



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY

REP. KELLY A BREEN

CHAIR

COMMITTEE MEETING MINUTES

Wednesday, April 12, 2023

10:30 AM

Room 521, House Office Building

The House Committee on Judiciary was called to order by Chair Breen.

The Chair requested attendance be called:

Present: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou, Fink, Wendzel, Wozniak, Outman, Johnsen.

Absent: None.

Excused: None.

Representative Edwards moved to adopt the meeting minutes from March 22, 2023. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4120, HB 4121, HB 4122, HB 4123, HB 4124 and HB 4125 before the committee:

HB 4120 (Rep. Rogers)

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 3b.

HB 4121 (Rep. Breen)

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16221 (MCL 333.16221), as amended by 2020 PA 232.

HB 4122 (Rep. Hope)

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16226 (MCL 333.16226), as amended by 2020 PA 233.

HB 4123 (Rep. Filler)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 483a (MCL 750.483a), as added by 2000 PA 451.

HB 4124 (Rep. Glanville)

A bill to amend 1931 PA 328, entitled "The

Michigan penal code," (MCL 750.1 to 750.568) by adding section 478b.

HB 4125 (Rep. Rheingans)

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310e.

Representative Rogers and Representative Rheingans testified in support of HB 4120, HB 4121, HB 4122, HB 4123, HB 4124 and HB 4125. Questions and discussion followed.

Heath Lowry, representing the Michigan Coalition to End Domestic and Sexual Violence, testified in support of HB 4120, HB 4121, HB 4122, HB 4123, HB 4124 and HB 4125. Questions and discussion followed.

The following people submitted a card in support of HB 4120, HB 4121, HB 4122, HB 4123, HB 4124 and HB 4125, but did not wish to speak:

Tom Hickson, representing the Michigan Catholic Conference.

Matt Black, representing the Michigan Academy of Family Physicians.

Stephanie Glidden, representing the Junior League of Michigan.

Yousef Rabhi, representing the Michigan Nurses Association.

The following person submitted a card in support of HB 4120, HB 4121, HB 4122 and HB 4123, but did not wish to speak:

Jess Averill, representing the Michigan Domestic and Sexual Violence Prevention and Treatment Board.

The Chair laid HB 4145, HB 4146, HB 4147, HB 4148, SB 83, SB 84, SB 85 and SB 86 before the committee:

HB 4145 (Rep. Puri)

A bill to provide for the issuance of restraining orders prohibiting certain individuals from possessing or purchasing firearms and ordering the surrender and seizure of a restrained individual's firearms; to provide for the powers and duties of certain state and local governmental officers and entities; to prescribe penalties; and to provide remedies.

HB 4146 (Rep. Breen)

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 sections 2, 2b, 5b, and 8 (MCL 28.422, 28.422b, 28.425b, and 28.428), section 2 as amended by 2015 PA 200, section 2b as amended by 2014 PA 205, and sections 5b and 8 as amended by 2017 PA 95.

HB 4147 (Rep. Brixie)

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1908, 2529, and 2559 (MCL 600.1908, 600.2529, and 600.2559), section 2529 as amended by 2014 PA 532 and section 2559 as amended by 2018 PA 261.

HB 4148 (Rep. Young)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 15e to chapter XVII.

SB 83 (Sen. McMorrow)

A bill to provide for the issuance of restraining orders prohibiting certain individuals from possessing or purchasing firearms and ordering the surrender and seizure of a restrained individual's firearms; to provide for the powers and duties of certain state and local governmental officers and entities; to prescribe penalties; and to provide remedies.

SB 84 (Sen. Polehanki)

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 sections 2, 2b, 5b, and 8 (MCL 28.422, 28.422b, 28.425b, and 28.428), section 2 as amended by 2015 PA 200, section 2b as amended by 2014 PA 205, and sections 5b and 8 as amended by 2017 PA 95.

SB 85 (Sen. Anthony)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 15e to chapter XVII.

SB 86 (Sen. Singh)

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 1908, 2529, and 2559 (MCL 600.1908, 600.2529, and 600.2559), section 2529 as amended by 2014 PA 532 and section 2559 as amended by 2018 PA 261.

Dan Pfannes, representing the Michigan Sheriffs' Association, testified in support of HB 4145 and SB 83.

Chair Breen, Representative Brixie and Mitch Albers, representing the Michigan Department of Attorney General, testified in support of HB 4145, HB 4146, HB 4147, HB 4148, SB 83, SB 84, SB 85 and SB 86. Questions and discussion followed.

The following person submitted a card in support of HB 4145, HB 4146, HB 4147, HB 4148, SB 83, SB 84, SB 85 and SB 86, but did not wish to speak:

Dwayne Gill, GSCI, representing the Alliance for Gun Responsibility.

The following person submitted a card in support of HB 4145, HB 4146, HB 4147 and HB 4148, but did not wish to speak:

Matt Black, representing the Michigan Academy of Family Physicians.

The following person submitted a card in support of HB 4145 and HB 4148, but did not wish to speak:

Kelly Sampson, representing Brady.

The following person submitted a card in support of HB 4145, but did not wish to speak:

Trooper Kristina Droste, representing the Michigan State Police.

The following person submitted a card in support of HB 4146, but did not wish to speak:

Mike Sauger, President, representing the Michigan Fraternal Order of Police.

The following people submitted a card in opposition to HB 4145, HB 4146, HB 4147, HB 4148, SB 83, SB 84, SB 85 and SB 86, but due to the time constraints were unable to speak:

Tom Lambert, representing the Michigan Open Carry.

Brendan Boudreau, representing the Great Lakes Gun Rights.

Representative Dievendorf moved to adopt substitute (H-5) to HB 4145. The motion prevailed 7-2-4:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Wozniak, Johnsen.

Pass: Reps. Edwards, Fink, Wendzel, Outman.

Representative Hoskins moved to report out HB 4145 with recommendation, as substitute (H-5). The motion prevailed 7-5-1:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: Rep. Edwards.

Representative Tsernoglou moved to report out HB 4146 with recommendation. The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: None.

Representative Edwards moved to report out HB 4147 with recommendation. The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: None.

Representative Tyrone Carter moved to adopt substitute (H-2) to HB 4148. The motion prevailed 8-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: None.

Pass: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Representative Hope moved to report out HB 4148 with recommendation, as substitute (H-2). The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: None.

Representative Tsernoglou moved to adopt substitute (H-5) to SB 83. The motion prevailed 8-

5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: None.

Representative Hoskins moved to report out SB 83 with recommendation, as substitute (H-5). The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: None.

Representative Dievendorf moved to report out SB 84 with recommendation. The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: None.

Representative Arbit moved to adopt substitute (H-2) to SB 85. The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: None.

Representative Hope moved to report out SB 85 with recommendation, as substitute (H-2). The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: None.

Representative Edwards moved to report out SB 86 with recommendation. The motion prevailed 8-5-0:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Arbit, Dievendorf, Hoskins, Tsernoglou.

Nays: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Pass: None.

There being no further business before the committee, Chair Breen adjourned the meeting at 11:47 AM.

Representative Kelly Breen, Chair

Melissa Sweet

Committee Clerk

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