

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931
Chapter XXXVII
FIREARMS

750.222 Definitions.

750.222a "Double-edged, nonfolding stabbing instrument" defined.

750.223 Selling firearms and ammunition; violations; penalties.

750.224 Weapons; manufacture, sale, or possession as felony; violation as felony; penalty; exceptions; "muffler" or "silencer" defined.

Constitutionality: <Paragraph><P>The Michigan supreme court held that the statute was not unconstitutionally vague as applied to the defendant in <Emph EmphType="underscore">People</Emph> v <Emph EmphType="underscore">Lynch</Emph>, 410 Mich 343; 301 NW2d 796 (1981).</P></Paragraph>

Former Law: <Paragraph><P>See section 3 of Act 372 of 1927, being CL 1929, Â§ 16751; and Act 206 of 1929.</P></Paragraph>

750.224a Portable device or weapon directing electrical current, impulse, wave, or beam; sale or possession prohibited; exceptions; use of electro-muscular disruption technology; violation; penalty; verification of identity and possession of license; prohibited use; definitions.

750.224b Short-barreled shotgun or rifle; making, manufacturing, transferring, or possessing as felony; penalty; exceptions; short-barreled shotgun or rifle 26 inches or less; short-barreled shotgun or rifle greater than 26 inches; violation of subsection (5) as civil infraction; seizure and forfeiture; applicability of MCL 776.20 to subsection (3).

750.224c Armor piercing ammunition; manufacture, distribution, sale, or use prohibited; exceptions; violation as felony; penalty; definitions; exemption of projectile or projectile core; rule.

750.224d Self-defense spray or foam device.

750.224e Conversion of semiautomatic firearm to fully automatic firearm; prohibited acts; penalty; applicability; “fully automatic firearm”, “licensed collector”, and “semiautomatic firearm” defined.

750.224f Possession of firearm or distribution of ammunition by person convicted of felony; circumstances; penalty; applicability of section to expunged or set aside conviction; definitions.

750.225 Repealed. 1993, Act 254, Imd. Eff. Nov. 29, 1993.

Compiler's Notes: <Paragraph><P>The repealed section pertained to printed matter selling or delivering firearms.</P></Paragraph>

750.226 Firearm or dangerous or deadly weapon or instrument; carrying with unlawful intent; violation as felony; penalty.

Former Law: <Paragraph><P>See section 4 of Act 372 of 1927, being CL 1929, Â§ 16752.</P></Paragraph>

750.226a Repealed. 2017, Act 96, Eff. Oct. 11, 2017.

Compiler's Notes: <Paragraph><P>The repealed section pertained to unlawful possession of pocket knife opened by mechanical device.</P></Paragraph>

750.227 Concealed weapons; carrying; penalty.

Constitutionality: <Paragraph><P>The double jeopardy protection against multiple punishment for the same offense is a restriction on a court's ability to impose punishment in excess of that intended by the Legislature, not a limit on the Legislature's power to define crime and fix punishment. <Emph EmphType="underscore">People</Emph> v <Emph EmphType="underscore">Sturgis</Emph>, 427 Mich 392; 397 NW2d 783 (1986).</P></Paragraph>

Former Law: <Paragraph><P>See section 5 of Act 372 of 1927, being CL 1929, Â§ 16753.</P></Paragraph>

750.227a Pistols; unlawful possession by licensee.

750.227b Carrying or possessing firearm when committing or attempting to commit felony; carrying or possessing pneumatic gun; exception; law enforcement officer defined.

Constitutionality: <Paragraph><P>The double jeopardy protection against multiple punishment for the same offense is a restriction on a court's ability to impose punishment in excess of that intended by the Legislature, not a limit on the Legislature's power to define crime and fix punishment. <Emph EmphType="underscore">People</Emph> v <Emph EmphType="underscore">Sturgis</Emph>, 427 Mich 392; 397 NW2d 783 (1986).</P></Paragraph>

750.227c Transporting or possessing loaded firearm in or upon vehicle propelled by mechanical means; violation as misdemeanor; penalty.

750.227d Transporting or possessing firearm in or upon motor vehicle or self-propelled vehicle designed for land travel; violation as misdemeanor; penalty.

750.227f Committing or attempting to commit crime involving violent act or threat of violent act against another person while wearing body armor as felony; penalty; consecutive term of imprisonment; exception; definitions.

750.227g Body armor; purchase, ownership, possession, or use by convicted felon; prohibition; issuance of written permission; violation as felony; definitions.

750.228 Ownership of pistol greater than 26 inches in length; conditions; election to have firearm not considered as pistol.

Compiler's Notes: <Paragraph><P>Former MCL 750.228, which pertained to penalties to have pistol inspected, was repealed by Act 196 of 2008, Eff. Jan. 7, 2009.</P></Paragraph>

750.229 Pistols accepted in pawn, by second-hand dealer or junk dealer.

Compiler's Notes: <Paragraph><P>For provisions of Act 350 of 1917, referred to in this section, see MCL 445.401 et seq.</P></Paragraph>

Former Law: <Paragraph><P>See section 10 of Act 372 of 1927, being CL 1929, Â§ 16759.</P></Paragraph>

750.230 Firearms; altering, removing, or obliterating marks of identity; presumption.

Constitutionality: <Paragraph><P>The statutory presumption contained in this section is unconstitutional. <Emph EmphType="underscore">People</Emph> v <Emph EmphType="underscore">Moore</Emph>, 402 Mich 538; 266 NW2d 145 (1978).</P></Paragraph>

Former Law: <Paragraph><P>See section 11 of Act 372 of 1927, being CL 1929, Â§ 16760.</P></Paragraph>

750.231 MCL 750.224, 750.224a, 750.224b, 750.224d, 750.227, 750.227c, and 750.227d inapplicable to certain persons and organizations.

750.231a Exceptions to MCL 750.227(2); "antique firearm" defined.

750.231b Sale and safety inspection; persons exempt.

750.231c "Aircraft," "approved signaling device," and "vessel" defined; sections inapplicable to approved signaling device; sale, purchase, possession, or use of approved signaling device; violation as misdemeanor; penalties.

750.232 Repealed. 2017, Act 95, Eff. Oct. 11, 2017.

Compiler's Notes: <Paragraph><P>The repealed section pertained to registration of purchasers of firearms.</P></Paragraph>

750.232a Obtaining firearm in violation of MCL 28.422; intentionally making material false statement on application for license to purchase firearm; using or attempting to use false identification or identification of another person to purchase firearm; penalties.

Compiler's Notes: <Paragraph><P>For provisions of section 2, referred to in this section, see MCL 28.422.</P></Paragraph>

750.233 Pointing or aiming firearm at another person; misdemeanor; penalty; exception; "peace officer defined."

Former Law: <Paragraph><P>See section 1 of Act 68 of 1869, being CL 1871, Â§ 7548; How., Â§ 9110; CL 1897, Â§ 11509; CL 1915, Â§ 15232; and CL 1929, Â§ 16776.</P></Paragraph>

750.234 Firearm; discharge; intentionally aimed without malice; misdemeanor; penalty; exception; "peace officer" defined.

Former Law: <Paragraph><P>See section 2 of Act 68 of 1869, being CL 1871, Â§ 7548; How., Â§ 9111; CL 1897, Â§ 11510; CL 1915, Â§ 15233; and CL 1929, Â§ 16777.</P></Paragraph>

750.234a Intentionally discharging firearm from motor vehicle, snowmobile, or off-road vehicle as crime; penalty; exceptions; other violation; consecutive terms; self-defense; "peace officer" defined.

750.234b Intentionally discharging firearm at dwelling or potentially occupied structure as felony; penalty; exceptions; other violation; consecutive terms; definitions.

750.234c Intentionally discharging firearm at emergency or law enforcement vehicle as felony; penalty; emergency or law enforcement vehicle defined.

750.234d Possession of firearm on certain premises prohibited; applicability; violation as misdemeanor; penalty.

750.234e Brandishing firearm in public; applicability; violation as misdemeanor; penalty.

750.234f Possession of firearm by person less than 18 years of age; exceptions; violation as misdemeanor; penalty.

750.235 Maiming or injuring person by discharging firearm; intentionally aimed without malice; exception; "peace officer" defined.

Former Law: <Paragraph><P>See section 3 of Act 68 of 1869, being CL 1871, Â§ 7549; How., Â§ 9112; CL 1897, Â§ 11511; CL 1915, Â§ 15234; and CL 1929, Â§ 16778.</P></Paragraph>

750.235a Parent of minor guilty of misdemeanor; conditions; penalty; defense; definitions.

Compiler's Notes: <Paragraph><P>Former MCL 750.235a, which made the reckless use of firearms a misdemeanor, was repealed by Act 45 of 1952, Eff. Sept. 18, 1952.</P></Paragraph>

750.235b Threatening to commit violence with firearm, explosive, or other dangerous weapon against students or employees on school property; specific intent or overt act; violation arising out of same transaction; definitions.

750.236 Spring gun, trap or device; setting.

Former Law: <Paragraph><P>See section 1 of Act 97 of 1875; being How., Â§ 9114; CL 1897, Â§ 11515; CL 1915, Â§ 15250; and CL 1929, Â§ 16782.</P></Paragraph>

750.236a Computer-assisted shooting; prohibited acts; definitions.

750.236b Computer-assisted shooting; prohibited conduct; definitions.

750.236c Violation of MCL 750.236a or 750.236b; penalty; forfeiture.

750.237 Liquor or controlled substance; possession or use of firearm by person under influence; violation; penalty; chemical analysis.

Former Law: <Paragraph><P>See sections 1 and 2 of Act 25 of 1929, being CL 1929, Â§Â§ 16780 and 16781.</P></Paragraph>

750.237a Individual engaging in proscribed conduct in weapon free school zone; violation; penalties; definitions.

750.238 Search warrant.

750.239 Forfeiture of weapons; disposal; immunity from civil liability.

750.239a Disposition of seized weapon; immunity from civil liability; "law enforcement agency" defined.