THE MICHIGAN PENAL CODE (EXCERPT)

Act 328 of 1931

750.223 Selling firearms and ammunition; violations; penalties.

Sec. 223.

(1) A person who knowingly sells a firearm without complying with section 2 of 1927 PA 372, MCL 28.422, is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than $100.00, or both.

(2) A person who knowingly sells a firearm more than 26 inches in length to a person under 18 years of age is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than $500.00, or both. A second or subsequent violation of this subsection is a felony punishable by imprisonment for not more than 4 years or a fine of not more than $2,000.00, or both. It is an affirmative defense to a prosecution under this subsection that the person who sold the firearm asked to see and was shown a driver license or identification card issued by a state that identified the purchaser as being 18 years of age or older.

(3) A seller shall not sell a firearm or ammunition to a person if the seller knows that either of the following circumstances exists:

(a) The person is under indictment for a felony. As used in this subdivision, "felony" means a violation of a law of this state, or of another state, or of the United States that is punishable by imprisonment for 4 years or more.

(b) The person is prohibited under section 224f from possessing, using, transporting, selling, purchasing, carrying, shipping, receiving, or distributing a firearm.

(4) A person who violates subsection (3) is guilty of a felony punishable by imprisonment for not more than 10 years or by a fine of not more than $5,000.00, or both.

History: 1931, Act 328, Eff. Sept. 18, 1931 ;-- CL 1948, 750.223 ;-- Am. 1969, Act 210, Eff. Mar. 20, 1970 ;-- Am. 1990, Act 321, Eff. Mar. 28, 1991 ;-- Am. 1992, Act 217, Imd. Eff. Oct. 13, 1992 ;-- Am. 1992, Act 221, Eff. Mar. 31, 1993 ;-- Am. 2012, Act 242, Eff. Jan. 1, 2013 ;-- Am. 2023, Act 18, Eff. Feb. 13, 2024