of 1931,  
entitled

"The Michigan penal code,"

as amended, being sections 750.1 to 750.568 of the Michigan  
Compiled Laws, by adding section 224c.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 328 of the Public Acts of 1931, as  
2 amended, being sections 750.1 to 750.568 of the Michigan Compiled  
3 Laws, is amended by adding section 224c to read as follows:

4 SEC. 224C. (1) A PERSON SHALL NOT KNOWINGLY DO ANY OF THE  
5 FOLLOWING:

6 (A) MANUFACTURE, SELL, DISTRIBUTE, OR POSSESS OR ATTEMPT TO  
7 MANUFACTURE, SELL, DISTRIBUTE, OR POSSESS A DEVICE THAT IS  
8 DESIGNED OR INTENDED TO BE USED TO CONVERT A SEMIAUTOMATIC  
9 FIREARM INTO A FULLY AUTOMATIC FIREARM.

1 (B) DEMONSTRATE TO ANOTHER PERSON OR ATTEMPT TO DEMONSTRATE  
2 TO ANOTHER PERSON HOW TO MANUFACTURE OR INSTALL A DEVICE TO CON-  
3 VERT A SEMIAUTOMATIC FIREARM INTO A FULLY AUTOMATIC FIREARM.

4 (2) A PERSON WHO VIOLATES SUBSECTION (1) IS GUILTY OF A  
5 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS, OR A  
6 FINE OF NOT MORE THAN \$2,000.00, OR BOTH.

7 (3) THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:

8 (A) A POLICE AGENCY OF THIS STATE, OR OF A LOCAL UNIT OF  
9 GOVERNMENT OF THIS STATE, OR OF THE UNITED STATES.

10 (B) AN EMPLOYEE OF AN AGENCY DESCRIBED IN SUBDIVISION (A),  
11 IF THE MANUFACTURE, SALE, DISTRIBUTION, OR POSSESSION OR  
12 ATTEMPTED MANUFACTURE, SALE, DISTRIBUTION, OR POSSESSION OR  
13 DEMONSTRATION OR ATTEMPTED DEMONSTRATION IS IN THE COURSE OF HIS  
14 OR HER OFFICIAL DUTIES AS AN EMPLOYEE OF THAT AGENCY.

15 (C) THE ARMED FORCES.

16 (D) A MEMBER OR EMPLOYEE OF THE ARMED FORCES, IF THE MANU-  
17 FACTURE, SALE, DISTRIBUTION, OR POSSESSION OR ATTEMPTED MANUFAC-  
18 TURE, SALE, DISTRIBUTION, OR POSSESSION OR DEMONSTRATION OR  
19 ATTEMPTED DEMONSTRATION IS IN THE COURSE OF HIS OR HER OFFICIAL  
20 DUTIES AS A MEMBER OR EMPLOYEE OF THE ARMED FORCES.

21 (E) A LICENSED COLLECTOR WHO POSSESSES A DEVICE THAT IS  
22 DESIGNED OR INTENDED TO BE USED TO CONVERT A SEMIAUTOMATIC FIRE-  
23 ARM INTO A FULLY AUTOMATIC FIREARM THAT WAS LAWFULLY OWNED BY  
24 THAT LICENSED COLLECTOR BEFORE THE EFFECTIVE DATE OF THE AMENDA-  
25 TORY ACT THAT ADDED THIS SECTION. THIS SUBDIVISION DOES NOT  
26 PERMIT A LICENSED COLLECTOR WHO LAWFULLY OWNED A DEVICE THAT IS  
27 DESIGNED OR INTENDED TO BE USED TO CONVERT A SEMIAUTOMATIC

1 FIREARM INTO A FULLY AUTOMATIC FIREARM BEFORE THE EFFECTIVE DATE  
2 OF THE AMENDATORY ACT THAT ADDED THIS SECTION TO SELL OR DISTRIB-  
3 UTE OR ATTEMPT TO SELL OR DISTRIBUTE THAT DEVICE TO ANOTHER  
4 PERSON AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED  
5 THIS SECTION.

6 (4) AS USED IN THIS SECTION:

7 (A) "FULLY AUTOMATIC FIREARM" MEANS A FIREARM EMPLOYING GAS  
8 PRESSURE OR FORCE OF RECOIL TO MECHANICALLY EJECT AN EMPTY CART-  
9 RIDGE FROM THE FIREARM AFTER A SHOT, AND TO LOAD THE NEXT CART-  
10 RIDGE FROM THE MAGAZINE, WITHOUT RENEWED PRESSURE ON THE TRIGGER  
11 FOR EACH SUCCESSIVE SHOT.

12 (B) "LICENSED COLLECTOR" MEANS A PERSON WHO IS LICENSED  
13 UNDER CHAPTER 44 OF TITLE 18 OF THE UNITED STATES CODE TO  
14 ACQUIRE, HOLD, OR DISPOSE OF FIREARMS AS CURIOS OR RELICS.

15 (C) "SEMIAUTOMATIC FIREARM" MEANS A FIREARM EMPLOYING GAS  
16 PRESSURE OR FORCE OF RECOIL TO MECHANICALLY EJECT AN EMPTY CART-  
17 RIDGE FROM THE FIREARM AFTER A SHOT, AND TO LOAD THE NEXT CART-  
18 RIDGE FROM THE MAGAZINE, BUT REQUIRING RENEWED PRESSURE ON THE  
19 TRIGGER FOR EACH SUCCESSIVE SHOT.