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House Bill 5278 (as passed by the House)
Sponsor: Representative Bruce Patterson
House Committee: Criminal Justice
Senate Committee: Judiciary

Date Completed: 12-4-01

CONTENT

The bill would amend the handgun licensure Act to prohibit the Department of State Police from sending to a person subject to a personal protection order (PPO) for domestic violence or stalking activity, written notice that an order or disposition had been entered into the Law Enforcement Information Network (LEIN), as required by the Revised Judicature Act, until the Department received notice that the person had been served with or received notice of the PPO. The bill would take effect on April 1, 2002.

(Under the handgun licensure Act, if a person is subject to certain orders or dispositions entered into LEIN, he or she is excluded from handgun licensure. Among the entries that disqualify a person for licensure is a PPO restraining or enjoining domestic violence or stalking activity. The Act provides that, when an order or disposition is entered into LEIN under any provision that excludes a person from licensure to purchase, carry, or transport a pistol, the Department of State Police immediately must send written notice of that LEIN entry to the person who is the subject of the order or disposition.

Under the Revised Judicature Act, when a court issues a PPO enjoining or restraining domestic violence or stalking activity, or modifies, rescinds, or extends such a PPO, the court clerk must file a copy of the order with the law enforcement agency designated in it. The law enforcement agency must enter the PPO or the information into LEIN.)

MCL 28.422b

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have a minimal fiscal impact on the Department of State Police. The Department would be required to perform an additional step prior to sending notice of an entry into LEIN under the bill.

Fiscal Analyst: B. Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.