

SENATE BILL NO. 1135

November 26, 2024, Introduced by Senator POLEHANKI and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 410d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 410d. (1) Subject to subsection (2), an individual,
- 2 dealer, firm, partnership, or corporation that intentionally sells
- 3 an imitation firearm is guilty of a misdemeanor punishable by
- 4 imprisonment for not more than 93 days or a fine of not more than
- 5 \$1,000.00, or both.
- 6 (2) Subsection (1) does not apply to an imitation firearm that

1 is being exported into foreign or interstate commerce.

2 (3) As used in this section, "imitation firearm" means any
3 device or object made of plastic, wood, metal, or any other
4 material that substantially duplicates, or can reasonably be
5 perceived to be, a firearm, air rifle, pellet gun, or pneumatic gun
6 but that is not actually an operable firearm, air rifle, pellet
7 gun, or pneumatic gun. "Imitation firearm" does not include an
8 object to which all of the following attributes apply:

9 (a) Is colored white, bright red, bright orange, bright
10 yellow, bright green, bright blue, bright pink, or bright purple on
11 the entire exterior surface or as the predominant color in
12 combination with other colors in any pattern, or is constructed
13 entirely of transparent or translucent materials that permit
14 unmistakable observation of the object's complete contents.

15 (b) Has a barrel that is closed for a distance of not less
16 than 1/2 inch from the front end of its barrel with the same
17 material of which the object is made, unless it is a water gun.

18 (c) Has legibly stamped on the object the name of the
19 manufacturer or some trade name, mark, or brand by which the
20 manufacturer can be readily identified.

21 (d) Does not have an attached laser pointer. As used in this
22 subdivision, "laser pointer" means any device that emits light
23 amplified by the stimulated emission of radiation that is visible
24 to the human eye.

25 Enacting section 1. This amendatory act takes effect 90 days
26 after the date it is enacted into law.