

HOUSE BILL NO. 4587

June 10, 2025, Introduced by Reps. Woolford, Robinson and Maddock and referred to Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 2908.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2908. (1) When a court orders a commitment or makes a
2 finding or adjudication under the laws of this state by which an
3 individual becomes subject to the provisions of 18 USC 922(d) (4) or
4 (g) (4), the clerk of the court shall forward only that information
5 that is necessary to identify the individual to the department of
6 state police, which in turn shall forward the information to the

1 Federal Bureau of Investigation or its successor agency for the
2 sole purpose of inclusion in the national instant criminal
3 background check system database. The court shall also notify the
4 individual of the prohibitions of 18 USC 922(d)(4) and (g)(4).

5 (2) An individual who is subject to the disabilities of 18 USC
6 922(d)(4) or (g)(4) or of section 2(3)(a)(i), (ii), or (vii) of 1927
7 PA 372, MCL 28.422, or section 5b(7)(d)(i), (ii), or (v), (j), (k),
8 (l), or (m) of 1927 PA 372, MCL 28.425b, because of an adjudication
9 or commitment that occurred under the laws of this state may
10 petition the court in which that adjudication or commitment
11 proceeding occurred or the circuit court with jurisdiction over the
12 county in which the individual currently resides to remove the
13 disabilities. A copy of the petition for relief must be served on
14 the attorney who represented this state in the underlying case or
15 proceeding, if any, or that attorney's successor in office. That
16 attorney may, as the attorney considers appropriate, represent the
17 interests of this state in the restoration proceedings.

18 (3) The court shall receive and consider evidence under this
19 section in a closed proceeding, including evidence offered by the
20 petitioner, concerning all of the following:

21 (a) The circumstances regarding the firearm disabilities from
22 which relief is sought.

23 (b) The petitioner's mental health and criminal history
24 records, if any.

25 (c) The petitioner's reputation, developed at a minimum
26 through character witness statements, testimony, or other character
27 evidence.

28 (d) Changes in the petitioner's condition or circumstances
29 since the original adjudication, commitment, or diagnosis relevant

1 to the relief sought.

2 (4) The court shall grant the petition for relief under this
3 section to remove the disabilities if it finds by a preponderance
4 of the evidence that the petitioner will not be likely to act in a
5 manner dangerous to public safety and that granting the relief will
6 not be contrary to the public interest. A record must be kept of
7 the proceedings, but the record must remain confidential and be
8 disclosed only to a court or the parties in the event of an appeal.
9 The petitioner may appeal a denial of the requested relief, and
10 review on appeal must be de novo.

11 (5) The clerk of the court shall promptly notify the
12 department of state police of an order granting relief under this
13 section. The department of state police shall as soon thereafter as
14 is practicable, but in no case later than 10 business days, remove
15 any applicable record in the law enforcement information network
16 and any other database that the department of state police makes
17 available to the national instant criminal background check system
18 and notify the United States Attorney General that the basis for
19 the record being made available no longer applies.

20 (6) An individual may petition for relief under this section
21 not more than once every 2 years and, in the case of an individual
22 who was committed to a mental health facility, not before the
23 individual has been discharged from that commitment.