

# HOUSE BILL No. 4158

February 2, 2017, Introduced by Rep. Lucido and referred to the Committee on Judiciary.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding sections 7521a and 7521b.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 7521A. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,  
2        PROPERTY MUST NOT BE SEIZED UNDER SECTION 7522, NOR BE SUBJECT TO  
3        FORFEITURE UNDER SECTION 7521 OR DISPOSITION UNDER SECTION 7524,  
4        UNLESS THE PERSON IS CONVICTED OF A VIOLATION OF THIS ARTICLE.

5        (2) SUBSECTION (1) DOES NOT PROHIBIT THE IMMEDIATE DESTRUCTION  
6        OF PROPERTY THAT CANNOT BE LAWFULLY POSSESSED BY ANY PERSON OR THAT  
7        IS DANGEROUS TO THE HEALTH OR SAFETY OF THE PUBLIC REGARDLESS OF  
8        WHETHER THE PERSON IS CONVICTED OF A VIOLATION OF THIS ARTICLE.

9        (3) THIS SECTION APPLIES TO FORFEITURE PROCEEDINGS THAT ARE  
10       PENDING ON, OR INITIATED ON OR AFTER, JANUARY 1, 2018.

11       SEC. 7521B. ANY PUBLIC OFFICER OF THIS STATE OR OF A LOCAL

1 UNIT GOVERNMENT WHO NEGOTIATES FOR FORFEITURE IN VIOLATION OF THIS  
2 SECTION, OR WHO AUTHORIZES OR PARTICIPATES IN THAT NEGOTIATION, IS  
3 GUILTY OF MISFEASANCE IN OFFICE.

4 Enacting section 1. This amendatory act takes effect 90 days  
5 after the date it is enacted into law.