

# HOUSE BILL No. 5559

February 10, 1998, Introduced by Reps. Nye, DeHart, Cropsey, Curtis, Wetters, Lowe, Llewellyn, Profit, McBryde, Gernaat, McNutt, Horton, Middleton, Kukuk, Schauer, Walberg, Wojno, Middaugh, Kaza, Frank, Jelinek, Hammerstrom, London, Rocca, Prusi, Gustafson, Birkholz, Dalman, Tesanovich, Raczkowski, Law, Jellema, Leland, Jansen, DeVuyst, McManus, Sikkema, Geiger, Cassis, Rhead, Dobb, Whyman, Owen, Crissman, Galloway, Baade, Varga, Bodem, Goschka, Green, Voorhees, Callahan, Oxender, Alley, Vaughn, Basham, Harder, Schermesser and Mans and referred to the Committee on Judiciary.

A bill to amend 1964 PA 170, entitled

"An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts,"

(MCL 691.1401 to 691.1415) by adding section 7a.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1        SEC. 7A. A LAW ENFORCEMENT AGENCY THAT SEIZES A PISTOL
- 2 UNDER SECTION 5F OR 5G OF 1927 PA 372, MCL 28.425F AND 28.425G,
- 3 IS CIVILLY LIABLE TO THE OWNER OF THE PISTOL FOR NEGLIGENTLY OR

1 INTENTIONALLY LOSING OR DAMAGING THE PISTOL AS SET FORTH IN THOSE  
2 SECTIONS.

3 Enacting section 1. This amendatory act takes effect  
4 January 1, 1999.

5 Enacting section 2. This amendatory act does not take  
6 effect unless all of the following bills of the 89th Legislature  
7 are enacted into law:

8 (a) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
9 no. 00241'97 \*\*\*).

10 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
11 no. 00241'97 a \*\*\*).

12 (c) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
13 no. 03890'97 \*\*).

14 (d) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
15 no. 04589'97 \*\*).

16 (e) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
17 no. 04590'97 \*\*).

18 (f) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
19 no. 04591'97 \*\*).

20 (g) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
21 no. 04592'97 \*\*).

22 (g) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
23 no. 05184'97 \*).