

HOUSE BILL NO. 5628

December 09, 2021, Introduced by Reps. Brenda Carter, Cynthia Johnson, Stone, Kuppa, Rogers, Hood, Brixie, Scott, Breen and Hope and referred to the Committee on Military, Veterans and Homeland Security.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 224g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 224g. (1) Except as otherwise provided in this section,
2 beginning January 1, 2023, a person shall not sell, offer for sale,
3 or possess in this state a magazine capable of holding more than 10
4 rounds of ammunition.

5 (2) This section does not prohibit the possession of a
6 magazine described in subsection (1) by any of the following:

1 (a) A peace officer.

2 (b) A member of the United States Armed Forces.

3 (c) A person that possesses a magazine described in subsection
4 (1) to service or repair that magazine, if the magazine is lawfully
5 possessed by another person.

6 (d) An individual who works in an armored car for a company or
7 organization.

8 (e) An executor or administrator of an estate that has a
9 magazine that was legally possessed before the effective date of
10 the amendatory act that added this section.

11 (3) A manufacturer, authorized importer, or authorized dealer
12 may possess, offer for sale, or sell a magazine described in
13 subsection (1) to an individual listed in subsection (2)(a) or (b).

14 (4) A person may continue to possess a magazine capable of
15 holding more than 10 rounds of ammunition that the person legally
16 possessed before the effective date of the amendatory act that
17 added this section if that person reports possession of the
18 magazine to the person's local law enforcement agency.

19 (5) A person who violates subsection (1) is guilty of a
20 misdemeanor punishable by imprisonment for not more than 90 days or
21 a fine of not more than \$500.00, or both. A person who violates
22 subsection (1) a second or subsequent time is guilty of a felony
23 punishable by imprisonment for not more than 2 years or a fine of
24 not more than \$5,000.00.

25 (6) As used in this section:

26 (a) "Local law enforcement agency" means 1 of the following:

27 (i) The police department in the city, township, or village
28 where the person resides.

29 (ii) The county sheriff's department in the county where the

1 person resides.

2 (b) "Peace officer" means an individual who is employed as a
3 law enforcement officer, as that term is defined under section 2 of
4 the Michigan commission on law enforcement standards act, 1965 PA
5 203, MCL 28.602, by this state or another state, a political
6 subdivision of this state or another state, or the United States,
7 and who is required to carry a firearm in the course of his or her
8 duties as a law enforcement officer.