

# HOUSE BILL No. 4717

May 14, 2013, Introduced by Reps. Kesto, Foster and Heise 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, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with 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, using,  
2           transporting, selling, purchasing, carrying, shipping, receiving,  
3           or distributing a firearm **OR AMMUNITION** under section 224f(2) of  
4           the Michigan penal code, ~~Act No. 328 of the Public Acts of 1931,~~  
5           ~~being section 750.224f of the Michigan Compiled Laws, 1931 PA 328,~~

1 **MCL 750.224F**, may apply to the concealed weapons licensing board in  
2 the county in which he or she resides for restoration of those  
3 rights.

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

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

13 (a) The person properly submitted an application for  
14 restoration of those rights as provided under this section.

15 (b) The expiration of 5 years after all of the following  
16 circumstances:

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

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

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

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

27 (4) If the concealed weapons licensing board ~~pursuant to~~ **UNDER**

1 subsection (3) refuses to restore a right under this section, the  
2 person may petition the circuit court for review of that decision.

3 Enacting section 1. This amendatory act does not take effect  
4 unless Senate Bill No. \_\_\_\_ or House Bill No. 4715(request no.  
5 02260'13) of the 97th Legislature is enacted into law.