

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

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

Sec. 224.

- (1) A person shall not manufacture, sell, offer for sale, or possess any of the following:
 - (a) A machine gun or firearm that shoots or is designed to shoot automatically more than 1 shot without manual reloading, by a single function of the trigger.
 - (b) A muffler or silencer.
 - (c) A bomb or bombshell.
 - (d) A blackjack, slungshot, billy, metallic knuckles, sand club, sand bag, or bludgeon.
 - (e) A device, weapon, cartridge, container, or contrivance designed to render a person temporarily or permanently disabled by the ejection, release, or emission of a gas or other substance.
- (2) A person who violates subsection (1) is guilty of a felony, punishable by imprisonment for not more than 5 years, or a fine of not more than \$2,500.00, or both.
- (3) Subsection (1) does not apply to any of the following:
 - (a) A self-defense spray or foam device as defined in section 224d.
 - (b) A person manufacturing firearms, explosives, or munitions of war by virtue of a contract with a department of the government of the United States.
 - (c) A person licensed by the secretary of the treasury of the United States or the secretary's delegate to manufacture, sell, or possess a machine gun, or a device, weapon, cartridge, container, or contrivance described in subsection (1).
- (4) As used in this chapter, "muffler" or "silencer" means 1 or more of the following:
 - (a) A device for muffling, silencing, or deadening the report of a firearm.
 - (b) A combination of parts, designed or redesigned, and intended for use in assembling or fabricating a muffler or silencer.
 - (c) A part, designed or redesigned, and intended only for use in assembling or fabricating a muffler or silencer.

History: 1931, Act 328, Eff. Sept. 18, 1931 ;-- CL 1948, 750.224 ;-- Am. 1959, Act 175, Eff. Mar. 19, 1960 ;-- Am. 1978, Act 564, Imd. Eff. Dec. 29, 1978 ;-- Am. 1980, Act 346, Eff. Mar. 31, 1981 ;-- Am. 1990, Act 321, Eff. Mar. 28, 1991 ;-- Am. 1991, Act 33, Imd. Eff. June 10, 1991 ;-- Am. 2006, Act 401, Eff. Dec. 28, 2006

Constitutionality: The Michigan supreme court held that the statute was not unconstitutionally vague as applied to the defendant in *People v Lynch*, 410 Mich 343; 301 NW2d 796 (1981).

Former Law: See section 3 of Act 372 of 1927, being CL 1929, § 16751; and Act 206 of 1929.