

EXTREME RISK PROTECTION ORDER ACT (EXCERPT)
Act 38 of 2023

***** 691.1817.new *THIS NEW SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE
2023 REGULAR SESSION SINE DIE* *****

691.1817.new Issuance of extended extreme risk protection order.

Sec. 17. The petitioner may move the court to issue, or the court on its own motion may issue, 1 or more extended extreme risk protection orders, each effective for 1 year after the expiration of the preceding order. The court shall only issue an extended order under this section if the preponderance of the evidence shows that the restrained individual can reasonably be expected within the near future to intentionally or unintentionally seriously physically injure himself, herself, or another individual by possessing a firearm, and has engaged in an act or acts or made significant threats that are substantially supportive of the expectation. The petitioner or the court, as applicable, shall give the restrained individual written notice of a hearing on a motion to extend the order.

History: 2023, Act 38, Eff. (sine die).

Popular name: Red flag law