



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY

REP. KELLY A BREEN

CHAIR

COMMITTEE MEETING MINUTES

Wednesday, March 1, 2023

3:00 PM

Room 521, House Office Building

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

Chair Breen opened the meeting with a moment of silence for those lost and injured in the Michigan State University mass shooting on Feb. 13, 2023.

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.

The Chair laid HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146 and HB 4147 before the committee:

HB 4138 (Rep. Churches)

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, 2a, 2b, 12, and 14a (MCL 28.422, 28.422a, 28.422b, 28.432, and 28.434a), section 2 as amended by 2015 PA 200, section 2a as amended by 2016 PA 301, section 2b as amended by 2014 PA 205, section 12 as amended by 2010 PA 209, and section 14a as added by 2010 PA 295.

HB 4139 (Rep. MacDonell)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2016 PA 234.

HB 4140 (Rep. Whitsett)

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4ll.

HB 4141 (Rep. Price)

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4ll.

HB 4142 (Rep. Brenda Carter)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 223 and 232a (MCL 750.223 and 750.232a), section 223 as amended by 2012 PA 242 and section 232a as amended by 1990 PA 321.

HB 4143 (Rep. Grant)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 11b and 16m of chapter XVII (MCL 777.11b and 777.16m), section 11b as amended by 2016 PA 234 and section 16m as amended by 2018 PA 637.

HB 4144 (Rep. Brabec)

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 15 (MCL 28.435), as added by 2000 PA 265, and by adding section 9.

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.

Jonathan Gold representing the Gun Owners for Safety testified in support of HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148.

Ann Anderson representing the Moms Demand Action for Gun Sense in America testified in support of HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148.

Keagen Mays-Williams representing the Everytown for Gun Safety testified in support of HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148.

Kelly Sampson representing the Brady United testified in support of HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148. Questions and discussion followed.

Dr, Bagdasarian MD, MPH, FIDSA, Chief Medical Executive representing the State of Michigan testified in support of HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148.

Dr, Pat Carter, Dr. April Zeoli, Dr. Cindy Foster, and Dr. Justin Heinz representing the Institute for Firearm Injury Prevention testified in support of HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148.

Dr. Brian Stork representing the Michigan State Medical Society testified in support of HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148.

Paul Stankewitz representing the Michigan Catholic Conference testified in support of HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148.

Congressman Fred Upton representing the himself testified in support of HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148.

Carl Grondin and Sawyer McLore, MSU Student representing the Vice President of the Michigan State University Student Body testified in support of HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148. Questions and discussion followed.

Nicole Hockley, Co-founder and CEO representing the Sandy Hook Promise and parent of Dylan murdered in his first-grade classroom during the Sandy Hook Elementary School tragedy testified in support of HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148.

The following people submitted a card with a neutral position on HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148, but due to the time constraints were unable to speak:

Sawyer McClure, representing the Michigan State Interfraternity Council.

The following people submitted a card in support of HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148, but due to the time constraints were unable to speak:

Asha Denny, MSU Survivor.

Charlotte Plotzke, MSU Survivor.

Carly Freeman-Weckwert, representing the Parents Against Violence in Schools.

Steven Ashmend, representing the Physicians for Social Responsibility.

Bishop Bonnie Perry, representing the Episcopal Church State of Michigan.
Deandre Jones, representing the Jump Ahead L3C.

The following people submitted a card in opposition to HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148, but due to the time constraints were unable to speak:

Austin T. Kreutz, representing the himself.

The following people submitted a card with no position on HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148, but due to the time constraints were unable to speak:

Kermit Williams, representing the Oakland Forward.

The following people submitted a card in opposition to HB 4138, HB 4139, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148, but due to the time constraints were unable to speak:

Amy Trotter, representing the Michigan United Conservation Clubs.

Brendan Boudreau, representing the Great Lakes Gun Rights.

Tom Lambert, representing the Michigan Open Carry.

Scott Jones, representing the NRA-ILA.

The following people submitted a card in support of HB 4140 and HB 4141, but due to the time constraints were unable to speak:

Amy Trotter, representing the Michigan United Conservation Clubs.

The following people submitted a card in opposition to HB 4138, but due to the time constraints were unable to speak:

Bob Matthews, representing the Congressional Sportsmen's Foundation.

The following people submitted a card in support of HB 4138, HB 4139, HB 4140, HB 4141, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148, but did not wish to speak:

Paul Brun Del Re, representing the Michigan District Church of Brethren.

Ryan Mondalek, representing the self.

Jerusha Taylor, representing the self.

Maci Montgomery, representing the self.

Dwayne Gill, GCSI, representing the Alliance for Gun Reform.

John Cooper, representing the Safe and Just Michigan.

Melina Braan, representing the National Association of Social Workers.

Andy Neumann, representing the Michigan Education Association.

Colin Ford, representing the Michigan Chapter - American Academy of Pediatrics.

Jasman Kaur, representing the Scrubs Against the Firearm Epidemic.

Amy Zaagman, representing the Michigan Council for Maternal & Child Health.

Celeste Kanpurwala, representing the Moms Demand Action.

Catherine Tang, representing the Everytown for Gun Safety.

MIchael Adrian, representing the self.

Dr. Lauren Azevedo, DO, representing the Michigan Chapter - American Academy of Pediatrics.

Jeannette Gaggino, MD, representing the Michigan Chapter - American Academy of Pediatrics.

Peyton Perrin, representing the self.
Lauren Jasinski, representing the End Gun Violence Michigan.
Vicki Schroeder, representing the Interfaith Action of SW MI.
Dena Shargabian Stuber, representing the Red Wine and Blue.
Kelly Dillaha, representing the Red Wine and Blue.
Autumn Butler, representing the Oakland Forward.
Allure Foster, representing the Oakland Forward.
Laura Apol, representing the Moms Demand Action / MSU.
Beth Howes, representing the Moms Demand Action.
Deviner Ingram, representing the Oakland Forward.
Ryan Bates, representing the End Gun Violence in Michigan.
Dr. Diana Norlund, representing the Michigan College of Emergency Physicians.
David Coulter, County Executive, representing the Oakland County.

The following people submitted a card in opposition to HB 4138, HB 4139, HB 4142, HB 4143, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148, but did not wish to speak:

Steve Dey, representing the Straits Area Sportsmens Club.
Jim Wale, representing the Michigan State United Coon Hunters Association.
Roger Thorman, representing the Michigan Fox Hunters Association.
Joe Hudson, representing the UP Bear Houndsmen Association.
Dave Johnson, representing the UP Sportsmens Alliance.
Mike Thorman, representing the Michigan Hunting Dog Federation.
Keith Shafer, representing the Michigan Bear Hunters Association.
Will Fite, representing the National Association for Gun Rights.

The following people submitted a card in opposition to HB 4138, HB 4139, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148, but did not wish to speak:

Brady Schickinger, representing the Michigan Coalition for Responsible Gun Owners.

The following people submitted a card in support of HB 4140, HB 4141, HB 4144, HB 4145, HB 4146, HB 4147 and HB 4148, but did not wish to speak:

Yousef Rabhi, representing the Michigan Nurses Association.

The following people submitted a card in support of HB 4138, but did not wish to speak:

Heath B. Lowry, representing the Michigan Coalition to End Domestic and Sexual Violence.

The following people submitted a card in support of HB 4138 and HB 4146, but did not wish to speak:

Gwendolyn Ald, representing the self.

The following people submitted a card in support of HB 4144, but did not wish to speak:

Michelle Roberts, representing the Disability Rights Michigan.

The following people submitted a card in support of HB 4140 and HB 4141, but did not wish to speak:

Rob Mass, representing the Michigan Department of Treasury.

Mandy Mynhier and Tammy Warron, both representing themselves, submitted cards in support of background checks, Safe Storage, and ERPO but did not wish to speak.

Larry Lipton, representing Moms Demand Action Community and Outreach Lead - Michigan Chapter, submitted a card in support of universal background checks, but did not wish to speak.

There being no further business before the committee, Chair Breen adjourned the meeting at 5:21 PM.

Judge Tracey Yokich representing the herself testified in support of HB 4145.

Representative Kelly Breen, Chair

Melissa Sweet
Committee Clerk
msweet@house.mi.gov

Date Adopted: March 8, 2023