

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4161**

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 222 (MCL 750.222), as amended by 2012 PA 242.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 222. As used in this chapter:

2 (a) "Alcoholic liquor" means that term as defined in section
3 105 of the Michigan liquor control code of 1998, 1998 PA 58, MCL
4 436.1105.

5 (b) "Barrel length" means the internal length of a firearm as
6 measured from the face of the closed breech of the firearm when it
7 is unloaded, to the forward face of the end of the barrel.

8 (c) "BRANDISH" MEANS TO POINT, WAVE ABOUT, OR DISPLAY IN A
9 THREATENING MANNER WITH THE INTENT TO INDUCE FEAR IN ANOTHER
10 PERSON.

1 (D) ~~(e)~~ "Controlled substance" means a controlled substance or
2 controlled substance analogue as those terms are defined in section
3 7104 of the public health code, 1978 PA 368, MCL 333.7104.

4 (E) ~~(d)~~ "Firearm" means a ~~ANY~~ weapon ~~from which a dangerous~~
5 **WILL, IS DESIGNED TO, OR MAY READILY BE CONVERTED TO EXPEL A**
6 projectile ~~may be propelled by~~ **ACTION OF** an explosive. ~~, or by gas~~
7 ~~or air. Firearm does not include a smooth bore rifle or handgun~~
8 ~~designed and manufactured exclusively for propelling by a spring,~~
9 ~~or by gas or air, BBs not exceeding .177 caliber.~~

10 (F) ~~(e)~~ "Pistol" means a loaded or unloaded firearm that is 26
11 inches or less in length, or a loaded or unloaded firearm that by
12 its construction and appearance conceals itself as a firearm.

13 (G) **"PNEUMATIC GUN" MEANS THAT TERM AS DEFINED IN SECTION 1 OF**
14 **1990 PA 319, MCL 123.1101.**

15 (H) ~~(f)~~ "Purchaser" means a person who receives a pistol from
16 another person by purchase, gift, or loan.

17 (I) **"RIFLE" MEANS A FIREARM DESIGNED OR REDESIGNED, MADE OR**
18 **REMADE, AND INTENDED TO BE FIRED FROM THE SHOULDER AND DESIGNED OR**
19 **REDESIGNED AND MADE OR REMADE TO USE THE ENERGY OF THE EXPLOSIVE IN**
20 **A FIXED METALLIC CARTRIDGE TO FIRE ONLY A SINGLE PROJECTILE THROUGH**
21 **A RIFLED BORE FOR EACH SINGLE PULL OF THE TRIGGER.**

22 (J) ~~(g)~~ "Seller" means a person who sells, furnishes, loans,
23 or gives a pistol to another person.

24 (K) **"SHORT-BARRELED RIFLE" MEANS A RIFLE HAVING 1 OR MORE**
25 **BARRELS LESS THAN 16 INCHES IN LENGTH OR A WEAPON MADE FROM A**
26 **RIFLE, WHETHER BY ALTERATION, MODIFICATION, OR OTHERWISE, IF THE**
27 **WEAPON AS MODIFIED HAS AN OVERALL LENGTH OF LESS THAN 26 INCHES.**

(I) "SHORT-BARRELED SHOTGUN" MEANS A SHOTGUN HAVING 1 OR MORE BARRELS LESS THAN 18 INCHES IN LENGTH OR A WEAPON MADE FROM A SHOTGUN, WHETHER BY ALTERATION, MODIFICATION, OR OTHERWISE, IF THE WEAPON AS MODIFIED HAS AN OVERALL LENGTH OF LESS THAN 26 INCHES.

(M) ~~(h)~~ "Shotgun" means a firearm designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single function of the trigger.

~~—— (i) "Short barreled shotgun" means a shotgun having 1 or more barrels less than 18 inches in length or a weapon made from a shotgun, whether by alteration, modification, or otherwise, if the weapon as modified has an overall length of less than 26 inches.~~

~~—— (j) "Rifle" means a firearm designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.~~

~~—— (k) "Short barreled rifle" means a rifle having 1 or more barrels less than 16 inches in length or a weapon made from a rifle, whether by alteration, modification, or otherwise, if the weapon as modified has an overall length of less than 26 inches.~~

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

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4160 of the 98th Legislature is enacted into

1 law.