

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4985**

A bill to amend 1965 PA 213, entitled
"An act to provide for setting aside the conviction in certain
criminal cases; to provide for the effect of such action; to
provide for the retention of certain nonpublic records and their
use; to prescribe the powers and duties of certain public agencies
and officers; and to prescribe penalties,"
(MCL 780.621 to 780.624) by adding section 1b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 1b. (1) For purposes of a petition to set aside a**
2 **conviction under section 1 or 1e, more than 1 felony offense or**
3 **more than 1 misdemeanor offense must be treated as a single felony**
4 **or misdemeanor conviction if the felony or misdemeanor convictions**
5 **were contemporaneous such that all of the felony or misdemeanor**
6 **offenses occurred within 24 hours and arose from the same**



1 transaction, provided that none of those felony or misdemeanor
2 offenses constitute any of the following:

3 (a) An assaultive crime.

4 (b) A crime involving the use or possession of a dangerous
5 weapon.

6 (c) A crime with a maximum penalty of 10 or more years'
7 imprisonment.

8 (d) A conviction for a crime that if it had been obtained in
9 this state would be for an assaultive crime.

10 (2) As used in this section, "dangerous weapon" means that
11 term as defined in section 110a of the Michigan penal code, 1931 PA
12 328, MCL 750.110a.

13 Enacting section 1. This amendatory act takes effect 180 days
14 after the date it is enacted into law.

15 Enacting section 2. This amendatory act does not take effect
16 unless all of the following bills of the 100th Legislature are
17 enacted into law:

18 (a) House Bill No. 4980.

19 (b) House Bill No. 4981.

20 (c) House Bill No. 4982.

21 (d) House Bill No. 4983.

22 (e) House Bill No. 4984.

23 (f) House Bill No. 5120.

