



Bloomberg's Everytown for Gun Safety and Mom's Demand Action can't seem to stop lying about Michigan House Bill 4795.

Here are the facts:

- MDA LIE: HB 4795 would allow the NRA and other special interest groups to sue Michigan cities.

+ TRUTH: Any group or individual can already engage in civil litigation against any Michigan city.

HB 4795 does not grant nor remove any right in this regard. Many groups in Michigan have already successfully engaged Michigan cities in court for creating or enforcing **ILLEGAL** ordinances, such as MCRGO v Ferndale. HB 4795 amends an existing law (1990 PA 319) that has been in effect for nearly 25 years.

- MDA LIE: HB 4795 would allow cities to be sued simply for passing laws designed to keep citizens safe.

+ TRUTH: HB 4795 only deals with ILLEGAL ordinances or regulations created or enforced by a Local Unit of Government that infringes upon the rights of citizens.

HB 4795 only pertains to an "individual or organization [...] adversely affected by an ordinance or regulation that violates" 1990 PA 319. In other words, **HB 4795 only applies to ILLEGAL ordinances** or regulations that harm Michigan citizens. HB 4795 would **not** apply to ordinances that are actually lawful.

- MDA LIE: HB 4795 forces cities to pay for costs and attorney's fees even if it repeals or amends the law being challenged before a court issues a ruling.

+ TRUTH: HB 4795 ensures damages to citizens created by ILLEGAL local regulations are repaid, and only when the ILLEGAL regulation is enforced or the city fails to fix it.

HB 4795 actually creates a buffer that protects Local Units of Government (LUGs) who don't know they have an illegal local ordinance and are not enforcing it. HB 4795 only kicks in if either of two circumstances exist: 1. 90 days after an individual or organization provides written notice to the LUG concerning an existing **ILLEGAL** ordinance, or 2. If the **ILLEGAL** ordinance is enacted or enforced after bill passage, thus immediately harming citizens. At this point, **the offending LUG would be required to cover the expenses incurred to bring them back inline with the law.**

- MDA LIE: HB 4795 would force local officials, including police officers, to risk thousands of dollars in fines for protecting Michigan communities.

+ TRUTH: HB 4795's individual fines only apply when a judge declares the violations to be KNOWING and WILLING.

If a local official **KNOWINGLY** and **WILLINGLY** breaks the law, thus incurring large expenses for everyone, then they should be held accountable. **Is MDA advocating that we allow people to KNOWINGLY and WILLINGLY break the law without consequence and at the expense of taxpayers?**

Read the bill yourself at:

<https://www.legislature.mi.gov/documents/2015-2016/billintroduced/House/pdf/2015-HIB-4795.pdf>