



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY

REP. KELLY A BREEN

CHAIR

COMMITTEE MEETING MINUTES

Wednesday, December 11, 2024 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 December 4, 2024. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 5404, HB 5405 and HB 5525 before the committee:

HB 5404 (Rep. Paiz)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17b of chapter XVII (MCL 777.17b), as added by 2002 PA 28.

HB 5405 (Rep. Paiz)

A bill to amend 1937 PA 10, entitled "An act to define the use of travel aids by blind persons; to provide protection against accidents to such persons; to require instruction and examination in certain circumstances; and to provide penalties for violation hereof," by amending sections 1a and 3 (MCL 752.51a and 752.53), section 1a as amended by 2002 PA 401 and section 3 as amended by 1986 PA 62.

HB 5525 (Rep. Paiz)

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2980.

The following person submitted a card in support of HB 5404, HB 5405 and HB 5525, but did not wish to speak:

Teri Langley, Executive Director, representing the Disability Network Michigan.

The following person submitted a card with a neutral position on HB 5525, but did not wish to speak:

Matt Breslin, representing the Michigan Veterinary Medical Association.

The following people submitted a card in support of HB 5525, but did not wish to speak:

Noah Smith, representing the Criminal Defense Attorneys of Michigan.

Carol Brun Del Re, representing the Spirit of Peace Church of the Brethren.

The following person submitted a card in support of HB 5404, but did not wish to speak:

Carol Brun Del Re, representing the Spirit of Peace Church of the Brethren.

Representative Edwards moved to adopt substitute (H-1) to HB 5404. The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Tyrone Carter moved to report out HB 5404 with recommendation, as substitute . The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Hope moved to adopt substitute (H-1) to HB 5405. The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Dievendorf moved to report out HB 5405 with recommendation, as substitute . The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Hoskins moved to adopt substitute (H-2) to HB 5525. The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

Representative Tsernoglou moved to report out HB 5525 with recommendation, as substitute (H-2). The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

The Chair laid HB 6259 before the committee:

HB 6259 (Rep. Breen)

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 7103 and 7110 (MCL 700.7103 and 700.7110), as amended by 2024 PA 1.

The following people submitted a card in support of HB 6259, but did not wish to speak:

Regina Bell, representing the Council of Michigan Foundations.

Bel Martin, representing the Michigan Non-Profit Association.

Aaron Van Langevelde, representing the Michigan Department of Attorney General.

Representative Edwards moved to report out HB 6259 with recommendation. The motion prevailed 11-0-0:

FAVORABLE ROLL CALL

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

Nays: None.

Pass: None.

The Chair laid SB 688 before the committee:

SB 688 (Sen. Chang)

A bill to amend 1988 PA 13, entitled "Juvenile diversion act," by amending section 9 (MCL 722.829), as amended by 2023 PA 287.

Ellen Heinitz, representing Senator Chang, testified in support of SB 688.

Sheryl Kubiak, Ph.D, representing Wayne State University School of Social Work, testified in support of SB 688.

The following people submitted a card in support of SB 688, but did not wish to speak:

Nathan Triplett, representing the State Bar of Michigan.
Anne Kuhnen, representing the Michigan League of Public Policy.

Representative Hope moved to adopt substitute (H-1) to SB 688. The motion prevailed 7-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Dievendorf, Hoskins, Tsernoglou.
Nays: None.
Pass: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

Representative Dievendorf moved to report out SB 688 with recommendation, as substitute (H-1). The motion prevailed 7-0-5:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Dievendorf, Hoskins, Tsernoglou.
Nays: None.
Pass: Reps. Fink, Wendzel, Wozniak, Outman, Johnsen.

The Chair laid SB 813 before the committee:

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| SB 813 | (Sen. Cherry) | A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2163a (MCL 600.2163a), as amended by 2018 PA 343. |
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Nick Haas, representing Senator Cherry, testified in support of SB 813. Questions and discussion followed.

Lori Kirkhoff, representing I'm Safe CAC, testified in support of SB 813. Questions and discussion followed.

Melissa Workman, representing the Children's Advocacy Centers of Michigan, testified in support of SB 813. Questions and discussion followed.

The following people submitted a card with a neutral position on SB 813, but did not wish to speak:

Nathan Triplett, representing the State Bar of Michigan.
Noah Smith, representing the Criminal Defense Attorneys of Michigan.

Representative Hoskins moved to report out SB 813 with recommendation. The motion prevailed 9-0-3:

FAVORABLE ROLL CALL

Yeas: Reps. Breen, Edwards, Tyrone Carter, Hope, Dievendorf, Hoskins, Tsernoglou, Outman, Johnsen.
Nays: None.
Pass: Reps. Fink, Wendzel, Wozniak.

The Chair laid HB 4198 before the committee:

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| HB 4198 | (Rep. Glanville) | A bill to amend 1990 PA 319, entitled "An act to |
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prohibit local units of government from imposing certain restrictions on the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols, other firearms, or pneumatic guns, ammunition for pistols or other firearms, or components of pistols or other firearms," by amending section 3 (MCL 123.1103), as amended by 2015 PA 29.

Representative Glanville testified in support of HB 4198. Questions and discussion followed.

Nick Buggia, representing the NRA, testified in opposition to HB 4198.

Jason Gillman, representing Michigan Open Carry, testified in opposition to HB 4198.

The following person submitted a card with a neutral position on HB 4198, but did not wish to speak:

Judy Allen, representing the Michigan Townships Association.

The following people submitted a card in support of HB 4198, but did not wish to speak:

Karyn Ferrick, representing the City of Grand Rapids.

Hersanna Richards, representing the Michigan Municipal League.

Matt Saxton, representing the Michigan Sheriffs' Association.

The following people submitted a card in opposition to HB 4198, but did not wish to speak:

Justin Tomei, representing the Michigan United Conservations Club.

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

Katherine Bussard, representing herself.

Bill Whitbeck, representing himself.

Representative Edwards moved to adopt substitute (H-1) to HB 4198. The motion prevailed 7-2-3:

FAVORABLE ROLL CALL

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

Nays: Reps. Wozniak, Johnsen.

Pass: Reps. Fink, Wendzel, Outman.

Representative Tyrone Carter moved to report out HB 4198 with recommendation, as substitute (H-1). The motion prevailed 7-5-0:

FAVORABLE ROLL CALL

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

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

Pass: None.

The Chair laid HB 6183, HB 6184 and HB 6185 before the committee:

HB 6183 (Rep. Young)

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 2023 PA 22.

HB 6184 (Rep. Puri)

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 3845.

HB 6185 (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 section 15 (MCL 28.435), as amended by 2023 PA 17.

Representative Puri testified in support of HB 6183, HB 6184 and HB 6185. Questions and discussion followed.

Kelly Sampson, representing Brady, testified in support of HB 6183, HB 6184 and HB 6185. Questions and discussion followed.

Nicholas Buggia, representing the NRA, testified in opposition to HB 6183, HB 6184 and HB 6185.

Lauren Lieb, representing Brady, testified in support of HB 6183, HB 6184 and HB 6185.

The following person submitted a card in opposition to HB 6185, but due to the time constraints was unable to speak:

Jason Gillman, representing Michigan Open Carry.

The following people submitted a card in support of HB 6183, HB 6184 and HB 6185, but did not wish to speak:

Nancy Dodge, representing Moms Demand Action Grand Rapids.

Maya Manuel, representing End Gun Violence Michigan.

Patti Oates, representing End Gun Violence Michigan.

Bonnie Czuhajewski, representing End Gun Violence Michigan.

Alyssa Moore, representing End Gun Violence Michigan.

Raelyn Elliott-Remes, representing End Gun Violence Michigan.
Laurie Decker, representing End Gun Violence Michigan.
Monica Goble, MD, representing End Gun Violence Michigan.
Allen Wolf, representing End Gun Violence Michigan.
Beverly Leaf, representing End Gun Violence Michigan and Spirit of Peace Church of the Brethren.
Joanne Emrich, representing End Gun Violence Michigan and Spirit of Peace Church of the Brethren.
Paul Brun Del Re, representing the Spirit of Peace Church of the Brethren and the Peace Education Center.
Carol Brun Del Re, representing the Spirit of Peace Church of the Brethren.
Michael Otto, M.D., representing Physicians for the Prevention of Gun Violence.
James Peggs, M.D., representing Physicians for Prevention of Gun Violence.
Sean Holihan, representing Giffords.
Kathryn Stavropoulos, representing Oxford High School.
Emily Busch, representing Oxford High School.
Aaron Van Langevelde, representing the Michigan Department of Attorney General.

The following people submitted a card in opposition to HB 6183, HB 6184 and HB 6185, but did not wish to speak:

Moriah Day, representing the National Shooting Sports Foundation.
Brady Schickinger, representing the Michigan Coalition for Responsible Gun Owners.

The following people submitted a card in support of HB 6184 and HB 6185, but did not wish to speak:

Mitch Albers, representing the Michigan Association for Justice.
Paula Bowman and Denise Hartsough, representing the League of Women Voters of Michigan.

The following people submitted a card in opposition to HB 6184 and HB 6185, but did not wish to speak:

Bill Whitbeck, representing himself.
Katherine Bussard, representing herself.
Justin Tomei, representing the Michigan United Conservation Clubs.

The following person submitted a card in support of HB 6183, but did not wish to speak:

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.

Representative Hope moved to report out HB 6183 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 report out HB 6184 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 Dievendorf moved to report out HB 6185 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.

The Chair laid HB 6222 and HB 6223 before the committee:

HB 6222 (Rep. Breen)

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 232a (MCL 750.232a), as amended by 2023 PA 18.

HB 6223 (Rep. Hope)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2023 PA 200.

Anthony Buffa, representing the Oakland County Sheriff's Department, testified in support of HB 6222 and HB 6223.

The following person submitted a card with a neutral position on HB 6222 and HB 6223, but due to the time constraints were unable to speak:

Nick Buggia, representing the NRA.

The following person submitted a card in support of HB 6222 and HB 6223, but did not wish to speak:

Aaron Van Langevelde, representing the Michigan Department of Attorney General.

The following person submitted a card with a neutral position on HB 6222, but did not wish to speak:

Matt Saxton, Executive Director, representing the Michigan Sheriffs' Association.

The following person submitted a card in support of HB 6222, but did not wish to speak:

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

Representative Hope moved to adopt substitute (H-1) to HB 6222. 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 Hoskins moved to report out HB 6222 with recommendation, as substitute (H-1). 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 Tsernoglou moved to adopt substitute (H-1) to HB 6223. 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 Tyrone Carter moved to report out HB 6223 with recommendation, as substitute (H-1). 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.

There being no further business before the committee, Chair Breen adjourned the meeting at 11:59 AM.

Representative Kelly Breen, Chair

Melissa Sweet
Committee Clerk
msweet@house.mi.gov