

HOUSE BILL No. 4468

March 11, 1997, Introduced by Reps. Crissman, Galloway, Dobb, Bodem, Voorhees, Hammerstrom, McBryde and Goschka and referred to the Committee on Judiciary.

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act,"

by amending section 4 (MCL 28.424), as added by 1992 PA 219.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) A person who is prohibited from possessing,
2 using, transporting, selling, purchasing, carrying, shipping,
3 receiving, or distributing a firearm under section 224f(2) of the
4 Michigan penal code, ~~Act No. 328 of the Public Acts of 1931,~~
5 ~~being section 750.224f of the Michigan Compiled Laws~~ 1931 PA
6 328, MCL 750.224F, may apply to the concealed weapons licensing

1 board in the county in which he or she resides for restoration of
2 those rights.

3 (2) Not more than 1 application may be submitted under
4 subsection (1) in any calendar year. The concealed weapons
5 licensing board may charge a fee of not more than \$10.00 for the
6 actual and necessary expenses of each application.

7 (3) The concealed weapons licensing board shall, by written
8 order of the board, restore the rights of a person to possess,
9 use, transport, sell, purchase, carry, ship, receive, or distrib-
10 ute a firearm if the board determines, by clear and convincing
11 evidence, that all of the following circumstances exist:

12 (a) The person properly submitted an application for resto-
13 ration of those rights as provided under this section.

14 (b) The expiration of 5 years after all of the following
15 circumstances, AS APPLICABLE:

16 (i) The person has paid all fines imposed for the violation
17 resulting in the prohibition.

18 (ii) The person has served all terms of imprisonment imposed
19 for the violation resulting in the prohibition.

20 (iii) The person has successfully completed all conditions
21 of probation or parole imposed for the violation resulting in the
22 prohibition.

23 (iv) THE PERSON HAS SUCCESSFULLY COMPLETED ALL TERMS, CONDI-
24 TIONS, OR REQUIREMENTS IMPOSED IN THE ORDER OF DISPOSITION FOR
25 THE VIOLATION RESULTING IN THE PROHIBITION.

1 (c) The person's record and reputation are such that the
2 person is not likely to act in a manner dangerous to the safety
3 of other persons.

4 (4) If the concealed weapons licensing board ~~pursuant to~~
5 UNDER subsection (3) refuses to restore a right under this sec-
6 tion, the person may petition the circuit court for review of
7 that decision.

8 Enacting section 1. This amendatory act does not take
9 effect unless Senate Bill No. _____ or House Bill No. _____
10 (request no. 00315'97) of the 89th Legislature is enacted into
11 law.