

SUBSTITUTE FOR  
HOUSE BILL NO. 5270

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending sections 233, 234, 235, and 329 (MCL 750.233, 750.234,  
750.235, and 750.329).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 233. ~~(1) —Intentionally aiming fire arm without malice—~~  
2   ~~Any~~ A person who ~~shall~~ intentionally —, BUT without malice —,  
3   ~~point or aim any fire arm~~ POINTS OR AIMS A FIREARM at or toward  
4   ~~any other~~ ANOTHER person —, ~~shall be~~ IS guilty of a misdemeanor  
5   PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A FINE OF  
6   NOT MORE THAN \$500.00, OR BOTH.

7       (2) THIS SECTION DOES NOT APPLY TO A PEACE OFFICER OF THIS  
8   STATE OR ANOTHER STATE, OR OF A LOCAL UNIT OF GOVERNMENT OF THIS  
9   STATE OR ANOTHER STATE, OR OF THE UNITED STATES, PERFORMING HIS OR

1 HER DUTIES AS A PEACE OFFICER. AS USED IN THIS SECTION, "PEACE  
2 OFFICER" MEANS THAT TERM AS DEFINED IN SECTION 215.

3 Sec. 234. (1) ~~Discharge of fire arm intentionally but without~~  
4 ~~malice aimed at another Any~~ A person who ~~shall discharge, without~~  
5 ~~injury to any other person, any fire arm,~~ **DISCHARGES A FIREARM**  
6 while **IT IS** intentionally ~~—~~ **BUT** without malice ~~—~~ aimed at or  
7 toward ~~any~~ **ANOTHER** person, ~~shall be~~ **WITHOUT INJURING ANOTHER**  
8 **PERSON, IS** guilty of a misdemeanor ~~—~~ punishable by imprisonment  
9 ~~in the county jail~~ **FOR** not more than 1 year or ~~by~~ a fine of not  
10 more than ~~500 dollars~~ **\$500.00, OR BOTH.**

11 (2) THIS SECTION DOES NOT APPLY TO A PEACE OFFICER OF THIS  
12 STATE OR ANOTHER STATE, OR OF A LOCAL UNIT OF GOVERNMENT OF THIS  
13 STATE OR ANOTHER STATE, OR OF THE UNITED STATES, PERFORMING HIS OR  
14 HER DUTIES AS A PEACE OFFICER. AS USED IN THIS SECTION, "PEACE  
15 OFFICER" MEANS THAT TERM AS DEFINED IN SECTION 215.

16 Sec. 235. (1) ~~Injuring by discharge of fire arm intentionally~~  
17 ~~but without malice pointed at another Any~~ A person who ~~shall maim~~  
18 ~~or injure any other~~ **MAIMS OR INJURES ANOTHER** person by ~~the~~  
19 ~~discharge of any fire arm~~ **DISCHARGING A FIREARM** pointed or aimed  
20 intentionally ~~—~~ **BUT** without malice ~~—~~ at ~~any such~~ **ANOTHER**  
21 person ~~shall be~~ **IS** guilty of a misdemeanor ~~—~~ punishable by  
22 imprisonment ~~in the county jail~~ **FOR** not more than 1 year or ~~by~~  
23 a fine of not more than ~~500 dollars~~ **\$500.00, OR BOTH.**

24 (2) THIS SECTION DOES NOT APPLY TO A PEACE OFFICER OF THIS  
25 STATE OR ANOTHER STATE, OR OF A LOCAL UNIT OF GOVERNMENT OF THIS  
26 STATE OR ANOTHER STATE, OR OF THE UNITED STATES, PERFORMING HIS OR  
27 HER DUTIES AS A PEACE OFFICER. AS USED IN THIS SECTION, "PEACE

1 OFFICER" MEANS THAT TERM AS DEFINED IN SECTION 215.

2 Sec. 329. (1) ~~Death from wound, etc., from firearm pointed~~  
3 ~~intentionally, but without malice Any~~ A person who ~~shall wound,~~  
4 ~~maim or injure any other~~ WOUNDS, MAIMS, OR INJURES ANOTHER person  
5 by ~~the discharge of any~~ DISCHARGING A firearm —, THAT IS pointed  
6 or aimed —, intentionally but without malice —, at ~~any such~~  
7 ANOTHER person —, shall, ~~if death ensue from such wounding, maiming~~  
8 ~~or injury, be deemed~~ IS guilty of ~~the crime of~~ manslaughter IF  
9 THE WOUNDS, MAIMING, OR INJURIES RESULT IN DEATH.

10 (2) THIS SECTION DOES NOT APPLY TO A PEACE OFFICER OF THIS  
11 STATE OR ANOTHER STATE, OR OF A LOCAL UNIT OF GOVERNMENT OF THIS  
12 STATE OR ANOTHER STATE, OR OF THE UNITED STATES, PERFORMING HIS OR  
13 HER DUTIES AS A PEACE OFFICER. AS USED IN THIS SECTION, "PEACE  
14 OFFICER" MEANS THAT TERM AS DEFINED IN SECTION 215.