

Act No. 36
Public Acts of 2023
Approved by the Governor
May 22, 2023
Filed with the Secretary of State
May 22, 2023
EFFECTIVE DATE: Sine Die
(91st day after final adjournment of the 2023 Regular Session)

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023**

Introduced by Reps. Young, Morse, Skaggs, Rogers, Brixie, Rheingans, Glanville, Neeley, Arbit, Brabec, Hood, Price, Martus, Wegela, Pohutsky, Byrnes, Hope, Morgan, MacDonell, Puri, Stone, Weiss, Hoskins, Paiz, Scott, McKinney, Koleszar, Mentzer, Edwards, Grant, Brenda Carter, O'Neal, Tyrone Carter, Tsernoglou, Dievendorf, Wilson, Steckloff, Snyder, Breen, Conlin, Fitzgerald, Whitsett, Farhat, McFall and Aiyash

ENROLLED HOUSE BILL No. 4148

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," (MCL 760.1 to 777.69) by adding section 15e to chapter XVII.

The People of the State of Michigan enact:

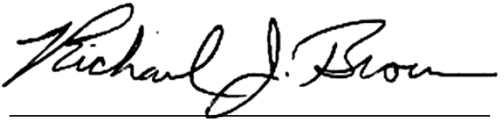
CHAPTER XVII

Sec. 15e. This chapter applies to the following felonies enumerated in chapter 691 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
691.1819(1)(a)	Pub saf	G	Violation of an extreme risk protection order – first offense	1

691.1819(1)(b)	Pub saf	F	Violation of an extreme risk protection order – second offense	4
691.1819(1)(c)	Pub saf	E	Violation of an extreme risk protection order – third or subsequent offense	5
691.1819(4)(b)	Pub trst	F	False statement in complaint for an extreme risk protection order – second offense	4
691.1819(4)(c)	Pub trst	E	False statement in complaint for an extreme risk protection order – third or subsequent offense	5
691.1819(5)	Pub saf	G	Knowingly providing a firearm to individual restrained under an extreme risk protection order	1

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 83 of the 102nd Legislature is enacted into law.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor

Compiler's note: Senate Bill No. 83, referred to in enacting section 1, was filed with the Secretary of State May 22, 2023, and became 2023 PA 38, Eff. (sine die).