



HOUSE BILL No. 5817

April 25, 1996, Introduced by Reps. Middaugh, Walberg, DeHart, Lowe, Cropsey, Kukuk, Horton, Gernaat, Jaye, Sikkema and Green and referred to the Committee on Judiciary and Civil Rights.

A bill to amend Act No. 170 of the Public Acts of 1964,
entitled as amended

"An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts,"

as amended, being sections 691.1401 to 691.1415 of the Michigan Compiled Laws, by adding section 7a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 170 of the Public Acts of 1964, as
2 amended, being sections 691.1401 to 691.1415 of the Michigan

1 Compiled Laws, is amended by adding section 7a to read as
2 follows:

3 SEC. 7A. IF THE DEPARTMENT OF STATE POLICE DESTROYS A FIRE-
4 ARM IN VIOLATION OF SECTION 15 OF ACT NO. 372 OF THE PUBLIC ACTS
5 OF 1927, BEING SECTION 28.435 OF THE MICHIGAN COMPILED LAWS, OR
6 SECTION 239 OF THE MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC
7 ACTS OF 1931, BEING SECTION 750.239 OF THE MICHIGAN COMPILED
8 LAWS, THE DEPARTMENT OF STATE POLICE IS CIVILLY LIABLE TO THE
9 OWNER FOR THE FAIR MARKET VALUE OF THAT FIREARM.

10 Section 2. This amendatory act shall not take effect unless
11 all of the following bills of the 88th Legislature are enacted
12 into law:

13 (a) Senate Bill No. _____ or House Bill No. 5813 (request
14 no. 06644'95 *).

15 (b) Senate Bill No. _____ or House Bill No. 5816 (request
16 no. 06644'95 a *).