

# Legislative Analysis



## RETENTION OF CONFISCATED FIREARMS

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**House Bill 4431**

**Sponsor: Rep. Mark Meadows**

**Committee: Judiciary**

**Complete to 11-10-10**

## A SUMMARY OF HOUSE BILL 4431 AS INTRODUCED 2-24-09

The bill would amend the Michigan Penal Code to allow a police agency to retain a weapon confiscated for a violation of the act for official use by the agency.

Under the act, all pistols, weapons, or devices carried, possessed, or used contrary to the act are forfeited to the state for disposal. House Bill 4431 would allow a police agency to retain the forfeited weapons for official use by that agency, including for training or educational purposes. The police agency would have to comply with the requirements of Section 239a for forfeited weapons.

As used by the bill, "police agency" would mean one or more of the following:

- The Department of State Police;
- A city, village, or township police department;
- A police department or public safety department of community college, college, or university;
- A county sheriff's department; and,
- The law enforcement division of the Department of Natural Resources. (Note: Since the time of the bill's introduction, the Department of Natural Resources has been merged with the Department of Environmental Quality to create the Department of Natural Resources and Environment, or DNRE.)

MCL 750.239 and 750.239a

## FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on state and local government. The Department of State Police and other police agencies may incur some costs for disposing or retaining pistols, weapons, and other devices under this bill.

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