

**SUBSTITUTE FOR  
SENATE BILL NO. 963**

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,"

by amending section 1 (MCL 28.421), as amended by 2012 PA 243.

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

- 1           Sec. 1. (1) As used in this act:
- 2           (a) "Felony" means that term as defined in section 1 of
- 3 chapter I of the code of criminal procedure, 1927 PA 175, MCL

1 761.1, or a violation of a law of the United States or another  
2 state that is designated as a felony or that is punishable by death  
3 or by imprisonment for more than 1 year.

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

10 (c) "Misdemeanor" means a violation of a penal law of this  
11 state or violation of a local ordinance substantially corresponding  
12 to a violation of a penal law of this state that is not a felony or  
13 a violation of an order, rule, or regulation of a state agency that  
14 is punishable by imprisonment or a fine that is not a civil fine,  
15 or both.

16 (d) "Peace officer" means, except as otherwise provided in  
17 this act, an individual who is employed as a law enforcement  
18 officer, as that term is defined under section 2 of the commission  
19 on law enforcement standards act, 1965 PA 203, MCL 28.602, by this  
20 state or another state, a political subdivision of this state or  
21 another state, or the United States, and who is required to carry a  
22 firearm in the course of his or her duties as a law enforcement  
23 officer.

24 (e) "Pistol" means a loaded or unloaded firearm that is 26  
25 inches or less in length, or a loaded or unloaded firearm that by  
26 its construction and appearance conceals it as a firearm.

27 (f) "Purchaser" means a person who receives a pistol from

1 another person by purchase or gift.

2 (g) "Reserve peace officer", "auxiliary officer", or "reserve  
3 officer" means, except as otherwise provided in this act, an  
4 individual authorized on a voluntary or irregular basis by a duly  
5 authorized police agency of this state or a political subdivision  
6 of this state to act as a law enforcement officer, who is  
7 responsible for the preservation of the peace, the prevention and  
8 detection of crime, and the enforcement of the general criminal  
9 laws of this state, and who is otherwise eligible to possess a  
10 firearm under this act.

11 (h) "Retired police officer" or "retired law enforcement  
12 officer" means an individual who was a police officer or law  
13 enforcement officer who was certified as described under section 9a  
14 of the commission on ~~the~~ law enforcement standards act, 1965 PA  
15 203, MCL 28.609a, and retired in good standing from his or her  
16 employment as a police officer or law enforcement officer.

17 (i) "Seller" means a person who sells or gives a pistol to  
18 another person.

19 (j) "State court judge" means a judge of the district court,  
20 circuit court, probate court, or court of appeals or justice of the  
21 supreme court of this state who is serving either by election or  
22 appointment.

23 (k) "State court retired judge" means a judge or justice  
24 described in subdivision (j) who is retired, or a retired judge of  
25 the recorders court.

26 (2) A person may lawfully own, possess, carry, or transport as  
27 a pistol a firearm greater than 26 inches in length if all of the

1 following conditions apply:

2 (a) The person registered the firearm as a pistol under  
3 section 2 or 2a before January 1, 2013.

4 (b) The person who registered the firearm as described in  
5 subdivision (a) has maintained registration of the firearm since  
6 January 1, 2013 without lapse.

7 (c) The person possesses a copy of the license or record  
8 issued to him or her under section 2 or 2a.

9 (3) A person who satisfies all of the conditions listed under  
10 subsection (2) nevertheless may elect to have the firearm not be  
11 considered to be a pistol. A person who makes the election under  
12 this subsection shall notify the department of state police of the  
13 election in a manner prescribed by that department.

14 Enacting section 1. This amendatory act takes effect January  
15 1, 2015.