

# HOUSE BILL No. 5366

December 13, 1989, Introduced by Reps. Martin, DeMars, Profit, Berman, Gilmer, Dolan, Allen, Law, Pitoniak, Johnson, Nye, Bender, Gubow, Stabenow, Ouwinga, Kosteva and Willis Bullard 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 MANUFACTURE, DISTRIBUTE,  
5 POSSESS, OR USE ARMOR PIERCING AMMUNITION IN THIS STATE. A  
6 PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY, PUNISH-  
7 ABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS, OR BY A FINE OF  
8 NOT MORE THAN \$2,000.00, OR BOTH.

1           (2) THIS SECTION DOES NOT APPLY TO A PERSON WHO  
2 MANUFACTURES, DISTRIBUTES, POSSESSES, OR USES ARMOR PIERCING  
3 AMMUNITION IN THIS STATE PURSUANT TO CHAPTER 44 OF TITLE 18 OF  
4 THE UNITED STATES CODE.

5           (3) AS USED IN THIS SECTION, "ARMOR PIERCING AMMUNITION"  
6 MEANS A PROJECTILE OR PROJECTILE CORE WHICH MAY BE USED IN A  
7 PISTOL AND WHICH IS CONSTRUCTED ENTIRELY, EXCLUDING THE PRESENCE  
8 OF TRACES OF OTHER SUBSTANCES, OF TUNGSTEN ALLOYS, STEEL, IRON,  
9 BRASS, BRONZE, BERYLLIUM COPPER, OR A COMBINATION OF TUNSTEN  
10 ALLOYS, STEEL, IRON, BRASS, BRONZE, OR BERYLLIUM COPPER. ARMOR  
11 PIERCING AMMUNITION DOES NOT INCLUDE ANY OF THE FOLLOWING:

12           (A) SHOTGUN SHOT THAT IS REQUIRED BY FEDERAL LAW OR BY A LAW  
13 OF THIS STATE TO BE USED FOR HUNTING PURPOSES.

14           (B) A FRANGIBLE PROJECTILE DESIGNED FOR TARGET SHOOTING.

15           (C) A PROJECTILE THAT THE DIRECTOR OF THE DEPARTMENT OF  
16 STATE POLICE FINDS IS PRIMARILY INTENDED TO BE USED FOR SPORTING  
17 PURPOSES.

18           (D) A PROJECTILE OR PROJECTILE CORE THAT THE DIRECTOR OF THE  
19 DEPARTMENT OF STATE POLICE FINDS IS INTENDED TO BE USED FOR  
20 INDUSTRIAL PURPOSES.

21           (4) THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE SHALL  
22 EXCEPT A PROJECTILE OR PROJECTILE CORE UNDER SUBSECTION (3)(C) OR  
23 (D) IF THAT PROJECTILE OR PROJECTILE CORE IS EXCEPTED UNDER CHAP-  
24 TER 44 OF TITLE 18 OF THE UNITED STATES CODE. THE DIRECTOR OF  
25 STATE POLICE SHALL EXCEPT A PROJECTILE OR PROJECTILE CORE UNDER  
26 SUBSECTION (3)(C) OR (D) ONLY BY A RULE PROMULGATED IN COMPLIANCE  
27 WITH THE ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT NO. 306 OF

1 THE PUBLIC ACTS OF 1969, BEING SECTIONS 24.201 TO 24.328 OF THE  
2 MICHIGAN COMPILED LAWS.