

HOUSE BILL NO. 4145

February 28, 2023, Introduced by Reps. Puri, Breen, Morse, Skaggs, Rogers, Brixie, Rheingans, Glanville, Arbit, Hood, Neeley, Price, Young, Martus, Wegela, Pohutsky, Byrnes, Brabec, Hope, Morgan, MacDonell, McKinney, Stone, Weiss, Liberati, McFall, Scott, Koleszar, Mentzer, Grant, Hoskins, O'Neal, Brenda Carter, Tyrone Carter, Dievendorf, Tsernoglou, Steckloff, Snyder, Wilson, Fitzgerald, Paiz, Conlin, Farhat, Whitsett and Aiyash and referred to the Committee on Judiciary.

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.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "extreme risk protection
2 order act".

1 Sec. 3. As used in this act:

2 (a) "C.J.I.S. policy council act" means the C.J.I.S. policy
3 council act, 1974 PA 163, MCL 28.211 to 28.215.

4 (b) "Dating relationship" means a relationship that consists
5 of frequent, intimate associations primarily characterized by the
6 expectation of affectional involvement. Dating relationship does
7 not include a casual relationship or an ordinary fraternization
8 between 2 individuals in a business or social context.

9 (c) "Defendant" means the individual against whom an extreme
10 risk protection order is requested in an action under section 5.

11 (d) "Extreme risk protection order" means an order issued by a
12 court under section 7.

13 (e) "Family member" means an individual who is related to the
14 defendant as any of the following:

15 (i) A parent.

16 (ii) A son or daughter.

17 (iii) A sibling.

18 (iv) A grandparent.

19 (v) A grandchild.

20 (vi) An uncle or aunt.

21 (vii) A first cousin.

22 (f) "Law enforcement agency" means any of the following:

23 (i) A sheriff's department.

24 (ii) The department of state police.

25 (iii) A police department of a township, village, or
26 incorporated city.

27 (iv) The public safety department of an institution of higher
28 education created under or described in article VIII of the state
29 constitution of 1963.

1 (v) The public safety department of a community or junior
2 college.

3 (vi) The public safety department or office of a private
4 college.

5 (g) "Law enforcement officer" means an individual to whom any
6 of the following apply:

7 (i) The individual is employed by a law enforcement agency to
8 enforce the criminal laws of this state.

9 (ii) The individual is a county prosecuting attorney or
10 assistant prosecuting attorney.

11 (h) "Mental health professional" means that term as defined in
12 section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.

13 (i) "Plaintiff" means the individual who requests an extreme
14 risk protection order in an action under section 5.

15 (j) "Possession or control" includes, but is not limited to,
16 actual possession or constructive possession by which the
17 individual has the right to control the firearm, even though the
18 firearm is in a different location than the individual. Possession
19 or control does not require the individual to own the firearm.

20 (k) "Restrained individual" means the individual against whom
21 an extreme risk protection order has been issued and is in effect.

22 Sec. 5. (1) An individual described in subsection (2) may file
23 an action with the circuit court requesting the court to enter an
24 extreme risk protection order.

25 (2) Any of the following may file an action under this
26 section:

27 (a) The spouse of the defendant.

28 (b) A former spouse of the defendant.

29 (c) An individual who has a child in common with the

1 defendant.

2 (d) An individual who has or has had a dating relationship
3 with the defendant.

4 (e) An individual who resides or has resided in the same
5 household with the defendant.

6 (f) A family member.

7 (g) A law enforcement officer.

8 (h) A mental health professional.

9 (3) An individual who files an action under this section shall
10 do so by filing a summons and complaint on forms approved by the
11 state court administrative office as directed by the supreme court.
12 The complaint must state facts that show that issuance of an
13 extreme risk protection order is necessary because the defendant
14 poses a significant risk of personal injury to the defendant or
15 others by possessing a firearm.

16 (4) If the defendant is issued a license to carry a concealed
17 pistol and is 1 of the following individuals, and if the plaintiff
18 knows the defendant is 1 of the following individuals, the
19 plaintiff shall state that in the complaint:

20 (a) An individual who is required to carry the pistol as a
21 condition of the individual's employment.

22 (b) A police officer licensed or certified under the Michigan
23 commission on law enforcement standards act, 1965 PA 203, MCL
24 28.601 to 28.615.

25 (c) A sheriff.

26 (d) A deputy sheriff.

27 (e) A member of the department of state police.

28 (f) A local corrections officer.

29 (g) An employee of the department of corrections.

1 (h) A federal law enforcement officer who carries the pistol
2 during the normal course of the officer's employment.

3 (5) If the plaintiff knows or believes that the defendant owns
4 or possesses firearms, the plaintiff shall state that and identify
5 the firearms in the complaint.

6 (6) In an action under this section, the address of the
7 plaintiff must not be disclosed in any pleading or paper or
8 otherwise.

9 (7) Any of the following is a proper county in which to file
10 an action under this section:

11 (a) A county in which the defendant resides, has a place of
12 business, or conducts business.

13 (b) Unless the plaintiff is a law enforcement officer, a
14 county in which the plaintiff resides, has a place of business, or
15 conducts business.

16 Sec. 6. (1) The court in which an action is filed under
17 section 5 shall expedite and give priority to a hearing on the
18 issuance of an extreme risk protection order and to any other
19 hearings required under this act.

20 (2) The court may enter an order to change the venue of an
21 action filed under section 5 for any reason allowed under the
22 Michigan court rules, including, but not limited to, the
23 convenience of the parties and witnesses. The court may consider
24 the location of firearms owned or possessed by the defendant in
25 deciding whether to enter an order under this subsection.

26 (3) The court may allow proceedings in an action filed under
27 section 5 to be conducted using video conferencing technology or
28 communication equipment as allowed under Michigan court rules and
29 administrative orders.

1 Sec. 7. (1) In an action under section 5, the court shall
2 issue an extreme risk protection order if the court determines by
3 the preponderance of the evidence that the defendant poses a
4 significant risk of personal injury to the defendant or others by
5 possessing a firearm. In making its determination under this
6 subsection, the court shall consider all of the following:

7 (a) Any history of use, attempted use, or threatened use of
8 physical force by the defendant against another individual, or
9 against the defendant, regardless of whether the violence or threat
10 of violence involved a firearm.

11 (b) Any evidence of the defendant being seriously mentally
12 ill.

13 (c) Any previous or existing extreme risk protection order
14 under this act, or personal protection order under section 2950 or
15 2950a of the revised judicature act of 1961, 1961 PA 236, MCL
16 600.2950 and 600.2950a, issued against the defendant.

17 (d) Any violation by the defendant of a previous or existing
18 extreme risk protection order issued under this act.

19 (e) Any violation by the defendant of a previous or existing
20 personal protection order issued under section 2950 or 2950a of the
21 revised judicature act of 1961, 1961 PA 236, MCL 600.2950 and
22 600.2950a.

23 (f) Any previous conviction of the defendant for any of the
24 following:

25 (i) A misdemeanor violation of section 81 of the Michigan penal
26 code, 1931 PA 328, MCL 750.81.

27 (ii) A violation of section 411h or 411i of the Michigan penal
28 code, 1931 PA 328, MCL 750.411h and 750.411i, or a similar offense
29 in another jurisdiction.

1 (iii) An offense constituting domestic violence.

2 (iv) An offense involving cruelty or abuse of animals.

3 (g) Any evidence of recent unlawful use of controlled
4 substances by the defendant.

5 (h) Any previous unlawful and reckless use, display, or
6 brandishing of a deadly weapon by the defendant.

7 (i) Any evidence of an acquisition or attempted acquisition
8 within the previous 180 days by the defendant of a deadly weapon or
9 ammunition.

10 (j) Any additional information the court finds to be reliable,
11 including a statement by the defendant, or relevant information
12 from family and household members concerning the defendant.

13 (k) Any other facts that the court believes are relevant.

14 (2) The court in an action under section 5 may issue an
15 extreme risk protection order without written or oral notice to the
16 defendant if the court determines that evidence of specific facts
17 has been submitted under oath or affirmation that clearly
18 establishes that immediate and irreparable injury will result from
19 the delay required to effectuate notice or that the notice will
20 itself precipitate adverse action before an extreme risk protection
21 order can be issued. If the plaintiff requests the court to issue
22 an extreme risk protection order under this subsection, the court
23 shall make its determination on the request not later than 24 hours
24 after the request is filed.

25 (3) If a court issues an extreme risk protection order under
26 subsection (2), the court shall conduct a hearing on the order as
27 follows:

28 (a) Unless subdivision (b) applies, not later than 14 days
29 after the order is served on the restrained individual or after the

1 restrained individual receives actual notice of the order.

2 (b) If the restrained individual is an individual described in
3 section 5(4), not later than 5 days after the order is served on
4 the restrained individual or after the restrained individual
5 receives actual notice of the order.

6 (4) An individual restrained under an extreme risk protection
7 order may file a motion to modify or rescind the order at any time
8 and request a hearing under supreme court rules. The restrained
9 individual may file 1 motion to modify or rescind the order during
10 the time the order is in effect under section 9(1)(i), and 1 motion
11 to modify or rescind an extended order during the time the extended
12 order is in effect under section 17 or 19. If the restrained
13 individual files more than 1 motion during a time described in this
14 subsection, the court shall review the motion before a hearing on
15 the motion is held and may summarily dismiss the motion without a
16 response from the plaintiff and without a hearing.

17 (5) At a hearing on a motion under subsection (4), the
18 individual restrained under the extreme risk protection order must
19 prove by the preponderance of the evidence that the restrained
20 individual does not pose a significant risk of personal injury to
21 the restrained individual or others by possessing a firearm.

22 Sec. 9. (1) If the court determines under section 7 that an
23 extreme risk protection order should be issued, the court shall
24 include all of the following provisions in the order:

25 (a) That the restrained individual shall not purchase or
26 possess a firearm. That if the individual has been issued a license
27 under section 2 of 1927 PA 372, MCL 28.422, that the individual has
28 not used and that is not yet void, the individual shall not use it
29 and shall surrender it to the law enforcement agency designated

1 under subdivision (g).

2 (b) That the restrained individual shall not apply for a
3 concealed pistol license and, if the restrained individual has been
4 issued a license to carry a concealed pistol, the license will be
5 suspended or revoked under section 8 of 1927 PA 372, MCL 28.428,
6 once the order is entered into the law enforcement information
7 network and that the individual shall surrender the license as
8 required by section 8 of 1927 PA 372, MCL 28.428.

9 (c) That the restrained individual shall, immediately after
10 being served with the order, surrender all firearms in the
11 individual's possession or control to the law enforcement agency
12 designated under subdivision (g).

13 (d) If the plaintiff has identified any firearms under section
14 5(5), a specific description of the firearms to be surrendered or
15 seized.

16 (e) If the order is issued under section 7(2), a statement
17 that a hearing will be held within 14 days or 5 days, as applicable
18 under section 7(3), after the restrained individual is served with
19 or receives actual notice of the order and that the restrained
20 individual may appear at the hearing and request the court to
21 modify or rescind the order.

22 (f) A statement that the restrained individual may, 1 time
23 while the order is in effect, file a motion to modify or rescind
24 the order and that motion forms and filing instructions are
25 available from the clerk of the court.

26 (g) A designation of the law enforcement agency that is
27 responsible for entering the order into the law enforcement
28 information network and forwarding the order to the Federal Bureau
29 of Investigation and the Bureau of Alcohol, Tobacco, Firearms, and

1 Explosives under section 15(1). The law enforcement agency
2 designated under this subdivision must be an agency within whose
3 jurisdiction the restrained individual resides.

4 (h) A statement that violation of the order will subject the
5 restrained individual to immediate arrest, the contempt powers of
6 the court, an automatic extension of the order, and misdemeanor or
7 criminal penalties, including imprisonment for up to 93 days for an
8 initial violation and up to 5 years for a subsequent violation.

9 (i) An expiration date that is 1 year after the date of
10 issuance.

11 (2) An extreme risk protection order is effective and
12 enforceable immediately after it is served on the restrained
13 individual or after the restrained individual receives actual
14 notice of the order. The order may be enforced anywhere in this
15 state by a law enforcement agency that receives a true copy of the
16 order, is shown a copy of it, or has verified its existence on the
17 law enforcement information network as provided by the C.J.I.S.
18 policy council act or on an information network maintained by the
19 Federal Bureau of Investigation.

20 Sec. 10. (1) Not later than 24 hours after an extreme risk
21 protection order is issued, the restrained individual may do either
22 of the following:

23 (a) File with the court that issued the order 1 or more proofs
24 of relinquishment or removal showing that all firearms previously
25 in the individual's possession or control were relinquished to or
26 removed by the local law enforcement agency designated under
27 section 9(1)(g) and that any concealed pistol license was
28 surrendered to the county clerk as required by the order and
29 section 8 of 1927 PA 372, MCL 28.428, and verify to the court that

1 at the time of the verification the individual does not have any
2 firearms or a concealed pistol license in the individual's
3 possession or control.

4 (b) Verify to the court that both of the following are true:

5 (i) At the time the order was issued, the individual did not
6 have a firearm or a concealed pistol license in the individual's
7 possession or control.

8 (ii) At the time of the verification, the individual does not
9 have a firearm or a concealed pistol license in the individual's
10 possession or control.

11 (2) If a restrained individual has not satisfied the
12 requirements of subsection (1)(a) or (b) within 24 hours after the
13 extreme risk protection order was issued, the clerk of the court
14 that issued the order shall inform the local law enforcement agency
15 designated under section 9(1)(g) of that fact.

16 (3) A local law enforcement agency that receives a
17 notification under subsection (2) shall make a good-faith effort to
18 determine whether there is evidence that the restrained individual
19 has failed to relinquish a firearm or concealed pistol license in
20 the restrained individual's possession or control as required.

21 (4) The court shall schedule a compliance hearing to be held
22 not later than 10 days after an extreme risk protection order is
23 served on the restrained individual or after the restrained
24 individual receives actual notice of the order. If the restrained
25 individual has satisfied the requirements of subsection (1)(a) or
26 (b) before the hearing, the court may cancel the hearing.

27 (5) At any time while an extreme risk protection order is in
28 effect, the plaintiff or a law enforcement officer may file an
29 affidavit with the court that issued the order alleging that the

1 restrained individual has a firearm or a concealed pistol license
2 in the individual's possession or control. If an affidavit is filed
3 under this subsection, the court shall determine whether probable
4 cause exists to believe that the restrained individual has a
5 firearm or concealed pistol license in the individual's possession
6 or control. If the court finds that probable cause exists, the
7 court shall find the restrained individual in contempt of court and
8 issue an arrest warrant. The court shall also enter an accompanying
9 order describing the firearm or firearms or the concealed pistol
10 license believed to be in the restrained individual's possession or
11 control and authorizing a designated law enforcement agency to
12 search the location or locations where the firearm or firearms or
13 concealed pistol license is believed to be and to seize any firearm
14 or concealed pistol license discovered by the search.

15 Sec. 11. The clerk of a court that issues an extreme risk
16 protection order shall do all of the following immediately after
17 issuance and without requiring a proof of service on the restrained
18 individual:

19 (a) Provide a true copy of the order to the law enforcement
20 agency designated under section 9(1)(g).

21 (b) Provide the plaintiff with at least 2 true copies of the
22 order.

23 (c) If the restrained individual is identified in the
24 complaint as an individual described in section 5(4), notify the
25 individual's employer, if known, of the existence of the order.

26 (d) Notify the department of state police and the clerk of the
27 restrained individual's county of residence of the existence of the
28 order for purposes of performing their duties under 1927 PA 372,
29 MCL 28.421 to 28.435.

1 (e) Inform the plaintiff that the plaintiff may take a true
2 copy of the order to the law enforcement agency designated under
3 section 9(1)(g) to be immediately entered into the law enforcement
4 information network and provided to the Federal Bureau of
5 Investigation and the Bureau of Alcohol, Tobacco, Firearms, and
6 Explosives.

7 Sec. 13. (1) An extreme risk protection order must be served
8 on the restrained individual personally by a law enforcement
9 officer. If the restrained individual has not been served, a law
10 enforcement officer who knows that the order exists may, at any
11 time, serve the restrained individual with a true copy of the order
12 or advise the restrained individual of the existence of the order,
13 the specific conduct enjoined, the penalties for violating the
14 order, and where the restrained individual may obtain a copy of the
15 order.

16 (2) The law enforcement officer who serves an extreme risk
17 protection order or gives oral notice of the order shall file proof
18 of service or proof of oral notice with the clerk of the court that
19 issued the order. The clerk of the court shall immediately notify
20 the law enforcement agency designated under section 9(1)(g) if any
21 of the following occur:

22 (a) The clerk of the court receives proof that the restrained
23 individual has been served.

24 (b) The order is rescinded, modified, or extended.

25 (c) The order expires without being extended.

26 Sec. 15. (1) A law enforcement agency designated in an extreme
27 risk protection order under section 9(1)(g) that receives a true
28 copy of the order shall immediately and without requiring proof of
29 service do both of the following:

1 (a) Enter the order into the law enforcement information
2 network as provided by the C.J.I.S. policy council act.

3 (b) Report the entry of the order to the Criminal Justice
4 Information Services Division of the Federal Bureau of
5 Investigation for purposes of the national crime information center
6 and to the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

7 (2) A law enforcement agency that receives information under
8 section 13(2) shall enter the information into the law enforcement
9 information network as provided by the C.J.I.S. policy council act
10 and report the information to the Federal Bureau of Investigation
11 and to the Bureau of Alcohol, Tobacco, Firearms, and Explosives as
12 described in subsection (1)(b).

13 (3) If an extreme risk protection order has not been served on
14 the restrained individual, a law enforcement agency or officer
15 responding to a call alleging a violation of the order shall serve
16 the restrained individual with a true copy of the order or advise
17 the restrained individual of the existence of the order, the
18 specific conduct enjoined, the penalties for violating the order,
19 and where the restrained individual may obtain a copy of the order.
20 Subject to subsection (4), the law enforcement officer shall
21 enforce the order and immediately enter or cause to be entered into
22 the law enforcement information network and reported to the Federal
23 Bureau of Investigation and the Bureau of Alcohol, Tobacco,
24 Firearms, and Explosives that the restrained individual has actual
25 notice of the order. The law enforcement officer also shall comply
26 with section 13(2).

27 (4) In the circumstances described in subsection (3), the law
28 enforcement officer shall give the restrained individual an
29 opportunity to comply with the extreme risk protection order before

1 the law enforcement officer makes a custodial arrest for violation
2 of the order. The failure by the restrained individual to
3 immediately comply with the order is grounds for an immediate
4 custodial arrest. This subsection does not preclude an arrest under
5 section 15 or 15a of chapter IV of the code of criminal procedure,
6 1927 PA 175, MCL 764.15 and 764.15a.

7 (5) The law enforcement agency ordered to seize a firearm
8 under this act shall do all of the following:

9 (a) Seize a firearm identified in an order issued under this
10 act from any place or from any individual who has possession or
11 control of the firearm.

12 (b) Seize any other firearms discovered that are owned by or
13 in the possession or control of the restrained individual or if
14 allowed under other applicable law.

15 (6) A law enforcement officer who seizes a firearm under this
16 act shall give a receipt for the firearm to the individual from
17 whom it was taken, specifying the firearm in detail. If no
18 individual is present at the time of seizure, the officer shall
19 leave the receipt in the place where the officer found the firearm.

20 (7) The law enforcement agency that seizes a firearm under
21 this act shall retain and store the firearm subject to order of the
22 court that issued the extreme risk protection order under which the
23 firearm was seized. In addition to any other order that the court
24 determines is appropriate, the court shall order that the firearm
25 be returned to the restrained individual when the extreme risk
26 protection order expires, unless the restrained individual is
27 prohibited for another reason from owning or possessing a firearm,
28 or order that the firearm be transferred to a licensed firearm
29 dealer if the restrained individual sells or transfers ownership of

1 the firearm to the dealer. Before returning a firearm to the
2 restrained individual under this subsection, and to determine
3 whether the restrained individual is prohibited from owning or
4 possessing a firearm for another reason, the law enforcement agency
5 shall conduct a verification under the law enforcement information
6 network and the national instant criminal background check system
7 in the same manner as required under section 5b(6) of 1927 PA 372,
8 MCL 28.425b.

9 (8) A law enforcement agency that returns a firearm to a
10 restrained individual under subsection (7) shall enter into the law
11 enforcement information network and notify the Federal Bureau of
12 Investigation and the Bureau of Alcohol, Tobacco, Firearms, and
13 Explosives that the court has ordered the firearm returned on
14 expiration of the extreme risk protection order.

15 (9) Subject to subsection (7) or (8), if any individual other
16 than the restrained individual claims title to a firearm seized
17 under this act, the firearm must be returned to the claimant if the
18 court determines that the claimant is the lawful owner.

19 Sec. 16. If the court that issues an extreme risk protection
20 order determines that the restrained individual resides at premises
21 that are also occupied by another individual who possesses a
22 firearm, the court shall order the other individual to not leave
23 the firearm out of the other individual's immediate possession or
24 control unless the other individual does 1 or more of the
25 following:

26 (a) Keeps the firearm in a securely locked box or container
27 that is inaccessible to the restrained individual.

28 (b) Securely locks the firearm with a locking device that is
29 inaccessible to the restrained individual.

1 Sec. 17. The plaintiff may move the court to issue, or the
2 court on its own motion may issue, 1 or more extended extreme risk
3 protection orders, each effective for 1 year after the expiration
4 of the preceding order. The court shall only issue an extended
5 order under this section if the preponderance of the evidence shows
6 that the restrained individual continues to pose a significant risk
7 of personal injury to the restrained individual or others by
8 possessing a firearm. The plaintiff or the court, as applicable,
9 shall give the restrained individual written notice of a hearing on
10 a motion to extend the order.

11 Sec. 19. (1) An individual who refuses or fails to comply with
12 an extreme risk protection order is guilty and subject to penalties
13 as follows, which may be imposed in addition to a penalty imposed
14 for another criminal offense arising from the same conduct:

15 (a) For a first offense under this subsection, guilty of a
16 misdemeanor punishable by imprisonment for not more than 93 days or
17 a fine of not more than \$500.00, or both.

18 (b) For a second offense under this subsection, guilty of a
19 felony punishable by imprisonment for not more than 4 years or a
20 fine of not more than \$2,000.00, or both.

21 (c) For a third or subsequent offense under this subsection,
22 guilty of a felony punishable by imprisonment for not more than 5
23 years or a fine of not more than \$20,000.00, or both.

24 (2) If a court or a jury finds that the restrained individual
25 has refused or failed to comply with an extreme risk protection
26 order, the court that issued the order shall issue an extended
27 extreme risk protection order effective for 1 year after the
28 expiration of the preceding order.

29 (3) An extreme risk protection order may also be enforced as

1 contempt of court or otherwise under chapter 17 of the revised
2 judiciary act of 1961, 1961 PA 236, MCL 600.1701 to 600.1745.

3 (4) A plaintiff who knowingly and intentionally makes a false
4 statement to the court in the complaint or in support of the
5 complaint under this act is guilty and subject to penalties as
6 follows:

7 (a) For a first offense under this subsection, guilty of a
8 misdemeanor punishable by imprisonment for not more than 93 days or
9 a fine of not more than \$500.00, or both.

10 (b) For a second offense under this subsection, guilty of a
11 felony punishable by imprisonment for not more than 4 years or a
12 fine of not more than \$2,000.00, or both.

13 (c) For a third or subsequent offense under this subsection,
14 guilty of a felony punishable by imprisonment for not more than 5
15 years or a fine of not more than \$20,000.00, or both.

16 (5) An individual who knowingly places a firearm in the
17 possession of an individual who is restrained under an extreme risk
18 protection order is guilty of a misdemeanor punishable by
19 imprisonment for not more than 93 days or a fine of not more than
20 \$500.00, or both.

21 Sec. 20. (1) The state court administrative office, acting at
22 the direction of the supreme court, shall prepare an annual report
23 on and relating to the application of this act by the courts.

24 (2) The report required by this section must contain all of
25 the following:

26 (a) The number of actions filed for extreme risk protection
27 orders.

28 (b) The number of requests made for extreme risk protection
29 orders to be issued without notice under section 7(2).

1 (c) The number of extreme risk protection orders issued and
2 the number denied.

3 (d) The number of extreme risk protection orders issued
4 without notice under section 7(2) and the number denied.

5 (e) The number of extreme risk protection orders that are
6 rescinded.

7 (f) The number of extreme risk protection orders entered
8 without notice under section 7(2) that are rescinded.

9 (g) The number of extreme risk protection orders that are
10 renewed.

11 (h) To the extent ascertainable from available state court
12 data, the number of individuals who are restrained under an
13 emergency risk protection order who, within 30 days after entry of
14 the order, are charged with a criminal offense, giving the nature
15 of the criminal offense, whether it was an offense for the
16 violation of the emergency risk protection order, and the
17 disposition or status of the offense.

18 (i) Demographic data regarding the individuals who are
19 plaintiffs and defendants in actions for extreme risk protection
20 orders.

21 Enacting section 1. This act does not take effect unless all
22 of the following bills of the 102nd Legislature are enacted into
23 law:

24 (a) Senate Bill No. _____ or House Bill No. 4146 (request no.
25 00421'23 a).

26 (b) Senate Bill No. _____ or House Bill No. 4147 (request no.
27 00421'23 c).