

HOUSE BILL No. 5270

October 6, 2005, Introduced by Reps. Jones, LaJoy, Kahn, Nofs, Stakoe, Brandenburg, Newell, Sheen, Robertson, Espinoza, Polidori, Gonzales, Gleason, Casperson, Gosselin, Marleau, Nitz, Ball, Green, Hansen, Baxter, Steil, Palmer, Moore, Stahl, Mortimer, Pastor, Farhat, Drolet, Elsenheimer, Vander Veen, Hildenbrand, Van Regenmorter, Huizenga, Booher, Wenke, Pearce, Schuitmaker, Taub, Gaffney, Hune, Palsrok and Hoogendyk and referred to the Committee on Judiciary.

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 90 DAYS OR A FINE OF
6 \$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

STATE OR ANOTHER STATE, OR OF THE UNITED STATES, PERFORMING HIS OR
HER DUTIES AS A PEACE OFFICER. AS USED IN THIS SECTION, "PEACE
OFFICER" MEANS 1 OR MORE OF THE FOLLOWING:

(A) A POLICE OFFICER OF THIS STATE OR A POLITICAL SUBDIVISION
OF THIS STATE.

(B) A POLICE OFFICER OF ANY ENTITY OF THE UNITED STATES.

(C) THE SHERIFF OF A COUNTY OF THIS STATE OR THE SHERIFF'S
DEPUTY.

(D) A PUBLIC SAFETY OFFICER OF A COLLEGE OR UNIVERSITY WHO IS
AUTHORIZED BY THE GOVERNING BOARD OF THAT COLLEGE OR UNIVERSITY TO
ENFORCE STATE LAW AND THE RULES AND ORDINANCES OF THAT COLLEGE OR
UNIVERSITY.

(E) A CONSERVATION OFFICER OF THE DEPARTMENT OF NATURAL
RESOURCES.

(F) A CONSERVATION OFFICER OF THE UNITED STATES DEPARTMENT OF
THE INTERIOR.

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

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11 UNIVERSITY.

12 (E) A CONSERVATION OFFICER OF THE DEPARTMENT OF NATURAL
13 RESOURCES.

14 (F) A CONSERVATION OFFICER OF THE UNITED STATES DEPARTMENT OF
15 THE INTERIOR.

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.

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12 RESOURCES.

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14 THE INTERIOR.

15 Sec. 329. (1) ~~Death from wound, etc., from firearm pointed~~
16 ~~intentionally, but without malice Any~~ A person who ~~shall wound,~~
17 ~~maim or injure any other~~ WOUNDS, MAIMS, OR INJURES ANOTHER person
18 by ~~the discharge of any~~ DISCHARGING A firearm —, THAT IS pointed
19 or aimed —, intentionally but without malice —, at ~~any such~~
20 ANOTHER person —, ~~shall, if death ensue from such wounding, maiming~~
21 ~~or injury, be deemed~~ IS guilty of ~~the crime of~~ manslaughter IF
22 THE WOUNDS, MAIMING, OR INJURIES RESULT IN DEATH.

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