

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4134**

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,"

by amending section 5/ (MCL 28.425/), as amended by 2012 PA 32.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5/. (1) A license to carry a concealed pistol issued on or
2 after July 1, 2003 but before July 1, 2006 is valid for 5 years.

1 (2) An initial license to carry a concealed pistol issued or
2 renewed on or after July 1, 2006, other than a license described in
3 subsection (1), is valid until the applicant's date of birth that
4 falls not less than 4 years or more than 5 years after the license
5 is issued or renewed, as applicable. Except as provided in
6 subsections (8) and (9), a renewal of a license under section 5b
7 shall, except as provided in this section, be issued in the same
8 manner as an original license issued under section 5b.

9 (3) Subject to subsections (8) and (9), an application to
10 renew a license to carry a concealed pistol may be submitted not
11 more than 6 months before the expiration of the current license. If
12 the concealed weapon licensing board approves the renewal, the
13 effective date of the renewal license is the date of expiration of
14 the current license or the date of approval of the renewal,
15 whichever is later, and the date of expiration is the applicant's
16 date of birth ~~which~~ **THAT** is not less than 4 years or more than 5
17 years from the effective date of the license.

18 (4) The concealed weapon licensing board shall issue or deny
19 issuance of a renewal license within 60 days after the application
20 for renewal is properly submitted. The county clerk shall issue the
21 applicant a receipt for his or her renewal application at the time
22 the application is submitted. The receipt shall contain all of the
23 following:

24 (a) The name of the applicant.

25 (b) The date and time the receipt is issued.

26 (c) The amount paid.

27 (d) A statement that the receipt is for a license renewal.

1 (e) A statement of whether the applicant qualifies for an
2 extension under subsection (5).

3 (f) The name of the county in which the receipt is issued.

4 (g) An impression of the county seal.

5 (5) If the concealed weapon licensing board fails to deny or
6 issue a renewal license to the person within 60 days as required
7 under subsection (4), the expiration date of the current license is
8 extended by 180 days or until the renewal license is issued,
9 whichever occurs first. This subsection does not apply unless the
10 person pays the renewal fee at the time the renewal application is
11 submitted and the person has submitted a receipt from a police
12 agency that confirms that a background check has been requested by
13 the applicant.

14 (6) A person carrying a concealed pistol after the expiration
15 date of his or her license pursuant to an extension under
16 subsection (5) shall keep the receipt issued by the county clerk
17 under subsection (4) and his or her expired license in his or her
18 possession at all times that he or she is carrying the pistol. For
19 the purposes of this act, the receipt is considered to be part of
20 the license to carry a concealed pistol until a renewal license is
21 issued or denied. Failing to have the receipt and expired license
22 in possession while carrying a concealed pistol or failing to
23 display the receipt to a peace officer upon request is a violation
24 of this act.

25 (7) The educational requirements under section 5b(7)(c) are
26 waived for an applicant who is a **PEACE OFFICER**, retired police
27 officer, or retired law enforcement officer.

1 (8) The educational requirements under section 5b(7)(c) for an
2 applicant who is applying for a renewal of a license under this act
3 are waived except that the applicant shall certify that he or she
4 has completed at least 3 hours' review of the training described
5 under section 5b(7)(c) and has had at least 1 hour of firing range
6 time in the 6 months immediately preceding the subsequent
7 application.

8 (9) Beginning January 1, 2007, an applicant who is applying
9 for a renewal of a license issued under section 5b is not required
10 to have fingerprints taken again under section 5b(9) if all of the
11 following conditions have been met:

12 (a) There has been established a system for the department of
13 state police to save and maintain in its automated fingerprint
14 identification system (AFIS) database all fingerprints that are
15 submitted to the department of state police under section 5b.

16 (b) The applicant's fingerprints have been submitted to and
17 maintained by the department of state police as described in
18 subdivision (a) for ongoing comparison with the automated
19 fingerprint identification system (AFIS) database.

20 **(10) THE PORTION OF THE EDUCATIONAL REQUIREMENTS UNDER SECTION**
21 **5B(7)(C) DESCRIBED IN SECTION 5J(1)(B) ARE WAIVED FOR AN APPLICANT**
22 **WHO IS A PERSON ON ACTIVE DUTY STATUS WITH THE UNITED STATES ARMED**
23 **FORCES OR THE MICHIGAN NATIONAL GUARD OR A PERSON WHO RECEIVED AN**
24 **HONORABLE DISCHARGE FROM THE UNITED STATES ARMED FORCES OR THE**
25 **MICHIGAN NATIONAL GUARD AT THE TIME OF HIS OR HER SEPARATION.**