

Act No. 188
Public Acts of 2020
Approved by the Governor
October 12, 2020
Filed with the Secretary of State
October 13, 2020
EFFECTIVE DATE: April 11, 2021

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2020**

Introduced by Reps. Gay-Dagnogo, Webber, Rabhi, Bellino, Filler, Wentworth, O'Malley, Sabo, Leutheuser, Hertel, Cynthia Johnson, Coleman, Yancey, Whitsett, Peterson, Brenda Carter, Cherry, Manoogian, Sowerby, Garza, Inman, Wendzel, Tyrone Carter, Koleszar, Sheppard, Wozniak, Bolden, Kahle, Rendon, Garrett, Tate, Cambensy, Crawford, Wittenberg, Jones, Slagh, Anthony, Camilleri, Guerra, Meerman, Kuppa, Brixie, Hood, Lilly, Pohutsky, Reilly, Robinson and Berman

ENROLLED HOUSE BILL No. 4985

AN ACT 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:

Sec. 1b. (1) For purposes of a petition to set aside a conviction under section 1 or 1e, more than 1 felony offense or more than 1 misdemeanor offense must be treated as a single felony or misdemeanor conviction if the felony or misdemeanor convictions were contemporaneous such that all of the felony or misdemeanor offenses occurred within 24 hours and arose from the same transaction, provided that none of those felony or misdemeanor offenses constitute any of the following:

- (a) An assaultive crime.
- (b) A crime involving the use or possession of a dangerous weapon.
- (c) A crime with a maximum penalty of 10 or more years' imprisonment.
- (d) A conviction for a crime that if it had been obtained in this state would be for an assaultive crime.

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

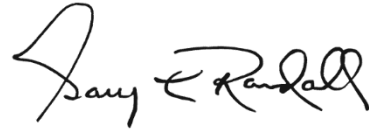
Enacting section 1. This amendatory act takes effect 180 days after the date it is enacted into law.

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

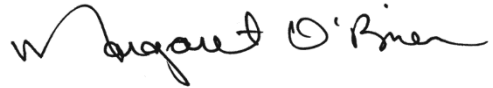
- (a) House Bill No. 4980.
- (b) House Bill No. 4981.
- (c) House Bill No. 4982.

- (d) House Bill No. 4983.
- (e) House Bill No. 4984.
- (f) House Bill No. 5120.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor