SUBSTITUTE FOR HOUSE BILL NO. 6145

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 14 (MCL 28.434), as amended by 2010 PA 295.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- Sec. 14. (1) Subject to sections 5g and 14a, all pistols,
 weapons, or devices carried or possessed contrary to this act are
 declared forfeited to the this state, and shall must be turned over
 to the director of the department of state police or his or her the
 director's designated representative, for disposal under this
 section.
- 7 (2) The director of the department of state police shall
 8 dispose of firearms under this section by 1 of the following
 9 methods:
- 10 (a) By conducting a public auction in which firearms received
 11 under this section may be purchased at a sale conducted in
 12 compliance with section 4708 of the revised judicature act of 1961,
 13 1961 PA 236, MCL 600.4708, by individuals authorized by law to
 14 possess those firearms.
- 15 (b) By destroying them. The director shall ensure that all parts of a firearm disposed of under this section are destroyed.
- 19 (3) Before disposing of a firearm under this section, the
 20 director of the department of state police shall do both of the
 21 following:
 - (a) Determine through the law enforcement information network whether the firearm has been reported lost or stolen. If the firearm has been reported lost or stolen and the name and address of the owner can be determined, the director of the department of state police shall provide 30 days' written notice of his or her the director's intent to dispose of the firearm under this section to the owner, and allow the owner to claim the firearm within that 30-day period if he or she the owner is authorized to possess the

2223

24

25

2627

28 29

- 1 firearm.
- 2 (b) Provide 30 days' notice to the public on the department of
- 3 state police website of his or her the director's intent to dispose
- 4 of the firearm under this section. The notice shall must include a
- 5 description of the firearm and shall state the firearm's serial
- 6 number, if the serial number can be determined. The department of
- 7 state police shall allow the owner of the firearm to claim the
- 8 firearm within that 30-day period if he or she the owner is
- 9 authorized to possess the firearm. The 30-day period required under
- 10 this subdivision is in addition to the 30-day period required under
- 11 subdivision (a).
- 12 (4) The department of state police is immune from civil
- 13 liability for disposing of a firearm in compliance with this
- 14 section.