

# HOUSE BILL No. 5726

June 7, 2016, Introduced by Reps. Hoadley, Liberati, Wittenberg, Geiss, Chang, Garrett, Banks, Plawecki, Guerra, Zemke, Singh, Gay-Dagnogo, Irwin, Hovey-Wright, Townsend, Heise, Howell, Inman, Crawford, Price, Lucido, Moss, Sarah Roberts and Howrylak and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 224 (MCL 750.224), as amended by 2006 PA 401.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 224. (1) A person shall not manufacture, sell, offer for  
2 sale, or possess any of the following:

3           (a) A machine gun or firearm that shoots or is designed to  
4 shoot automatically more than 1 shot without manual reloading, by a  
5 single function of the trigger.

6           (b) A muffler or silencer.

7           (c) A bomb or bombshell.

8           (d) A blackjack, slungshot, billy, metallic knuckles, sand  
9 club, sand bag, or bludgeon.

10           (e) A device, weapon, cartridge, container, or contrivance  
11 designed to render a person temporarily or permanently disabled by

1 the ejection, release, or emission of a gas or other substance.

2 (F) AN UNMANNED AERIAL VEHICLE EQUIPPED WITH A WEAPON THAT IS  
3 DESIGNED TO BE USED, SHOT, FIRED, OR DISCHARGED REMOTELY. AS USED  
4 IN THIS SUBDIVISION, "WEAPON" INCLUDES ANY OF THE FOLLOWING:

5 (i) A FIREARM AS THAT TERM IS DEFINED IN SECTION 1 OF 1927 PA  
6 372, MCL 28.421.

7 (ii) A CROSSBOW, BOW, OR RUBBER BAND DEVICE DESIGNED TO PROPEL  
8 A BOLT, DART, OR ARROW.

9 (iii) ANY OF THE WEAPONS LISTED IN THIS SUBSECTION.

10 (2) A person who violates subsection (1) is guilty of a felony  
11 ~~—~~punishable by imprisonment for not more than 5 years ~~—~~or a fine  
12 of not more than \$2,500.00, or both.

13 (3) THIS SECTION DOES NOT PROHIBIT A PERSON FROM BEING CHARGED  
14 WITH, CONVICTED OF, OR PUNISHED FOR ANY OTHER VIOLATION OF LAW  
15 ARISING OUT OF THE SAME TRANSACTION AS THE VIOLATION OF THIS  
16 SECTION.

17 (4) ~~(3)~~—Subsection (1) does not apply to any of the following:

18 (a) A self-defense spray or foam device as defined in section  
19 224d.

20 (b) A person manufacturing firearms, explosives, or munitions  
21 of war by virtue of a contract with a department of the government  
22 of the United States.

23 (c) A person licensed by the secretary of the treasury of the  
24 United States or the secretary's delegate to manufacture, sell, or  
25 possess a machine gun, or a device, weapon, cartridge, container,  
26 or contrivance described in subsection (1).

27 (5) ~~(4)~~—As used in this chapter: ~~—~~"muffler"

1 (A) "MUFFLER" or "silencer" means 1 or more of the following:

2 (i) ~~(a)~~—A device for muffling, silencing, or deadening the  
3 report of a firearm.

4 (ii) ~~(b)~~—A combination of parts, designed or redesigned, and  
5 intended for use in assembling or fabricating a muffler or  
6 silencer.

7 (iii) ~~(c)~~—A part, designed or redesigned, and intended only  
8 for use in assembling or fabricating a muffler or silencer.

9 (B) "UNMANNED AERIAL VEHICLE" MEANS AN AIRCRAFT THAT IS  
10 OPERATED WITHOUT THE POSSIBILITY OF DIRECT HUMAN INTERVENTION FROM  
11 WITHIN OR ON THE AIRCRAFT.

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