

**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:

1 Sec. 14. (1) Subject to sections 5g and 14a, all pistols,
2 weapons, or devices carried or possessed contrary to this act are
3 declared forfeited to ~~the~~**this** state, and ~~shall~~**must** be turned over
4 to the director of the department of state police or ~~his or her~~**the**
5 **director's** designated representative, for disposal under this
6 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**
16 **parts of a firearm disposed of under this section are destroyed.**

17 ~~(c) By any other lawful manner prescribed by the director of~~
18 ~~the department of state police.~~

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:

22 (a) Determine through the law enforcement information network
23 whether the firearm has been reported lost or stolen. If the
24 firearm has been reported lost or stolen and the name and address
25 of the owner can be determined, the director of the department of
26 state police shall provide 30 days' written notice of ~~his or her~~
27 **the director's** intent to dispose of the firearm under this section
28 to the owner, and allow the owner to claim the firearm within that
29 30-day period if ~~he or she~~**the owner** is authorized to possess the

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.