

HOUSE BILL NO. 5907

March 15, 2022, Introduced by Reps. Stone, Kuppa, Weiss, Ellison, Cavanagh, Rogers, Hood, Brenda Carter, Steckloff, Young, Puri, Camilleri, Sowerby, Brabec, Rabhi and Brixie and referred to the Committee on Military, Veterans and Homeland Security.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 230 (MCL 750.230).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 230. (1) A person ~~who shall wilfully not do any of the~~
2 **following:**

3 (a) **Willfully** alter, remove, or obliterate the name of the
4 maker, model, manufacturer's number, or other mark of identity of a
5 ~~pistol or other firearm. , shall be~~

6 (b) **Manufacture, assemble, sell, offer to sell, or transfer a**

1 firearm in this state if that firearm does not contain a firearm
2 serial number on the firearm frame or receiver.

3 (c) Manufacture, sell, offer to sell, or transfer a firearm
4 frame or receiver in this state if that frame or receiver does not
5 contain a firearm serial number.

6 (d) Sell, offer to sell, or transfer a firearm precursor in
7 this state if that firearm precursor does not contain a firearm
8 serial number.

9 (e) Beginning 1 year after the effective date of the
10 amendatory act that added this subdivision, possess or own a
11 firearm or firearm precursor in this state if that firearm or
12 firearm precursor does not contain a firearm serial number on the
13 firearm frame or receiver or firearm precursor.

14 (2) A person that violates this section is guilty of the
15 following:

16 (a) A person that violates subsection (1)(a), (b), (c), or (d)
17 is guilty of a felony ~~—~~punishable by imprisonment for not more
18 than 2 years or fine of not more than \$1,000.00.

19 (b) A person that violates subsection (1)(e) for a first time
20 is guilty of a misdemeanor punishable by imprisonment for not more
21 than 90 days or a fine of not more than \$100.00, or both.

22 (c) A person that violates subsection (1)(e) for a second or
23 subsequent time is guilty of a felony punishable by imprisonment
24 for not more than 2 years or a fine of not more than \$1,000.00.

25 (3) Possession of a firearm upon which the **manufacturer's**
26 number ~~shall have~~ **has** been altered, removed, or obliterated, other
27 than an antique firearm, ~~as defined by section 231a(2)(a) or (b),~~
28 ~~shall be~~ **is** presumptive evidence that the possessor has altered,
29 removed, or obliterated the ~~same~~ **number**.

1 (4) This section does not apply to any of the following:

2 (a) A firearm manufactured before October 22, 1968.

3 (b) An antique firearm.

4 (c) A sale, offer to sell, transfer, or delivery of a firearm
5 or firearm precursor to, or possession by, federally licensed
6 firearms manufacturers, importers, and dealers, and other federal
7 licensees authorized to provide marking services.

8 (d) A transfer or surrender of a firearm or firearm precursor
9 to a law enforcement agency.

10 (e) A firearm or firearm precursor that has been identified by
11 a federally licensed firearms dealer or other federal licensee
12 authorized to provide marking services with the licensee's
13 abbreviated federal firearms license number as a prefix followed by
14 a hyphen and then followed by a number as a suffix, and placed in a
15 manner as required under federal law for affixing serial numbers to
16 firearms.

17 (5) As used in this section:

18 (a) "Antique firearm" means that term as defined in section
19 231a.

20 (b) "Firearm frame or receiver" means that term as defined in
21 27 CFR 478.11.

22 (c) "Firearm precursor" means any forging, casting, printing,
23 extrusion, machined body, or similar article that meets either of
24 the following:

25 (i) Has reached a stage in manufacture where it may readily be
26 completed, assembled, or converted to be used as the frame or
27 receiver of a functional firearm.

28 (ii) Is marketed or sold to the public to become or be used as
29 the frame or receiver of a functional firearm once completed,

1 assembled, or converted.

2 (d) "Firearm serial number" means a serial number that a
3 federally licensed firearms manufacturer, importer, or dealer, or
4 other federal licensee authorized to provide marking services, has
5 used to identify a firearm in accordance with all federal laws and
6 regulations.