

SUBSTITUTE FOR
HOUSE BILL NO. 5092

(as amended March 12, 2014)

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 PERSON.**

10]

11 (D) ~~(e)~~"Controlled substance" means a controlled substance or
12 controlled substance analogue as those terms are defined in section

1 7104 of the public health code, 1978 PA 368, MCL 333.7104.

2 (E) ~~(d)~~—"Firearm" means a weapon from which a dangerous
3 projectile may be propelled by an explosive, or by gas or air.
4 Firearm does not include a smooth bore rifle or handgun designed
5 and manufactured exclusively for propelling by a spring, or by gas
6 or air, BBs not exceeding .177 caliber.

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

10 (G) ~~(f)~~—"Purchaser" means a person who receives a pistol from
11 another person by purchase, gift, or loan.

12 (H) ~~(g)~~—"Seller" means a person who sells, furnishes, loans,
13 or gives a pistol to another person.

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

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

24 (K) ~~(j)~~—"Rifle" means a firearm designed or redesigned, made
25 or remade, and intended to be fired from the shoulder and designed
26 or redesigned and made or remade to use the energy of the explosive
27 in a fixed metallic cartridge to fire only a single projectile

1 through a rifled bore for each single pull of the trigger.

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

6 Enacting section 1. This amendatory act does not take effect
7 unless House Bill No. 5091 of the 97th Legislature is enacted into
8 law.