

**HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 789**

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 sections 1, 2a, 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5j, 5k, 5l, 5o, and 8 (MCL 28.421, 28.422a, 28.424, 28.425, 28.425a, 28.425b, 28.425c, 28.425d, 28.425e, 28.425f, 28.425j, 28.425k, 28.425l, 28.425o, and 28.428), section 1 as amended by 2014 PA 203, section 2a as amended by 2013 PA 3, section 4 as amended by 2014 PA 6, sections 5 and 5a as added by 2000 PA 381, section 5b as amended

by 2014 PA 207, sections 5c and 5d as amended by 2002 PA 719, section 5e as amended by 2014 PA 204, sections 5f and 5k as amended by 2012 PA 123, section 5j as amended by 2004 PA 254, section 5l as amended by 2012 PA 32, section 5o as amended by 2014 PA 206, and section 8 as amended by 2008 PA 406, and by adding section 5x; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

Sec. 1. (1) As used in this act:

(a) "Felony" means, **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION**, that term as defined in section 1 of chapter I of the code of criminal procedure, 1927 PA 175, MCL 761.1, or a violation of a law of the United States or another state that is designated as a felony or that is punishable by death or by imprisonment for more than 1 year. **FELONY DOES NOT INCLUDE A VIOLATION OF A PENAL LAW OF THIS STATE THAT IS EXPRESSLY DESIGNATED AS A MISDEMEANOR.**

(b) "Firearm" means ~~a ANY weapon from which a dangerous WILL, IS DESIGNED TO, OR MAY READILY BE CONVERTED TO EXPEL A projectile may be propelled by ACTION OF an explosive. , or by gas or air. Firearm does not include a smooth bore rifle or handgun designed and manufactured exclusively for propelling by a spring, or by gas or air, BBs not exceeding .177 caliber.~~

(c) "Firearms records" means any form, information, or record required for submission to a government agency under sections 2, 2a, 2b, and 5b, or any form, permit, or license issued by a government agency under this act.

(d) "Misdemeanor" means a violation of a penal law of this state or violation of a local ordinance substantially corresponding

1 to a violation of a penal law of this state that is not a felony or  
2 a violation of an order, rule, or regulation of a state agency that  
3 is punishable by imprisonment or a fine that is not a civil fine,  
4 or both.

5 (e) "Peace officer" means, except as otherwise provided in  
6 this act, an individual who is employed as a law enforcement  
7 officer, as that term is defined under section 2 of the commission  
8 on law enforcement standards act, 1965 PA 203, MCL 28.602, by this  
9 state or another state, a political subdivision of this state or  
10 another state, or the United States, and who is required to carry a  
11 firearm in the course of his or her duties as a law enforcement  
12 officer.

13 (f) "Pistol" means a loaded or unloaded firearm that is 26  
14 inches or less in length, or a loaded or unloaded firearm that by  
15 its construction and appearance conceals it as a firearm.

16 (g) "Purchaser" means a person who receives a pistol from  
17 another person by purchase or gift.

18 (h) "Reserve peace officer", "auxiliary officer", or "reserve  
19 officer" means, except as otherwise provided in this act, an  
20 individual authorized on a voluntary or irregular basis by a duly  
21 authorized police agency of this state or a political subdivision  
22 of this state to act as a law enforcement officer, who is  
23 responsible for the preservation of the peace, the prevention and  
24 detection of crime, and the enforcement of the general criminal  
25 laws of this state, and who is otherwise eligible to possess a  
26 firearm under this act.

27 (i) "Retired police officer" or "retired law enforcement

officer" means an individual who was a police officer or law enforcement officer who was certified as described under section 9a of the commission on law enforcement standards act, 1965 PA 203, MCL 28.609a, and retired in good standing from his or her employment as a police officer or law enforcement officer. **A POLICE OFFICER OR LAW ENFORCEMENT OFFICER RETIRED IN GOOD STANDING IF HE OR SHE RECEIVES A PENSION OR OTHER RETIREMENT BENEFIT FOR HIS OR HER SERVICE AS A POLICE OFFICER OR LAW ENFORCEMENT OFFICER OR ACTIVELY MAINTAINED A MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS OR EQUIVALENT STATE CERTIFICATION FOR 10 OR MORE CONSECUTIVE YEARS.**

(j) "Seller" means a person who sells or gives a pistol to another person.

(k) "State court judge" means a judge of the district court, circuit court, probate court, or court of appeals or justice of the supreme court of this state who is serving either by election or appointment.

(l) "State court retired judge" means a judge or justice described in subdivision (k) who is retired, or a retired judge of the recorders court.

(2) A person may lawfully own, possess, carry, or transport as a pistol a firearm greater than 26 inches in length if all of the following conditions apply:

(a) The person registered the firearm as a pistol under section 2 or 2a before January 1, 2013.

(b) The person who registered the firearm as described in subdivision (a) has maintained registration of the firearm since

1 January 1, 2013 without lapse.

2 (c) The person possesses a copy of the license or record  
3 issued to him or her under section 2 or 2a.

4 (3) A person who satisfies all of the conditions listed under  
5 subsection (2) nevertheless may elect to have the firearm not be  
6 considered to be a pistol. A person who makes the election under  
7 this subsection shall notify the department of state police of the  
8 election in a manner prescribed by that department.

9 Sec. 2a. (1) The following individuals are not required to  
10 obtain a license under section 2 to purchase, carry, possess, use,  
11 or transport a pistol:

12 (a) An individual licensed under section 5b, **EXCEPT FOR AN**  
13 **INDIVIDUAL WHO HAS AN EMERGENCY LICENSE ISSUED UNDER SECTION 5A(4)**  
14 **OR A RECEIPT SERVING AS A CONCEALED PISTOL LICENSE UNDER SECTION**  
15 **5B(9) OR 5/(3) .**

16 (b) A federally licensed firearms dealer.

17 (c) An individual who purchases a pistol from a federally  
18 licensed firearms dealer in compliance with 18 USC 922(t) .

19 (2) If an individual described in subsection (1) purchases or  
20 otherwise acquires a pistol, the seller shall complete a record in  
21 triplicate on a form provided by the department of state police.  
22 The record shall include the purchaser's concealed weapon license  
23 number or, if the purchaser is a federally licensed firearms  
24 dealer, his or her dealer license number. If the purchaser is not  
25 licensed under section 5b and is not a federally licensed firearms  
26 dealer, the record shall include the dealer license number of the  
27 federally licensed firearms dealer who is selling the pistol. The

1 purchaser shall sign the record. The seller may retain 1 copy of  
2 the record. The purchaser shall receive 2 copies of the record and  
3 forward 1 copy to the police department of the city, village, or  
4 township in which the purchaser resides, or, if the purchaser does  
5 not reside in a city, village, or township having a police  
6 department, to the county sheriff, within 10 days following the  
7 purchase or acquisition. The return of the copy to the police  
8 department or county sheriff may be made in person or may be made  
9 by first-class mail or certified mail sent within the 10-day period  
10 to the proper address of the police department or county sheriff. A  
11 purchaser who fails to comply with the requirements of this  
12 subsection is responsible for a state civil infraction and may be  
13 fined not more than \$250.00. If a purchaser is found responsible  
14 for a state civil infraction under this subsection, the court shall  
15 notify the department of state police. If the purchaser is licensed  
16 under section 5b, the court shall notify the licensing authority of  
17 that determination.

18 (3) Within 10 days after receiving the record copy returned  
19 under subsection (2), the police department or county sheriff shall  
20 electronically enter the information into the pistol entry database  
21 as required by the department of state police if it has the ability  
22 to electronically enter that information. If the police department  
23 or county sheriff does not have that ability, the police department  
24 or county sheriff shall provide that information to the department  
25 of state police in a manner otherwise required by the department of  
26 state police. Any police department or county sheriff that provided  
27 pistol descriptions to the department of state police under former

1 section 9 of this act shall continue to provide pistol descriptions  
2 to the department of state police under this subsection. Within 48  
3 hours after entering or otherwise providing the information on the  
4 record copy returned under subsection (2) to the department of  
5 state police, the police department or county sheriff shall forward  
6 the copy of the record to the department of state police. The  
7 purchaser has the right to obtain a copy of the information placed  
8 in the pistol entry database under this subsection to verify the  
9 accuracy of that information. The police department or county  
10 sheriff may charge a fee not to exceed \$1.00 for the cost of  
11 providing the copy. The purchaser may carry, use, possess, and  
12 transport the pistol for 30 days beginning on the date of purchase  
13 or acquisition only while he or she is in possession of his or her  
14 copy of the record. However, the person is not required to have the  
15 record in his or her possession while carrying, using, possessing,  
16 or transporting the pistol after this period.

17 (4) This section does not apply to a person or entity exempt  
18 under section 2(7).

19 (5) An individual who makes a material false statement on a  
20 sales record under this section is guilty of a felony punishable by  
21 imprisonment for not more than 4 years or a fine of not more than  
22 \$2,500.00, or both.

23 (6) The department of state police may promulgate rules to  
24 implement this section.

25 (7) As used in this section:

26 (a) Before December 18, 2012, "federally licensed firearms  
27 dealer" means an individual who holds a type 01 dealer license

1 under 18 USC 923.

2 (b) Beginning December 18, 2012, "federally licensed firearms  
3 dealer" means a person licensed to sell firearms under 18 USC 923.

4 (c) "Person" means an individual, partnership, corporation,  
5 association, or other legal entity.

6 Sec. 4. (1) A person who is prohibited from possessing, using,  
7 transporting, selling, purchasing, carrying, shipping, receiving,  
8 or distributing a firearm under section 224f(2) of the Michigan  
9 penal code, 1931 PA 328, MCL 750.224f, may apply to the ~~concealed~~  
10 ~~weapons licensing board~~ **CIRCUIT COURT** in the county in which he or  
11 she resides for restoration of those rights.

12 (2) A person who is prohibited from possessing, using,  
13 transporting, selling, carrying, shipping, or distributing  
14 ammunition under section 224f(4) of the Michigan penal code, 1931  
15 PA 328, MCL 750.224f, may apply to the ~~concealed weapons licensing~~  
16 ~~board~~ **CIRCUIT COURT** in the county in which he or she resides for  
17 restoration of those rights.

18 (3) Not more than 1 application may be submitted under  
19 subsection (1) or (2) in any calendar year. The ~~concealed weapons~~  
20 ~~licensing board may~~ **CIRCUIT COURT SHALL** charge a fee ~~of not more~~  
21 ~~than \$10.00 for the actual and necessary expenses of each~~  
22 ~~application.~~ **AS PROVIDED IN SECTION 2529 OF THE REVISED JUDICATURE**  
23 **ACT OF 1961, 1961 PA 236, MCL 600.2529, UNLESS THE COURT WAIVES**  
24 **THAT FEE.**

25 (4) The ~~concealed weapons licensing board~~ **CIRCUIT COURT** shall,  
26 by written order, ~~of the board,~~ restore the rights of a person to  
27 possess, use, transport, sell, purchase, carry, ship, receive, or

1 distribute a firearm or to possess, use, transport, sell, carry,  
2 ship, or distribute ammunition if the ~~board~~ **CIRCUIT COURT**  
3 determines, by clear and convincing evidence, that all of the  
4 following circumstances exist:

5 (a) The person properly submitted an application for  
6 restoration of those rights as provided under this section.

7 (b) The expiration of 5 years after all of the following  
8 circumstances:

9 (i) The person has paid all fines imposed for the violation  
10 resulting in the prohibition.

11 (ii) The person has served all terms of imprisonment imposed  
12 for the violation resulting in the prohibition.

13 (iii) The person has successfully completed all conditions of  
14 probation or parole imposed for the violation resulting in the  
15 prohibition.

16 (c) The person's record and reputation are such that the  
17 person is not likely to act in a manner dangerous to the safety of  
18 other persons.

19 ~~— (5) If the concealed weapons licensing board under subsection~~  
20 ~~(4) refuses to restore a right under this section, the person may~~  
21 ~~petition the circuit court for review of that decision.~~

22 Sec. 5. (1) County ~~sheriffs, local police agencies, and county~~  
23 clerks shall provide concealed pistol application kits during  
24 normal business hours and free of charge to individuals who wish to  
25 apply for licenses to carry concealed pistols. Each kit shall only  
26 contain all of the following:

27 (a) A concealed pistol license application form provided by

1 the director of the department of state police.

2 (b) The fingerprint cards ~~required~~ under section  
3 ~~5b(11)-5B(10), IF REQUIRED.~~

4 (c) Written information regarding the procedures involved in  
5 obtaining a license to carry a concealed pistol. ~~, including~~  
6 ~~information regarding the right to appeal the denial of a license~~  
7 ~~and the form required for that appeal.~~

8 (d) Written information identifying entities that offer the  
9 training required under section 5b(7)(c), **IF MAINTAINED BY THE**  
10 **COUNTY CLERK.**

11 (2) A ~~county sheriff, local police agency, or county clerk~~  
12 shall not deny an individual the right to receive a concealed  
13 pistol application kit under this section.

14 (3) An individual who is denied an application kit under this  
15 section and obtains an order of mandamus directing the ~~concealed~~  
16 ~~weapon licensing board~~ **COUNTY CLERK** to provide him or her with the  
17 application kit shall be awarded his or her actual and reasonable  
18 costs and attorney fees for obtaining the order.

19 (4) The department of state police shall provide the  
20 application kits required under this section to ~~county sheriffs,~~  
21 ~~local law enforcement agencies, and county clerks in sufficient~~  
22 ~~quantities to meet demand.~~ **ELECTRONIC FORMAT.** The department of  
23 state police shall not charge a fee for the kits.

24 Sec. 5a. ~~(1) Each county shall have a concealed weapon~~  
25 ~~licensing board. The concealed weapon licensing board of each~~  
26 ~~county shall have the following members:~~

27 ~~— (a) The county prosecuting attorney or his or her designee.~~

~~1 However, if the county prosecuting attorney decides that he or she  
2 does not want to be a member of the concealed weapon licensing  
3 board, he or she shall notify the county board of commissioners in  
4 writing that he or she does not want to be a member of the  
5 concealed weapon licensing board for the balance of his or her term  
6 in office. The county board of commissioners shall then appoint a  
7 replacement for the prosecuting attorney who is a firearms  
8 instructor who has the qualifications prescribed in section  
9 5j(1)(c). The person who replaces the prosecuting attorney shall  
10 serve on the concealed weapon licensing board in place of the  
11 prosecuting attorney for the remaining term of the county  
12 prosecuting attorney unless removed for cause by the county board  
13 of commissioners. If a vacancy occurs on the concealed weapon  
14 licensing board of the person appointed pursuant to this section  
15 during the term of office of the county prosecuting attorney, the  
16 county board of commissioners shall appoint a replacement person  
17 who is a firearms instructor who has the qualifications prescribed  
18 in section 5j(1)(c).~~

~~19 (b) The county sheriff or his or her designee.~~

~~20 (c) The director of the department of state police or his or  
21 her designee.~~

~~22 (2) If a prosecuting attorney chooses not to be a member of  
23 the concealed weapon licensing board, all of the following apply:~~

~~24 (a) The prosecuting attorney shall be notified of all  
25 applications received by the concealed weapon licensing board.~~

~~26 (b) The prosecuting attorney shall be given an opportunity to  
27 object to granting a license to carry a concealed pistol and~~

~~present evidence bearing directly on an applicant's suitability to carry a concealed pistol safely.~~

~~—— (c) The prosecuting attorney shall disclose to the concealed weapon licensing board any information of which he or she has actual knowledge that bears directly on an applicant's suitability to carry a concealed pistol safely.~~

~~—— (3) The county prosecuting attorney or his or her designee shall serve as chairperson of the board unless the prosecuting attorney does not want to be a member of the concealed weapon licensing board, in which case the concealed weapon licensing board shall elect its chairperson. Two members of the concealed weapon licensing board constitute a quorum of the concealed weapon licensing board. The business of the concealed weapon licensing board shall be conducted by a majority vote of all of the members of the concealed weapon licensing board.~~

(1) BEGINNING OCTOBER 1, 2015, THE COUNTY CONCEALED WEAPON LICENSING BOARDS ARE ELIMINATED. EACH COUNTY CONCEALED WEAPON LICENSING BOARD SHALL TRANSFER ALL LICENSE APPLICATIONS AND OFFICIAL DOCUMENTS IN ITS POSSESSION TO THE COUNTY CLERK OF THE COUNTY IN WHICH THE BOARD IS LOCATED NO LATER THAN 12 MIDNIGHT SEPTEMBER 30, 2015. ALL PENDING APPLICATIONS REMAIN IN PLACE, AND THE COUNTY CLERK SHALL PROCESS THOSE APPLICATIONS AS PROVIDED IN THIS ACT. IF, ON OCTOBER 1, 2015, AN APPLICANT HAS AN INITIAL APPLICATION THAT HAS BEEN PENDING FOR 45 DAYS OR MORE AFTER THE DATE THE APPLICANT HAS FINGERPRINTS TAKEN, THAT APPLICANT MAY REQUEST A RECEIPT FROM THE COUNTY CLERK THAT MEETS THE REQUIREMENTS OF SECTION 5B(9). IF, ON OCTOBER 1, 2015, AN APPLICANT HAS A

1 RENEWAL APPLICATION THAT HAS BEEN PENDING FOR 45 DAYS OR MORE FROM  
 2 THE DATE OF APPLICATION, THAT APPLICANT MAY REQUEST A RECEIPT FROM  
 3 THE COUNTY CLERK THAT MEETS THE REQUIREMENT OF SECTION 5/(3). THE  
 4 COUNTY CLERK SHALL ISSUE THAT RECEIPT BY FIRST-CLASS MAIL UNLESS  
 5 REQUESTED IN PERSON. THE RECEIPT IS EFFECTIVE ON THE DATE THE  
 6 COUNTY CLERK ISSUES THAT RECEIPT. THE COUNTY CLERK SHALL NOT CHARGE  
 7 ANY ADDITIONAL FEE FOR RECEIVING OR PROCESSING AN APPLICATION  
 8 PREVIOUSLY SUBMITTED TO THE COUNTY CONCEALED WEAPON LICENSING  
 9 BOARD, EXCEPT AS OTHERWISE PROVIDED IN THIS ACT. A LICENSE TO CARRY  
 10 A CONCEALED PISTOL ISSUED BY A CONCEALED WEAPON LICENSING BOARD  
 11 BEFORE 12 MIDNIGHT SEPTEMBER 30, 2015 IS VALID AND REMAINS IN  
 12 EFFECT UNTIL THE EXPIRATION OF THAT LICENSE OR AS OTHERWISE  
 13 PROVIDED BY LAW.

14 (2) ~~(4) The county clerk shall serve as the clerk of the~~  
 15 ~~concealed weapon licensing board.~~ IS RESPONSIBLE FOR ALL OF THE  
 16 FOLLOWING:

17 (A) STORING AND MAINTAINING ALL RECORDS RELATED TO ISSUING A  
 18 LICENSE OR NOTICE OF STATUTORY DISQUALIFICATION IN THAT COUNTY.

19 (B) ISSUING LICENSES TO CARRY A CONCEALED PISTOL.

20 (C) ISSUING NOTICES OF STATUTORY DISQUALIFICATION, NOTICES OF  
 21 SUSPENSIONS, AND NOTICES OF REVOCATIONS.

22 ~~— (5) Except as otherwise provided in this act, the concealed~~  
 23 ~~weapon licensing board has exclusive authority to issue, deny,~~  
 24 ~~revoke, or suspend a license to carry a concealed pistol. The~~  
 25 ~~concealed weapon licensing board shall perform other duties as~~  
 26 ~~provided by law.~~

27 ~~— (6) The concealed weapon licensing board may convene not more~~

1 ~~than 3 panels to assist the board in evaluating applicants. The~~  
2 ~~panels shall be composed of representatives as prescribed in~~  
3 ~~subsection (1). The panels do not have the authority to issue,~~  
4 ~~deny, revoke, or suspend a license.~~

5       (3) ~~(7) The concealed weapon licensing board may investigate~~  
6 ~~the~~ **DEPARTMENT OF STATE POLICE SHALL VERIFY UNDER SECTION 5B(6)**  
7 **WHETHER AN** applicant for a license to carry a concealed pistol  ~~-~~  
8 ~~The investigation shall be restricted to determining only whether~~  
9 ~~the applicant is eligible under this act to receive a license to~~  
10 ~~carry a concealed pistol. , and the investigation regarding the~~  
11 ~~issuance of a license shall end after that determination is made.~~  
12 ~~The concealed weapon licensing board may require the applicant to~~  
13 ~~appear before the board at a mutually agreed upon time for a~~  
14 ~~conference. The applicant's failure or refusal to appear without~~  
15 ~~valid reason before the concealed weapon licensing board as~~  
16 ~~provided in this subsection is grounds for the board to deny~~  
17 ~~issuance of a license to carry a concealed pistol to that~~  
18 ~~applicant.~~

19       (4) ~~(8) If the concealed weapon licensing board~~ **A COUNTY**  
20 **SHERIFF** determines **THAT** there is probable cause to believe the  
21 safety of the applicant or the safety of a member of the  
22 applicant's family **OR HOUSEHOLD** is endangered by the applicant's  
23 inability to immediately obtain a license to carry a concealed  
24 pistol, ~~the concealed weapon licensing board~~ **COUNTY SHERIFF** may,  
25 ~~pending issuance of a license,~~ **AFTER PERFORMING A CRIMINAL RECORD**  
26 **CHECK THROUGH THE LAW ENFORCEMENT INFORMATION NETWORK AND TAKING**  
27 **FINGERPRINTS IN COMPLIANCE WITH SECTION 5B(9), ORDER THE COUNTY**

1 CLERK TO ~~issue a temporary~~ **AN EMERGENCY** license to the individual  
2 to carry a concealed pistol **IN PERSON**. A ~~temporary~~ **COUNTY CLERK**  
3 **SHALL NOT ISSUE AN EMERGENCY LICENSE TO AN INDIVIDUAL UNDER THIS**  
4 **SUBSECTION IF THE CRIMINAL RECORD CHECK SHOWS THE INDIVIDUAL DOES**  
5 **NOT MEET THE REQUIREMENTS OF SECTION 5B(7)(D), (E), (F), (H), (I),**  
6 **(J), (K), AND (M). AN EMERGENCY** license shall be on a form provided  
7 by the department of state police. A ~~temporary~~ **AN APPLICANT FOR AN**  
8 **EMERGENCY LICENSE SHALL, WITHIN 10 BUSINESS DAYS OF APPLYING FOR AN**  
9 **EMERGENCY LICENSE, COMPLETE A PISTOL TRAINING COURSE UNDER SECTION**  
10 **5J AND APPLY FOR A LICENSE UNDER SECTION 5B. A COUNTY SHERIFF MAY**  
11 **CHARGE A FEE NOT TO EXCEED \$15.00 FOR AN EMERGENCY LICENSE**  
12 **INCLUDING FINGERPRINTS. A COUNTY CLERK MAY CHARGE A FEE NOT TO**  
13 **EXCEED \$10.00 FOR AN EMERGENCY LICENSE. A COUNTY CLERK SHALL**  
14 **DEPOSIT A FEE COLLECTED UNDER THIS SUBSECTION IN THE CONCEALED**  
15 **PISTOL LICENSING FUND CREATED IN SECTION 5X. AN EMERGENCY** license  
16 ~~shall be~~ **IS** unrestricted and ~~shall be~~ **IS** valid ~~for not more than~~  
17 ~~180 days. A temporary license may be renewed for 1 additional~~  
18 ~~period of not more than 180 days. A temporary~~ **FOR 45 DAYS OR UNTIL**  
19 **THE COUNTY CLERK ISSUES A LICENSE OR A NOTICE OF STATUTORY**  
20 **DISQUALIFICATION, WHICHEVER OCCURS FIRST. EXCEPT AS OTHERWISE**  
21 **PROVIDED IN THIS ACT, AN EMERGENCY** license is, for all other  
22 purposes of this act, a license to carry a concealed pistol. **THE**  
23 **COUNTY CLERK SHALL INCLUDE AN INDICATION ON THE LICENSE IF AN**  
24 **INDIVIDUAL IS EXEMPT FROM THE PROHIBITIONS AGAINST CARRYING A**  
25 **CONCEALED PISTOL ON PREMISES DESCRIBED IN SECTION 5o IF THE**  
26 **APPLICANT PROVIDES ACCEPTABLE PROOF THAT HE OR SHE QUALIFIES FOR**  
27 **THAT EXEMPTION. AN INDIVIDUAL SHALL NOT OBTAIN MORE THAN 1**

1 EMERGENCY LICENSE IN ANY 5-YEAR PERIOD. IF A COUNTY CLERK ISSUES A  
2 NOTICE OF STATUTORY DISQUALIFICATION TO AN APPLICANT WHO RECEIVED  
3 AN EMERGENCY LICENSE UNDER THIS SECTION, THE APPLICANT SHALL  
4 IMMEDIATELY SURRENDER THE EMERGENCY LICENSE TO THE COUNTY CLERK BY  
5 MAIL OR IN PERSON IF THAT EMERGENCY LICENSE HAS NOT EXPIRED. AN  
6 INDIVIDUAL WHO FAILS TO SURRENDER A LICENSE AS REQUIRED BY THIS  
7 SUBSECTION AFTER HE OR SHE WAS NOTIFIED OF A STATUTORY  
8 DISQUALIFICATION IS GUILTY OF A MISDEMEANOR PUNISHABLE BY  
9 IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A FINE OF NOT MORE THAN  
10 \$500.00, OR BOTH.

11 (5) ~~(9)~~ The legislative service bureau shall compile the  
12 firearms laws of this state, including laws that apply to carrying  
13 a concealed pistol, and shall provide copies of the compilation **IN**  
14 **AN ELECTRONIC FORMAT** to ~~each concealed weapon licensing board in~~  
15 ~~this state for distribution under this subsection. A concealed~~  
16 ~~weapon licensing board~~ **THE DEPARTMENT OF STATE POLICE. THE**  
17 **DEPARTMENT OF STATE POLICE SHALL PROVIDE A COPY OF THE COMPILED**  
18 **LAWS TO EACH COUNTY CLERK IN THIS STATE. THE DEPARTMENT OF STATE**  
19 **POLICE SHALL ALSO PROVIDE FORMS TO APPEAL ANY NOTICE OF STATUTORY**  
20 **DISQUALIFICATION, OR SUSPENSION OR REVOCATION OF A LICENSE UNDER**  
21 **THIS ACT. THE DEPARTMENT OF STATE POLICE SHALL DISTRIBUTE COPIES OF**  
22 **THE COMPILATION AND FORMS REQUIRED UNDER THIS SUBSECTION IN**  
23 **ELECTRONIC FORMAT TO EACH COUNTY CLERK. THE COUNTY CLERK shall**  
24 **distribute a copy of the compilation AND FORMS AT NO CHARGE** to each  
25 individual who applies for a license to carry a concealed pistol at  
26 the time the application is submitted. The ~~concealed weapon~~  
27 ~~licensing board~~ **COUNTY CLERK** shall require the applicant to sign a

1 written statement acknowledging that he or she has received a copy  
2 of the compilation **AND FORMS PROVIDED UNDER THIS SUBSECTION**. An  
3 individual is not eligible to receive a license to carry a  
4 concealed pistol until he or she has signed the statement.

5       Sec. 5b. (1) To obtain a license to carry a concealed pistol,  
6 an individual shall apply to the ~~concealed weapon licensing board~~  
7 **COUNTY CLERK** in the county in which that individual resides. The  
8 ~~application~~**APPLICANT** shall ~~be filed~~**FILE THE APPLICATION** with the  
9 county clerk **IN THE COUNTY IN WHICH THE APPLICANT RESIDES** during  
10 the county clerk's normal business hours. The application shall be  
11 on a form provided by the director of the department of state  
12 police and shall allow the applicant to designate whether the  
13 applicant seeks a ~~temporary~~**AN EMERGENCY** license. The application  
14 shall be signed under oath by the applicant. The oath shall be  
15 administered by the county clerk or his or her representative. **NOT**  
16 **MORE THAN 1 APPLICATION MAY BE SUBMITTED UNDER THIS SUBSECTION IN**  
17 **ANY CALENDAR YEAR. AN APPLICATION UNDER THIS SECTION EXPIRES 1 YEAR**  
18 **FROM THE DATE OF APPLICATION. THE COUNTY CLERK SHALL ISSUE THE**  
19 **APPLICANT A RECEIPT FOR HIS OR HER APPLICATION AT THE TIME THE**  
20 **APPLICATION IS SUBMITTED. THE RECEIPT SHALL CONTAIN THE NAME OF THE**  
21 **APPLICANT, THE APPLICANT'S STATE-ISSUED DRIVER LICENSE OR PERSONAL**  
22 **IDENTIFICATION NUMBER, THE DATE AND TIME THE RECEIPT IS ISSUED, THE**  
23 **AMOUNT PAID, THE NAME OF THE COUNTY IN WHICH THE RECEIPT IS ISSUED,**  
24 **AN IMPRESSION OF THE COUNTY SEAL, AND THE STATEMENT, "THIS RECEIPT**  
25 **WAS ISSUED FOR THE PURPOSE OF APPLYING FOR A CONCEALED PISTOL**  
26 **LICENSE AND FOR OBTAINING FINGERPRINTS RELATED TO THAT APPLICATION.**  
27 **THIS RECEIPT DOES NOT AUTHORIZE AN INDIVIDUAL TO CARRY A CONCEALED**

1 **PISTOL IN THIS STATE."** The application shall contain all of the  
2 following: ~~information.~~

3 (a) The applicant's legal name, ~~and date of birth, and the~~  
4 address of his or her primary residence, **AND HIS OR HER STATE-**  
5 **ISSUED DRIVER LICENSE OR PERSONAL IDENTIFICATION NUMBER.** ~~If the~~  
6 ~~applicant resides in a city, village, or township that has a police~~  
7 ~~department, the name of the police department.~~

8 (b) A statement by the applicant that the applicant meets the  
9 criteria for a license under this act to carry a concealed pistol.

10 (c) A statement by the applicant authorizing the ~~concealed~~  
11 ~~weapon licensing board~~ **DEPARTMENT OF STATE POLICE** to access any  
12 record, ~~including any medical record, pertaining to the~~  
13 ~~applicant's qualifications for a license to carry a concealed~~  
14 ~~pistol under this act. The applicant may request that information~~  
15 ~~received by the concealed weapon licensing board under this~~  
16 ~~subdivision be reviewed in a closed session. If the applicant~~  
17 ~~requests that the session be closed, the concealed weapon licensing~~  
18 ~~board shall close the session only for purposes of this~~  
19 ~~subdivision. The applicant and his or her representative have the~~  
20 ~~right to be present in the closed session.~~ **NEEDED TO PERFORM THE**  
21 **VERIFICATION IN SUBSECTION (6).**

22 (d) A statement by the applicant regarding whether he or she  
23 has a history of mental illness that would disqualify him or her  
24 under subsection (7)(j) to (l) from receiving a license to carry a  
25 concealed pistol. ~~, and authorizing the concealed weapon licensing~~  
26 ~~board to access the mental health records of the applicant relating~~  
27 ~~to his or her mental health history. The applicant may request that~~

~~information received by the concealed weapon licensing board under this subdivision be reviewed in a closed session. If the applicant requests that the session be closed, the concealed weapon licensing board shall close the session only for purposes of this subdivision. The applicant and his or her representative have the right to be present in the closed session.~~

(e) A statement by the applicant regarding whether he or she has ever been convicted in this state or elsewhere for any of the following:

(i) Any felony.

(ii) A misdemeanor listed under subsection (7) (h) ~~or (i)~~, if the applicant was convicted of that misdemeanor in the 8 years immediately preceding the date of the application, **OR A MISDEMEANOR LISTED UNDER SUBSECTION (7) (I) IF THE APPLICANT WAS CONVICTED OF THAT MISDEMEANOR IN THE 3 YEARS IMMEDIATELY PRECEDING THE DATE OF THE APPLICATION.**

(f) A statement by the applicant whether he or she has been dishonorably discharged from the United States armed forces.

~~(g) If the applicant seeks a temporary license, the facts supporting the issuance of that temporary license.~~

~~(h) The names, residential addresses, and telephone numbers of 2 individuals who are references for the applicant.~~

**(G) (i) A passport-quality photograph of the applicant provided by the applicant at the time of application. OR, IF THE APPLICANT DOES NOT PROVIDE HIS OR HER OWN PASSPORT-QUALITY PHOTOGRAPH, A PHOTOGRAPH OF THE APPLICANT TAKEN BY THE COUNTY CLERK AT NO CHARGE OR FOR A REASONABLE FEE. THE COUNTY CLERK SHALL**

1 DEPOSIT ANY FEE COLLECTED UNDER THIS SUBDIVISION IN THE CONCEALED  
2 PISTOL LICENSING FUND CREATED IN SECTION 5X. THE COUNTY CLERK SHALL  
3 NOT REQUIRE THE APPLICANT TO HAVE HIS OR HER PHOTOGRAPH TAKEN BY  
4 THE COUNTY CLERK OR BY ANY OTHER SPECIFIC OFFICE OR VENDOR IF THE  
5 APPLICANT PROVIDES HIS OR HER OWN PHOTOGRAPH THAT COMPLIES WITH THE  
6 REQUIREMENT OF THIS SUBDIVISION UNLESS THE COUNTY CLERK DOES NOT  
7 CHARGE A FEE OR THE FEE IS INCLUDED IN THE FEE AUTHORIZED UNDER  
8 SECTION 5C(1).

9 (H) ~~(j)~~—A certificate stating that the applicant has completed  
10 the training course prescribed by this act.

11 (2) THE COUNTY CLERK SHALL NOT REQUIRE THE APPLICANT TO SUBMIT  
12 ANY ADDITIONAL FORMS, DOCUMENTS, LETTERS, OR OTHER EVIDENCE OF  
13 ELIGIBILITY FOR OBTAINING A LICENSE TO CARRY A CONCEALED PISTOL  
14 EXCEPT AS SET FORTH IN SUBSECTION (1) OR AS OTHERWISE PROVIDED FOR  
15 IN THIS ACT. The application form shall contain a conspicuous  
16 warning that the application is executed under oath and that  
17 intentionally making a material false statement on the application  
18 is a felony punishable by imprisonment for not more than 4 years or  
19 a fine of not more than \$2,500.00, or both.

20 (3) An individual who intentionally makes a material false  
21 statement on an application under subsection (1) is guilty of a  
22 felony punishable by imprisonment for not more than 4 years or a  
23 fine of not more than \$2,500.00, or both.

24 (4) The ~~concealed weapon licensing board~~ COUNTY CLERK shall  
25 retain a copy of each application for a license to carry a  
26 concealed pistol as an official record. One year after the  
27 expiration of a concealed pistol license, the county clerk may

1 destroy the record and maintain only a name index of the record.

2 (5) ~~Each~~ **UNTIL OCTOBER 1, 2015, EACH** applicant shall pay a  
 3 ~~nonrefundable~~ **AN APPLICATION AND LICENSING** fee of \$105.00 by any  
 4 method of payment accepted by that county for payments of other  
 5 fees and penalties. **BEGINNING OCTOBER 1, 2015, EACH APPLICANT SHALL**  
 6 **PAY AN APPLICATION AND LICENSING FEE OF \$90.00 BY ANY METHOD OF**  
 7 **PAYMENT ACCEPTED BY THAT COUNTY FOR PAYMENTS OF OTHER FEES AND**  
 8 **PENALTIES.** Except ~~for a local police agency as provided in~~  
 9 subsection (9), ~~a unit of local government, an agency of a unit of~~  
 10 ~~local government, or an agency or department of this state shall~~  
 11 ~~not charge an additional fee, assessment, or other amount in~~  
 12 ~~connection with a license under this section.~~ **NO OTHER CHARGE, FEE,**  
 13 **COST, OR ASSESSMENT, INCLUDING ANY LOCAL CHARGE, FEE, COST, OR**  
 14 **ASSESSMENT, IS REQUIRED OF THE APPLICANT EXCEPT AS SPECIFICALLY**  
 15 **AUTHORIZED IN THIS ACT.** The **APPLICATION AND LICENSING** fee shall be  
 16 payable to the county. ~~The~~ **UNTIL OCTOBER 1, 2015, THE** county  
 17 treasurer shall deposit ~~\$41.00~~ **\$15.00** of each **APPLICATION AND**  
 18 **LICENSING** fee collected under this section in the general fund of  
 19 the county and credit ~~\$26.00 of that deposit to the credit of the~~  
 20 ~~county clerk and \$15.00 of that deposit to the credit of the county~~  
 21 sheriff and **DEPOSIT \$26.00 OF EACH FEE COLLECTED UNDER THIS SECTION**  
 22 **IN THE CONCEALED PISTOL LICENSING FUND CREATED IN SECTION 5X.**  
 23 **BEGINNING OCTOBER 1, 2015, THE COUNTY TREASURER SHALL DEPOSIT**  
 24 **\$26.00 OF EACH APPLICATION AND LICENSING FEE COLLECTED UNDER THIS**  
 25 **SECTION IN THE CONCEALED PISTOL LICENSING FUND CREATED IN SECTION**  
 26 **5X. THE COUNTY TREASURER SHALL** forward the balance **REMAINING** to the  
 27 state treasurer. The state treasurer shall deposit the balance of

1 the fee in the general fund to the credit of the department of  
 2 state police. The department of state police shall use the money  
 3 received under this act ~~to process the fingerprints and to~~  
 4 ~~reimburse the federal bureau of investigation for the costs~~  
 5 ~~associated with processing fingerprints submitted~~ **ONLY TO FULFILL**  
 6 **ITS OBLIGATIONS** under this act. The balance of the money received  
 7 under this act shall be credited to the department of state police.

8 (6) ~~The county sheriff on behalf of the concealed weapon~~  
 9 ~~licensing board shall verify the requirements of subsection (7)(d),~~  
 10 ~~(e), (f), (h), (i), (j), (k), (l), and (m) through the law~~  
 11 ~~enforcement information network and~~ **THE DEPARTMENT OF STATE POLICE**  
 12 **SHALL VERIFY THE REQUIREMENTS OF SUBSECTION (7)(D), (E), (F), (H),**  
 13 **(I), (J), (K), AND (M) THROUGH THE LAW ENFORCEMENT INFORMATION**  
 14 **NETWORK AND THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM**  
 15 **AND SHALL** report his or her finding to the concealed weapon  
 16 licensing board. If the applicant resides in a city, village, or  
 17 township that has a police department, the concealed weapon  
 18 licensing board shall contact that city, village, or township  
 19 police department to determine only whether that city, village, or  
 20 township police department has any information relevant to the  
 21 investigation of whether the applicant is eligible under this act  
 22 to receive a license to carry a concealed pistol. The concealed  
 23 weapon licensing board may require a person claiming active duty  
 24 status with the United States armed forces under this section to  
 25 provide proof of 1 or both of the following:

26 ——— (a) ~~The person's home of record.~~

27 ——— (b) ~~Permanent active duty assignment in this state.~~ **TO THE**

1 COUNTY CLERK ALL STATUTORY DISQUALIFICATIONS, IF ANY, UNDER THIS  
2 ACT THAT APPLY TO AN APPLICANT.

3 (7) The ~~concealed weapon licensing board~~ COUNTY CLERK shall  
4 issue AND SHALL SEND BY FIRST-CLASS MAIL a license to an applicant  
5 to carry a concealed pistol within the period required under this  
6 act ~~after the applicant properly submits an application under~~  
7 ~~subsection (1) and IF the concealed weapon licensing board~~ COUNTY  
8 CLERK determines that all of the following circumstances exist:

9 (a) The applicant is 21 years of age or older.

10 (b) The applicant is a citizen of the United States or is an  
11 alien lawfully admitted into the United States, is a legal resident  
12 of this state, and has resided in this state for not less than the  
13 6 months immediately preceding the date of application. The  
14 ~~concealed weapon licensing board may~~ COUNTY CLERK SHALL waive the  
15 6-month residency requirement for a ~~temporary~~ AN EMERGENCY license  
16 under section ~~5a(8)~~ 5A(4) if the ~~concealed weapon licensing board~~  
17 COUNTY SHERIFF determines there is probable cause to believe the  
18 safety of the applicant or the safety of a member of the  
19 applicant's family OR HOUSEHOLD is endangered by the applicant's  
20 inability to immediately obtain a license to carry a concealed  
21 pistol. If the applicant holds a valid concealed pistol license  
22 issued by another state at the time the applicant's residency in  
23 this state is established, the ~~concealed weapon licensing board may~~  
24 COUNTY CLERK SHALL waive the 6-month waiting period and the  
25 applicant may apply for a concealed pistol license at the time the  
26 applicant's residency in this state is established. ~~The concealed~~  
27 ~~weapon licensing board shall immediately issue a temporary license~~

1 ~~to that applicant. The temporary license is valid until the~~  
2 ~~concealed weapon licensing board decides whether to grant or deny~~  
3 ~~the application. For the purposes of this section, a person shall~~  
4 ~~be~~ IS considered a legal resident of this state if any of the  
5 following apply:

6 (i) The person has a valid, lawfully obtained ~~Michigan~~ driver  
7 license issued under the Michigan vehicle code, 1949 PA 300, MCL  
8 257.1 to 257.923, or official state personal identification card  
9 issued under 1972 PA 222, MCL 28.291 to 28.300.

10 (ii) The person is lawfully registered to vote in this state.

11 (iii) The person is on active duty status with the United States  
12 armed forces and is stationed outside of this state, but the  
13 person's home of record is in this state.

14 (iv) The person is on active duty status with the United States  
15 armed forces and is permanently stationed in this state, but the  
16 person's home of record is in another state.

17 (c) The applicant has knowledge and has had training in the  
18 safe use and handling of a pistol by the successful completion of a  
19 pistol safety training course or class that meets the requirements  
20 of section 5j. ~~, and that is available to the general public and~~  
21 ~~presented by a law enforcement agency, junior or community college,~~  
22 ~~college, or public or private institution or organization or~~  
23 ~~firearms training school.~~

24 (d) The applicant is not the subject of an order or  
25 disposition under any of the following:

26 (i) Section 464a of the mental health code, 1974 PA 258, MCL  
27 330.1464a.

1           (ii) Section 5107 of the estates and protected individuals  
2 code, 1998 PA 386, MCL 700.5107.

3           (iii) Sections 2950 and 2950a of the revised judicature act of  
4 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, **IF THAT ORDER**  
5 **INCLUDES A RESTRICTION THAT THE APPLICANT IS NOT ALLOWED TO**  
6 **PURCHASE OR POSSESS A FIREARM.**

7           (iv) Section 6b of chapter V of the code of criminal procedure,  
8 1927 PA 175, MCL 765.6b, if the order has a condition imposed under  
9 section 6b(3) of chapter V of the code of criminal procedure, 1927  
10 PA 175, MCL 765.6b.

11           (v) Section 16b of chapter IX of the code of criminal  
12 procedure, 1927 PA 175, MCL 769.16b.

13           (e) The applicant is not prohibited from possessing, using,  
14 transporting, selling, purchasing, carrying, shipping, receiving,  
15 or distributing a firearm under section 224f of the Michigan penal  
16 code, 1931 PA 328, MCL 750.224f.

17           (f) The applicant has never been convicted of a felony in this  
18 state or elsewhere, and a felony charge against the applicant is  
19 not pending in this state or elsewhere at the time he or she  
20 applies for a license described in this section.

21           (g) The applicant has not been dishonorably discharged from  
22 the United States armed forces.

23           (h) The applicant has not been convicted of a misdemeanor  
24 violation of any of the following in the 8 years immediately  
25 preceding the date of application **AND A CHARGE FOR A MISDEMEANOR**  
26 **VIOLATION OF ANY OF THE FOLLOWING IS NOT PENDING AGAINST THE**  
27 **APPLICANT IN THIS STATE OR ELSEWHERE AT THE TIME HE OR SHE APPLIES**

1 FOR A LICENSE DESCRIBED IN THIS SECTION:

2 ~~—— (i) Section 617a of the Michigan vehicle code, 1949 PA 300, MCL~~  
 3 ~~257.617a (failing to stop when involved in a personal injury~~  
 4 ~~accident).~~

5 ~~—— (ii) Section 625 of the Michigan vehicle code, 1949 PA 300, MCL~~  
 6 ~~257.625, punishable as provided in subsection (9)(b) of that~~  
 7 ~~section (operating while intoxicated, second offense).~~

8 ~~—— (iii) Section 625m of the Michigan vehicle code, 1949 PA 300,~~  
 9 ~~MCL 257.625m punishable under subsection (4) of that section~~  
 10 ~~(operating a commercial vehicle with alcohol content, second~~  
 11 ~~offense).~~

12 ~~—— (iv) Section 626 of the Michigan vehicle code, 1949 PA 300, MCL~~  
 13 ~~257.626 (reckless driving).~~

14 ~~—— (v) Section 904(1) of the Michigan vehicle code, 1949 PA 300,~~  
 15 ~~MCL 257.904 (operating while license suspended or revoked),~~  
 16 ~~punishable as a second or subsequent offense.~~

17 (i) SECTION 617A (FAILING TO STOP WHEN INVOLVED IN A PERSONAL  
 18 INJURY ACCIDENT), SECTION 625 AS PUNISHABLE UNDER SUBSECTION (9)(B)  
 19 OF THAT SECTION (OPERATING WHILE INTOXICATED, SECOND OFFENSE),  
 20 SECTION 625M AS PUNISHABLE UNDER SUBSECTION (4) OF THAT SECTION  
 21 (OPERATING A COMMERCIAL VEHICLE WITH ALCOHOL CONTENT, SECOND  
 22 OFFENSE), SECTION 626 (RECKLESS DRIVING), OR A VIOLATION OF SECTION  
 23 904(1) (OPERATING WHILE LICENSE SUSPENDED OR REVOKED, SECOND OR  
 24 SUBSEQUENT OFFENSE) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL  
 25 257.617A, 257.625, 257.625M, 257.626, AND 257.904.

26 (ii) ~~(vi)~~ Section ~~185~~ 185(7) of the aeronautics code of the  
 27 state of Michigan, 1945 PA 327, MCL 259.185 (operating aircraft

1 while under the influence of intoxicating liquor or a controlled  
2 substance with prior conviction).

3 (iii) ~~(vii)~~ Section 29 of the weights and measures act, 1964 PA  
4 283, MCL 290.629 (hindering or obstructing certain persons  
5 performing official weights and measures duties).

6 (iv) ~~(viii)~~ Section 10 of the motor fuels quality act, 1984 PA  
7 44, MCL 290.650 (hindering, obstructing, assaulting, or committing  
8 bodily injury upon director or authorized representative).

9 ~~—— (ix) Section 81134 of the natural resources and environmental~~  
10 ~~protection act, 1994 PA 451, MCL 324.81134, punishable under~~  
11 ~~subsection (5) of that section (operating ORV under the influence~~  
12 ~~of intoxicating liquor or a controlled substance, second or~~  
13 ~~subsequent offense).~~

14 ~~—— (x) Section 82127 of the natural resources and environmental~~  
15 ~~protection act, 1994 PA 451, MCL 324.82127 (operating a snowmobile~~  
16 ~~under the influence of intoxicating liquor or a controlled~~  
17 ~~substance), punishable as a second or subsequent offense under~~  
18 ~~section 82128(1)(b) of the natural resources and environmental~~  
19 ~~protection act, 1994 PA 451, MCL 324.82128.~~

20 ~~—— (xi) Section 80176 of the natural resources and environmental~~  
21 ~~protection act, 1994 PA 451, MCL 324.80176, and punishable under~~  
22 ~~section 80177(1)(b) (operating vessel under the influence of~~  
23 ~~intoxicating liquor or a controlled substance, second or subsequent~~  
24 ~~offense).~~

25 (v) SECTION 80176 AS PUNISHABLE UNDER SECTION 80177(1)(B)  
26 (OPERATING VESSEL UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR A  
27 CONTROLLED SUBSTANCE, SECOND OFFENSE), SECTION 81134 AS PUNISHABLE

1 UNDER SUBSECTION (5) OF THAT SECTION (OPERATING ORV UNDER THE  
 2 INFLUENCE OF INTOXICATING LIQUOR OR A CONTROLLED SUBSTANCE, SECOND  
 3 OR SUBSEQUENT OFFENSE), OR SECTION 82127 AS PUNISHABLE UNDER  
 4 SECTION 82128(1)(B) (OPERATING SNOWMOBILE UNDER THE INFLUENCE OF  
 5 INTOXICATING LIQUOR OR A CONTROLLED SUBSTANCE, SECOND OFFENSE) OF  
 6 THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA  
 7 451, MCL 324.80176, 324.80177, 324.81134, 324.82127, AND 324.82128.

8 (vi) ~~(xii)~~ Section 7403 of the public health code, 1978 PA 368,  
 9 MCL 333.7403 (POSSESSION OF CONTROLLED SUBSTANCE, CONTROLLED  
 10 SUBSTANCE ANALOGUE, OR PRESCRIPTION FORM).

11 (vii) ~~(xiii)~~ Section 353 of the railroad code of 1993, 1993 PA  
 12 354, MCL 462.353, ~~(operating locomotive under the influence of~~  
 13 ~~intoxicating liquor or a controlled substance, or while visibly~~  
 14 ~~impaired)~~, punishable under subsection (4) of that section  
 15 (OPERATING LOCOMOTIVE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR  
 16 A CONTROLLED SUBSTANCE, OR WHILE VISIBLY IMPAIRED, SECOND OFFENSE).

17 (viii) ~~(xiv)~~ Section 7 of 1978 PA 33, MCL 722.677 (displaying  
 18 sexually explicit matter to minors).

19 ~~—— (xv) Section 81 of the Michigan penal code, 1931 PA 328, MCL~~  
 20 ~~750.81 (assault or domestic assault).~~

21 ~~—— (xvi) Section 81a(1) or (2) of the Michigan penal code, 1931 PA~~  
 22 ~~328, MCL 750.81a (aggravated assault or aggravated domestic~~  
 23 ~~assault).~~

24 ~~—— (xvii) Section 115 of the Michigan penal code, 1931 PA 328, MCL~~  
 25 ~~750.115 (breaking and entering or entering without breaking).~~

26 ~~—— (xviii) Section 136b(7) of the Michigan penal code, 1931 PA 328,~~  
 27 ~~MCL 750.136b (fourth degree child abuse).~~

1 ~~—— (xix) Section 145a of the Michigan penal code, 1931 PA 328, MCL~~  
2 ~~750.145a (accosting, enticing, or soliciting a child for immoral~~  
3 ~~purposes).~~

4 ~~—— (xx) Section 145n of the Michigan penal code, 1931 PA 328, MCL~~  
5 ~~750.145n (vulnerable adult abuse).~~

6 ~~—— (xxi) Section 157b(3) (b) of the Michigan penal code, 1931 PA~~  
7 ~~328, MCL 750.157b (solicitation to commit a felony).~~

8 ~~—— (xxii) Section 215 of the Michigan penal code, 1931 PA 328, MCL~~  
9 ~~750.215 (impersonating peace officer or medical examiner).~~

10 ~~—— (xxiii) Section 223 of the Michigan penal code, 1931 PA 328, MCL~~  
11 ~~750.223 (illegal sale of a firearm or ammunition).~~

12 ~~—— (xxiv) Section 224d of the Michigan penal code, 1931 PA 328,~~  
13 ~~MCL 750.224d (illegal use or sale of a self defense spray).~~

14 ~~—— (xxv) Section 226a of the Michigan penal code, 1931 PA 328, MCL~~  
15 ~~750.226a (sale or possession of a switchblade).~~

16 ~~—— (xxvi) Section 227c of the Michigan penal code, 1931 PA 328,~~  
17 ~~MCL 750.227c (improper transportation of a loaded firearm).~~

18 ~~—— (xxvii) Former section 228 of the Michigan penal code, 1931 PA~~  
19 ~~328 (failure to have a pistol inspected).~~

20 ~~—— (xxviii) Section 229 of the Michigan penal code, 1931 PA 328,~~  
21 ~~MCL 750.229 (accepting a pistol in pawn).~~

22 ~~—— (xxix) Section 232 of the Michigan penal code, 1931 PA 328, MCL~~  
23 ~~750.232 (failure to register the purchase of a firearm or a firearm~~  
24 ~~component).~~

25 ~~—— (xxx) Section 232a of the Michigan penal code, 1931 PA 328, MCL~~  
26 ~~750.232a (improperly obtaining a pistol, making a false statement~~  
27 ~~on an application to purchase a pistol, or using false~~

1 ~~identification to purchase a pistol).~~  
2 ~~—— (xxxi) Section 233 of the Michigan penal code, 1931 PA 328, MCL~~  
3 ~~750.233 (intentionally aiming a firearm without malice).~~  
4 ~~—— (xxxii) Section 234 of the Michigan penal code, 1931 PA 328, MCL~~  
5 ~~750.234 (intentionally discharging a firearm aimed without malice).~~  
6 ~~—— (xxxiii) Section 234d of the Michigan penal code, 1931 PA 328,~~  
7 ~~MCL 750.234d (possessing a firearm on prohibited premises).~~  
8 ~~—— (xxxiv) Section 234e of the Michigan penal code, 1931 PA 328,~~  
9 ~~MCL 750.234e (brandishing a firearm in public).~~  
10 ~~—— (xxxv) Section 234f of the Michigan penal code, 1931 PA 328,~~  
11 ~~MCL 750.234f (possession of a firearm by an individual less than 18~~  
12 ~~years of age).~~  
13 ~~—— (xxxvi) Section 235 of the Michigan penal code, 1931 PA 328, MCL~~  
14 ~~750.235 (intentionally discharging a firearm aimed without malice~~  
15 ~~causing injury).~~  
16 ~~—— (xxxvii) Section 235a of the Michigan penal code, 1931 PA 328,~~  
17 ~~MCL 750.235a (parent of a minor who possessed a firearm in a weapon~~  
18 ~~free school zone).~~  
19 ~~—— (xxxviii) Section 236 of the Michigan penal code, 1931 PA 328,~~  
20 ~~MCL 750.236 (setting a spring gun or other device).~~  
21 ~~—— (xxxix) Section 237 of the Michigan penal code, 1931 PA 328, MCL~~  
22 ~~750.237 (possessing a firearm while under the influence of~~  
23 ~~intoxicating liquor or a drug).~~  
24 ~~—— (xl) Section 237a of the Michigan penal code, 1931 PA 328, MCL~~  
25 ~~750.237a (weapon free school zone violation).~~  
26 ~~—— (xli) Section 335a of the Michigan penal code, 1931 PA 328, MCL~~  
27 ~~750.335a (indecent exposure).~~

~~(xlii) Section 411h of the Michigan penal code, 1931 PA 328, MCL 750.411h (stalking).~~

~~(xlili) Section 520e of the Michigan penal code, 1931 PA 328, MCL 750.520e (fourth degree criminal sexual conduct).~~

~~(xliv) Section 1 of 1952 PA 45, MCL 752.861 (reckless, careless, or negligent use of a firearm resulting in injury or death).~~

~~(xlv) Section 2 of 1952 PA 45, MCL 752.862 (careless, reckless, or negligent use of a firearm resulting in property damage).~~

~~(xlv) Section 3a of 1952 PA 45, MCL 752.863a (reckless discharge of a firearm).~~

(ix) SECTION 81 (ASSAULT OR DOMESTIC ASSAULT), SECTION 81A(1) OR (2) (AGGRAVATED ASSAULT OR AGGRAVATED DOMESTIC ASSAULT), SECTION 115 (BREAKING AND ENTERING OR ENTERING WITHOUT BREAKING), SECTION 136B(7) (FOURTH DEGREE CHILD ABUSE), SECTION 145N (VULNERABLE ADULT ABUSE), SECTION 157B(3)(B) (SOLICITATION TO COMMIT A FELONY), SECTION 215 (IMPERSONATING PEACE OFFICER OR MEDICAL EXAMINER), SECTION 223 (ILLEGAL SALE OF A FIREARM OR AMMUNITION), SECTION 224D (ILLEGAL USE OR SALE OF A SELF-DEFENSE SPRAY), SECTION 226A (SALE OR POSSESSION OF A SWITCHBLADE), SECTION 227C (IMPROPER TRANSPORTATION OF A LOADED FIREARM), SECTION 229 (ACCEPTING A PISTOL IN PAWN), SECTION 232 (FAILURE TO REGISTER THE PURCHASE OF A FIREARM OR A FIREARM COMPONENT), SECTION 232A (IMPROPERLY OBTAINING A PISTOL, MAKING A FALSE STATEMENT ON AN APPLICATION TO PURCHASE A PISTOL, OR USING FALSE IDENTIFICATION TO PURCHASE A PISTOL), SECTION 233 (INTENTIONALLY AIMING A FIREARM WITHOUT MALICE), SECTION 234 (INTENTIONALLY DISCHARGING A FIREARM AIMED WITHOUT MALICE), SECTION 234D (POSSESSING A FIREARM ON PROHIBITED

PREMISES), SECTION 234E (BRANDISHING A FIREARM IN PUBLIC), SECTION 234F (POSSESSION OF A FIREARM BY AN INDIVIDUAL LESS THAN 18 YEARS OF AGE), SECTION 235 (INTENTIONALLY DISCHARGING A FIREARM AIMED WITHOUT MALICE CAUSING INJURY), SECTION 235A (PARENT OF A MINOR WHO POSSESSED A FIREARM IN A WEAPON FREE SCHOOL ZONE), SECTION 236 (SETTING A SPRING GUN OR OTHER DEVICE), SECTION 237 (POSSESSING A FIREARM WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR A CONTROLLED SUBSTANCE), SECTION 237A (WEAPON FREE SCHOOL ZONE VIOLATION), SECTION 335A (INDECENT EXPOSURE), SECTION 411H (STALKING), OR SECTION 520E (FOURTH DEGREE CRIMINAL SEXUAL CONDUCT) OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.81, 750.81A, 750.115, 750.136B, 750.145N, 750.157B, 750.215, 750.223, 750.224D, 750.226A, 750.227C, 750.229, 750.232, 750.232A, 750.233, 750.234, 750.234D, 750.234E, 750.234F, 750.235, 750.235A, 750.236, 750.237, 750.237A, 750.335A, 750.411H, AND 750.520E.

(x) FORMER SECTION 228 OF THE MICHIGAN PENAL CODE, 1931 PA 328.

(xi) SECTION 1 (RECKLESS, CARELESS, OR NEGLIGENT USE OF A FIREARM RESULTING IN INJURY OR DEATH), SECTION 2 (CARELESS, RECKLESS, OR NEGLIGENT USE OF A FIREARM RESULTING IN PROPERTY DAMAGE), OR SECTION 3A (RECKLESS DISCHARGE OF A FIREARM) OF 1952 PA 45, MCL 752.861, 752.862, AND 752.863A.

(xii) ~~(xlvii)~~ A violation of a law of the United States, another state, or a local unit of government of this state or another state substantially corresponding to a violation described in subparagraphs (i) to ~~(xvi)~~ (xi).

(i) The applicant has not been convicted of a misdemeanor

violation of any of the following in the 3 years immediately preceding the date of application unless the misdemeanor violation is listed under subdivision (h) **AND A CHARGE FOR A MISDEMEANOR VIOLATION OF ANY OF THE FOLLOWING IS NOT PENDING AGAINST THE APPLICANT IN THIS STATE OR ELSEWHERE AT THE TIME HE OR SHE APPLIES FOR A LICENSE DESCRIBED IN THIS SECTION:**

~~(i) Section 625 of the Michigan vehicle code, 1949 PA 300, MCL 257.625 (operating under the influence).~~

~~(ii) Section 625a of the Michigan vehicle code, 1949 PA 300, MCL 257.625a (refusal of commercial vehicle operator to submit to a chemical test).~~

~~(iii) Section 625k of the Michigan vehicle code, 1949 PA 300, MCL 257.625k (ignition interlock device reporting violation).~~

~~(iv) Section 625l of the Michigan vehicle code, 1949 PA 300, MCL 257.625l (circumventing an ignition interlocking device).~~

~~(v) Section 625m of the Michigan vehicle code, 1949 PA 300, MCL 257.625m, punishable under subsection (3) of that section (operating a commercial vehicle with alcohol content).~~

**(i) SECTION 625 (OPERATING UNDER THE INFLUENCE), SECTION 625A (REFUSAL OF COMMERCIAL VEHICLE OPERATOR TO SUBMIT TO A CHEMICAL TEST), SECTION 625K (IGNITION INTERLOCK DEVICE REPORTING VIOLATION), SECTION 625L (CIRCUMVENTING AN IGNITION INTERLOCK DEVICE), OR SECTION 625M PUNISHABLE UNDER SUBSECTION (3) OF THAT SECTION (OPERATING A COMMERCIAL VEHICLE WITH ALCOHOL CONTENT) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.625, 257.625A, 257.625K, 257.625L, AND 257.625M.**

**(ii) ~~(vi)~~ Section 185 of the aeronautics code of the state of**

Michigan, 1945 PA 327, MCL 259.185 (operating aircraft under the influence).

~~—— (vii) Section 81134 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81134 (operating ORV under the influence).~~

~~—— (viii) Section 81135 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81135 (operating ORV while visibly impaired).~~

~~—— (ix) Section 82127 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82127 (operating a snowmobile under the influence).~~

**(iii) SECTION 81134 (OPERATING ORV UNDER THE INFLUENCE), SECTION 81135 (OPERATING ORV WHILE VISIBLY IMPAIRED), OR SECTION 82127 (OPERATING A SNOWMOBILE UNDER THE INFLUENCE) OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.81134, 324.81135, AND 324.82127.**

**(iv) ~~(x)~~** Part 74 of the public health code, 1978 PA 368, MCL 333.7401 to 333.7461 (controlled substance violation).

**(v) ~~(xi)~~** Section 353 of the railroad code of 1993, 1993 PA 354, MCL 462.353, ~~(operating locomotive under the influence)~~, punishable under subsection (3) of that section **(OPERATING LOCOMOTIVE UNDER THE INFLUENCE)**.

~~—— (xii) Section 167 of the Michigan penal code, 1931 PA 328, MCL 750.167 (disorderly person).~~

~~—— (xiii) Section 174 of the Michigan penal code, 1931 PA 328, MCL 750.174 (embezzlement).~~

~~—— (xiv) Section 218 of the Michigan penal code, 1931 PA 328, MCL~~

1 ~~750.218 (false pretenses with intent to defraud).~~  
 2 ~~—— (xv) Section 356 of the Michigan penal code, 1931 PA 328, MCL~~  
 3 ~~750.356 (larceny).~~  
 4 ~~—— (xvi) Section 356d of the Michigan penal code, 1931 PA 328, MCL~~  
 5 ~~750.356d (second degree retail fraud).~~  
 6 ~~—— (xvii) Section 359 of the Michigan penal code, 1931 PA 328, MCL~~  
 7 ~~750.359 (larceny vacant building).~~  
 8 ~~—— (xviii) Section 362 of the Michigan penal code, 1931 PA 328, MCL~~  
 9 ~~750.362 (larceny by conversion).~~  
 10 ~~—— (xix) Section 362a of the Michigan penal code, 1931 PA 328, MCL~~  
 11 ~~750.362a (larceny defrauding lessor).~~  
 12 ~~—— (xx) Section 377a of the Michigan penal code, 1931 PA 328, MCL~~  
 13 ~~750.377a (malicious destruction of property).~~  
 14 ~~—— (xxi) Section 380 of the Michigan penal code, 1931 PA 328, MCL~~  
 15 ~~750.380 (malicious destruction of real property).~~  
 16 ~~—— (xxii) Section 535 of the Michigan penal code, 1931 PA 328, MCL~~  
 17 ~~750.535 (receiving stolen property).~~  
 18 ~~—— (xxiii) Section 540e of the Michigan penal code, 1931 PA 328,~~  
 19 ~~MCL 750.540e (malicious use of telephones).~~

20       (vi) SECTION 167 (DISORDERLY PERSON), SECTION 174  
 21 (EMBEZZLEMENT), SECTION 218 (FALSE PRETENSES WITH INTENT TO  
 22 DEFRAUD), SECTION 356 (LARCENY), SECTION 356D (SECOND DEGREE RETAIL  
 23 FRAUD), SECTION 359 (LARCENY FROM A VACANT BUILDING OR STRUCTURE),  
 24 SECTION 362 (LARCENY BY CONVERSION), SECTION 362A (LARCENY -  
 25 DEFRAUDING LESSOR), SECTION 377A (MALICIOUS DESTRUCTION OF  
 26 PROPERTY), SECTION 380 (MALICIOUS DESTRUCTION OF REAL PROPERTY),  
 27 SECTION 535 (RECEIVING OR CONCEALING STOLEN PROPERTY), OR SECTION

1 540E (MALICIOUS USE OF TELECOMMUNICATIONS SERVICE OR DEVICE) OF THE  
2 MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.167, 750.174, 750.218,  
3 750.356, 750.356D, 750.359, 750.362, 750.362A, 750.377A, 750.380,  
4 750.535, AND 750.540E.

5 (vii) ~~(xiv)~~ A violation of a law of the United States, another  
6 state, or a local unit of government of this state or another state  
7 substantially corresponding to a violation described in  
8 subparagraphs (i) to ~~(xiii)~~ (vi) .

9 (j) The applicant has not been found guilty but mentally ill  
10 of any crime and has not offered a plea of not guilty of, or been  
11 acquitted of, any crime by reason of insanity.

12 (k) The applicant **IS NOT CURRENTLY AND** has never been subject  
13 to an order of involuntary commitment in an inpatient or outpatient  
14 setting due to mental illness.

15 (l) The applicant does not have a ~~diagnosed~~ **DIAGNOSIS OF** mental  
16 illness **THAT INCLUDES AN ASSESSMENT THAT THE INDIVIDUAL PRESENTS A**  
17 **DANGER TO HIMSELF OR HERSELF OR TO ANOTHER** at the time the  
18 application is made, regardless of whether he or she is receiving  
19 treatment for that illness.

20 (m) The applicant is not under a court order of legal  
21 incapacity in this state or elsewhere.

22 ~~(n) Issuing a license to the applicant to carry a concealed~~  
23 ~~pistol in this state is not detrimental to the safety of the~~  
24 ~~applicant or to any other individual. A determination under this~~  
25 ~~subdivision shall be based on clear and convincing evidence of~~  
26 ~~repeated violations of this act, crimes, personal protection orders~~  
27 ~~or injunctions, or police reports or other clear and convincing~~

~~evidence of the actions of, or statements of, the applicant that~~  
~~bear directly on the applicant's ability to carry a concealed~~  
~~pistol.~~ **THE APPLICANT HAS A VALID STATE-ISSUED DRIVER LICENSE OR**  
**PERSONAL IDENTIFICATION CARD.**

(8) Upon entry of a court order or conviction of 1 of the  
enumerated prohibitions for using, transporting, selling,  
purchasing, carrying, shipping, receiving or distributing a firearm  
in this section the department of state police shall immediately  
enter the order or conviction into the law enforcement information  
network. For purposes of this act, information of the court order  
or conviction shall not be removed from the law enforcement  
information network, but may be moved to a separate file intended  
for the use of the ~~county concealed weapon licensing boards,~~  
**DEPARTMENT OF STATE POLICE,** the courts, and other government  
entities as necessary and exclusively to determine eligibility to  
be licensed under this act.

(9) An individual, after submitting an application and paying  
the fee prescribed under subsection (5), shall request ~~and have~~  
**THAT** classifiable fingerprints **BE** taken by the **COUNTY CLERK,**  
**DEPARTMENT OF STATE POLICE,** county sheriff, ~~or~~ a local police  
agency, ~~if~~ **OR OTHER ENTITY** that ~~local police agency maintains~~  
**PROVIDES** fingerprinting capability **FOR THE PURPOSES OF THIS ACT. AN**  
**INDIVIDUAL WHO HAS HAD CLASSIFIABLE FINGERPRINTS TAKEN UNDER**  
**SECTION 5A(4) DOES NOT NEED ADDITIONAL FINGERPRINTS TAKEN UNDER**  
**THIS SUBSECTION.** If the individual requests that classifiable  
fingerprints be taken by **THE COUNTY CLERK, DEPARTMENT OF STATE**  
**POLICE, COUNTY SHERIFF,** a local police agency, **OR OTHER ENTITY,** the

1 individual shall also pay ~~to that local police agency~~ a fee of  
2 \$15.00 by any method of payment accepted ~~by the unit of local~~  
3 ~~government~~ for payments of other fees and penalties. **A COUNTY CLERK**  
4 **SHALL DEPOSIT ANY FEE IT ACCEPTS UNDER THIS SUBSECTION IN THE**  
5 **CONCEALED PISTOL LICENSING FUND CREATED IN SECTION 5X.** The COUNTY  
6 **CLERK, DEPARTMENT OF STATE POLICE,** county sheriff, ~~or~~ local police  
7 agency, **OR OTHER ENTITY** shall take the fingerprints within 5  
8 business days after the request. **COUNTY CLERKS, THE DEPARTMENT OF**  
9 **STATE POLICE, COUNTY SHERIFFS, LOCAL POLICE AGENCIES, AND OTHER**  
10 **ENTITIES THAT PROVIDE FINGERPRINTING CAPABILITY FOR THE PURPOSES OF**  
11 **THIS ACT SHALL PROVIDE REASONABLE ACCESS TO FINGERPRINTING SERVICES**  
12 **DURING NORMAL BUSINESS HOURS AS IS NECESSARY TO COMPLY WITH THE**  
13 **REQUIREMENTS OF THIS ACT. THE ENTITY PROVIDING FINGERPRINTING**  
14 **SERVICES SHALL ISSUE THE APPLICANT A RECEIPT AT THE TIME HIS OR HER**  
15 **FINGERPRINTS ARE TAKEN. A COUNTY CLERK, DEPARTMENT OF STATE POLICE,**  
16 **COUNTY SHERIFF, LOCAL POLICE AGENCY, OR OTHER ENTITY SHALL NOT**  
17 **PROVIDE A RECEIPT UNDER THIS SUBSECTION UNLESS THE INDIVIDUAL**  
18 **REQUESTING THE FINGERPRINTS PROVIDES AN APPLICATION RECEIPT**  
19 **RECEIVED UNDER SUBSECTION (1). A RECEIPT UNDER THIS SUBSECTION**  
20 **SHALL CONTAIN ALL OF THE FOLLOWING:**

21 (A) THE NAME OF THE APPLICANT.

22 (B) THE DATE AND TIME THE RECEIPT IS ISSUED.

23 (C) THE AMOUNT PAID.

24 (D) THE NAME OF THE ENTITY PROVIDING THE FINGERPRINT SERVICES.

25 (E) THE APPLICANT'S STATE-ISSUED DRIVER LICENSE OR PERSONAL  
26 IDENTIFICATION CARD NUMBER.

27 (F) THE STATEMENT "THIS RECEIPT WAS ISSUED FOR THE PURPOSE OF

1 APPLYING FOR A CONCEALED PISTOL LICENSE. AS PROVIDED IN SECTION 5B  
 2 OF 1927 PA 372, MCL 28.425B, IF A LICENSE OR NOTICE OF STATUTORY  
 3 DISQUALIFICATION IS NOT ISSUED WITHIN 45 DAYS AFTER THE DATE THIS  
 4 RECEIPT WAS ISSUED, THIS RECEIPT SHALL SERVE AS A CONCEALED PISTOL  
 5 LICENSE FOR THE INDIVIDUAL NAMED IN THE RECEIPT WHEN CARRIED WITH  
 6 AN OFFICIAL STATE-ISSUED IDENTIFICATION OR DRIVER LICENSE. THE  
 7 RECEIPT IS VALID AS A LICENSE UNTIL A LICENSE OR NOTICE OF  
 8 STATUTORY DISQUALIFICATION IS ISSUED BY THE COUNTY CLERK. THIS  
 9 RECEIPT DOES NOT EXEMPT THE INDIVIDUAL NAMED IN THE RECEIPT FROM  
 10 COMPLYING WITH ALL APPLICABLE LAWS FOR THE PURCHASE OF FIREARMS.".

11 (10) The fingerprints shall be taken, under subsection (9), ~~on~~  
 12 ~~forms and in a manner prescribed by the department of state police.~~  
 13 The fingerprints **TAKEN BY A COUNTY CLERK, COUNTY SHERIFF, LOCAL**  
 14 **POLICE AGENCY, OR OTHER ENTITY** shall be immediately forwarded to  
 15 the department of state police for comparison with fingerprints  
 16 already on file with the department of state police. The department  
 17 of state police shall **IMMEDIATELY** forward the fingerprints to the  
 18 federal bureau of investigation. ~~Within 10 days after receiving a~~  
 19 ~~report of the fingerprints from the federal bureau of~~  
 20 ~~investigation, the department of state police shall provide a copy~~  
 21 ~~to the submitting sheriff's department or local police agency as~~  
 22 ~~appropriate and the clerk of the appropriate concealed weapon~~  
 23 ~~licensing board. WITHIN 5 BUSINESS DAYS OF COMPLETING THE~~  
 24 **VERIFICATION UNDER SUBSECTION (6), THE DEPARTMENT SHALL SEND THE**  
 25 **COUNTY CLERK A LIST OF AN APPLICANT'S STATUTORY DISQUALIFICATIONS**  
 26 **UNDER THIS ACT.** Except as provided in subsection (14), the  
 27 ~~concealed weapon licensing board~~ **COUNTY CLERK** shall not issue a

1 concealed pistol license until ~~it~~ HE OR SHE receives the  
 2 ~~fingerprint comparison report~~ OF STATUTORY DISQUALIFICATIONS  
 3 prescribed in this subsection. IF AN INDIVIDUAL'S FINGERPRINTS ARE  
 4 NOT CLASSIFIABLE, THE DEPARTMENT OF STATE POLICE SHALL, AT NO  
 5 CHARGE, TAKE THE INDIVIDUAL'S FINGERPRINTS AGAIN OR PROVIDE FOR THE  
 6 COMPARISONS UNDER THIS SUBSECTION TO BE CONDUCTED THROUGH  
 7 ALTERNATIVE MEANS. ~~The concealed weapon licensing board may deny a~~  
 8 ~~license if~~ COUNTY CLERK SHALL NOT ISSUE A NOTICE OF STATUTORY  
 9 DISQUALIFICATION BECAUSE an individual's fingerprints are not  
 10 classifiable by the federal bureau of investigation.

11 (11) ~~The concealed weapon licensing board~~ COUNTY CLERK shall  
 12 ~~deny a license~~ SEND BY FIRST-CLASS MAIL A NOTICE OF STATUTORY  
 13 DISQUALIFICATION FOR A LICENSE UNDER THIS ACT to an applicant ~~to~~  
 14 ~~carry a concealed pistol~~ if the applicant is not qualified under  
 15 subsection (7) to receive that license.

16 (12) A license to carry a concealed pistol that is issued  
 17 based upon an application that contains a material false statement  
 18 is void from the date the license is issued.

19 (13) Subject to subsections (10) and (14), the ~~concealed~~  
 20 ~~weapon licensing board~~ DEPARTMENT OF STATE POLICE SHALL COMPLETE  
 21 THE VERIFICATION REQUIRED UNDER SUBSECTION (6) AND THE COUNTY CLERK  
 22 shall issue ~~or deny issuance of a license~~ OR A NOTICE OF STATUTORY  
 23 DISQUALIFICATION within 45 days after the ~~concealed weapon~~  
 24 ~~licensing board receives the fingerprint comparison report provided~~  
 25 ~~under subsection (10).~~ DATE THE APPLICANT HAS CLASSIFIABLE  
 26 FINGERPRINTS TAKEN UNDER SUBSECTION (9). THE COUNTY CLERK SHALL  
 27 INCLUDE AN INDICATION ON THE LICENSE IF AN INDIVIDUAL IS EXEMPT

1 FROM THE PROHIBITIONS AGAINST CARRYING A CONCEALED PISTOL ON  
 2 PREMISES DESCRIBED IN SECTION 5o IF THE APPLICANT PROVIDES  
 3 ACCEPTABLE PROOF THAT HE OR SHE QUALIFIES FOR THAT EXEMPTION. If  
 4 ~~the concealed weapon licensing board denies issuance of a license~~  
 5 ~~to carry a concealed pistol, the concealed weapon licensing board~~  
 6 COUNTY CLERK ISSUES A NOTICE OF STATUTORY DISQUALIFICATION, THE  
 7 COUNTY CLERK shall within 5 business days do ~~both~~ ALL of the  
 8 following:

9 (a) Inform the applicant in writing of the reasons for the  
 10 ~~denial.~~ **DISQUALIFICATION.** Information under this subdivision shall  
 11 include all of the following:

12 (i) A statement of ~~the specific and articulable facts~~  
 13 ~~supporting the denial.~~ **EACH STATUTORY DISQUALIFICATION IDENTIFIED.**

14 (ii) ~~Copies of any writings, photographs, records, or other~~  
 15 ~~documentary evidence upon which the denial is based.~~ **THE SOURCE OF**  
 16 **THE RECORD FOR EACH STATUTORY DISQUALIFICATION IDENTIFIED.**

17 (iii) **THE CONTACT INFORMATION FOR THE SOURCE OF THE RECORD FOR**  
 18 **EACH STATUTORY DISQUALIFICATION IDENTIFIED.**

19 (b) Inform the applicant in writing of his or her right to  
 20 appeal the ~~denial~~ **NOTICE OF STATUTORY DISQUALIFICATION** to the  
 21 circuit court as provided in section 5d.

22 (c) **INFORM THE APPLICANT THAT HE OR SHE SHOULD CONTACT THE**  
 23 **SOURCE OF THE RECORD FOR ANY STATUTORY DISQUALIFICATION TO CORRECT**  
 24 **ANY ERRORS IN THE RECORD RESULTING IN THE STATUTORY**  
 25 **DISQUALIFICATION.**

26 (14) ~~If the fingerprint comparison report is not received by~~  
 27 ~~the concealed weapon licensing board within 60 days after the~~

~~1 fingerprint report is forwarded to the department of state police~~  
~~2 by the federal bureau of investigation, the concealed weapon~~  
~~3 licensing board shall issue a temporary license to carry a~~  
~~4 concealed pistol to the applicant if the applicant is otherwise~~  
~~5 qualified for a license. A temporary license issued under this~~  
~~6 section is valid for 180 days or until the concealed weapon~~  
~~7 licensing board receives the fingerprint comparison report provided~~  
~~8 under subsection (10) and issues or denies issuance of a license to~~  
~~9 carry a concealed pistol as otherwise provided under this act. Upon~~  
~~10 issuance or the denial of issuance of the license to carry a~~  
~~11 concealed pistol to an applicant who received a temporary license~~  
~~12 under this section, the applicant shall immediately surrender the~~  
~~13 temporary license to the concealed weapon licensing board that~~  
~~14 issued that temporary license.~~**IF A LICENSE OR NOTICE OF STATUTORY**  
**15 DISQUALIFICATION IS NOT ISSUED UNDER SUBSECTION (13) WITHIN 45 DAYS**  
**16 AFTER THE DATE THE APPLICANT HAS CLASSIFIABLE FINGERPRINTS TAKEN**  
**17 UNDER SUBSECTION (9), THE RECEIPT ISSUED UNDER SUBSECTION (9) SHALL**  
**18 SERVE AS A CONCEALED PISTOL LICENSE FOR PURPOSES OF THIS ACT WHEN**  
**19 CARRIED WITH A STATE-ISSUED PERSONAL IDENTIFICATION CARD OR DRIVER**  
**20 LICENSE AND IS VALID UNTIL A LICENSE OR NOTICE OF STATUTORY**  
**21 DISQUALIFICATION IS ISSUED BY THE COUNTY CLERK.**

**22 (15) If an individual licensed under this act to carry a**  
**23 concealed pistol moves to a different county within this state, his**  
**24 or her license remains valid until it expires or is otherwise**  
**25 suspended or revoked under this act. AN INDIVIDUAL MAY NOTIFY A**  
**26 COUNTY CLERK THAT HE OR SHE HAS MOVED TO A DIFFERENT ADDRESS WITHIN**  
**27 THIS STATE FOR THE PURPOSE OF RECEIVING THE NOTICE UNDER SECTION**

1 5/(1). A license to carry a concealed pistol that is lost, stolen,  
2 or defaced may be replaced by the issuing county clerk for a  
3 replacement fee of \$10.00. **A COUNTY CLERK SHALL DEPOSIT A**  
4 **REPLACEMENT FEE UNDER THIS SUBSECTION IN THE CONCEALED PISTOL**  
5 **LICENSING FUND CREATED IN SECTION 5X.**

6 (16) If a ~~concealed weapons licensing board suspends or~~  
7 ~~revokes a license~~ issued under this act **IS SUSPENDED OR REVOKED,**  
8 the license is forfeited and ~~shall be returned~~ **THE INDIVIDUAL SHALL**  
9 **RETURN THE LICENSE** to the ~~concealed weapon licensing board~~ **COUNTY**  
10 **CLERK** forthwith **BY MAIL OR IN PERSON.** A COUNTY CLERK SHALL RETAIN A  
11 **SUSPENDED OR REVOKED LICENSE AS AN OFFICIAL RECORD 1 YEAR AFTER THE**  
12 **EXPIRATION OF THE LICENSE, UNLESS THE LICENSE IS REINSTATED OR A**  
13 **NEW LICENSE IS ISSUED. THE COUNTY CLERK SHALL NOTIFY THE DEPARTMENT**  
14 **OF STATE POLICE IF A LICENSE IS SUSPENDED OR REVOKED. THE**  
15 **DEPARTMENT OF STATE POLICE SHALL ENTER THAT INTO THE LAW**  
16 **ENFORCEMENT INFORMATION NETWORK.** An individual who fails to return  
17 a license as required under this subsection after he or she was  
18 notified that his or her license was suspended or revoked is guilty  
19 of a misdemeanor punishable by imprisonment for not more than 93  
20 days or a fine of not more than \$500.00, or both.

21 (17) An applicant or an individual licensed under this act to  
22 carry a concealed pistol may be furnished a copy of his or her  
23 application under this section upon request and the payment of a  
24 reasonable fee **NOT TO EXCEED \$1.00. THE COUNTY CLERK SHALL DEPOSIT**  
25 **ANY FEE COLLECTED UNDER THIS SUBSECTION IN THE CONCEALED PISTOL**  
26 **LICENSING FUND CREATED IN SECTION 5X.**

27 (18) This section does not prohibit the ~~concealed weapon~~

1 ~~licensing board~~ COUNTY CLERK from making public and distributing to  
2 the public at no cost lists of individuals who are certified as  
3 qualified instructors as prescribed under section 5j.

4 (19) A COUNTY CLERK ISSUING AN INITIAL LICENSE OR RENEWAL  
5 LICENSE UNDER THIS ACT SHALL MAIL THE LICENSE TO THE LICENSEE BY  
6 FIRST-CLASS MAIL IN A SEALED ENVELOPE. A COUNTY CLERK SHALL ISSUE A  
7 REPLACEMENT LICENSE IN PERSON AT THE TIME OF APPLICATION FOR A  
8 REPLACEMENT LICENSE UPON PAYMENT OF THE FEE UNDER SUBSECTION (15)  
9 UNLESS THE APPLICANT REQUESTS THAT IT BE DELIVERED BY FIRST-CLASS  
10 MAIL.

11 (20) A COUNTY CLERK, COUNTY SHERIFF, COUNTY PROSECUTING  
12 ATTORNEY, POLICE DEPARTMENT, OR THE DEPARTMENT OF STATE POLICE IS  
13 NOT LIABLE FOR CIVIL DAMAGES AS A RESULT OF THE ISSUANCE OF A  
14 LICENSE UNDER THIS ACT TO AN INDIVIDUAL WHO LATER COMMITS A CRIME  
15 OR A NEGLIGENT ACT.

16 (21) AN INDIVIDUAL LICENSED UNDER THIS ACT TO CARRY A  
17 CONCEALED PISTOL MAY VOLUNTARILY SURRENDER THAT LICENSE WITHOUT  
18 EXPLANATION. A COUNTY CLERK SHALL RETAIN A SURRENDERED LICENSE AS  
19 AN OFFICIAL RECORD FOR 1 YEAR AFTER THE LICENSE IS SURRENDERED. IF  
20 AN INDIVIDUAL VOLUNTARILY SURRENDERS A LICENSE UNDER THIS  
21 SUBSECTION, THE COUNTY CLERK SHALL NOTIFY THE DEPARTMENT OF STATE  
22 POLICE. THE DEPARTMENT OF STATE POLICE SHALL ENTER INTO THE LAW  
23 ENFORCEMENT INFORMATION NETWORK THAT THE LICENSE WAS VOLUNTARILY  
24 SURRENDERED AND THE DATE THE LICENSE WAS VOLUNTARILY SURRENDERED.

25 (22) ~~(19)~~As used in this section:

26 (A) "ACCEPTABLE PROOF" MEANS ANY OF THE FOLLOWING:

27 (i) FOR A RETIRED POLICE OFFICER OR RETIRED LAW ENFORCEMENT

1 OFFICER, THE OFFICER'S RETIRED IDENTIFICATION OR A LETTER FROM A  
2 LAW ENFORCEMENT AGENCY STATING THAT THE RETIRED POLICE OFFICER OR  
3 LAW ENFORCEMENT OFFICER RETIRED IN GOOD STANDING.

4 (ii) FOR AN INDIVIDUAL WHO IS EMPLOYED OR CONTRACTED BY AN  
5 ENTITY DESCRIBED UNDER SECTION 50(1) TO PROVIDE SECURITY SERVICES,  
6 A LETTER FROM THAT ENTITY STATING THAT THE EMPLOYEE IS REQUIRED BY  
7 HIS OR HER EMPLOYER OR THE TERMS OF A CONTRACT TO CARRY A CONCEALED  
8 FIREARM ON THE PREMISES OF THE EMPLOYING OR CONTRACTING ENTITY AND  
9 HIS OR HER EMPLOYEE IDENTIFICATION.

10 (iii) FOR AN INDIVIDUAL WHO IS LICENSED AS A PRIVATE  
11 INVESTIGATOR OR PRIVATE DETECTIVE UNDER THE PROFESSIONAL  
12 INVESTIGATOR LICENSURE ACT, 1965 PA 285, MCL 338.821 TO 338.851,  
13 HIS OR HER LICENSE.

14 (iv) FOR AN INDIVIDUAL WHO IS A CORRECTIONS OFFICER OF A COUNTY  
15 SHERIFF'S DEPARTMENT, HIS OR HER EMPLOYEE IDENTIFICATION.

16 (v) FOR AN INDIVIDUAL WHO IS A MOTOR CARRIER OFFICER OR  
17 CAPITOL SECURITY OFFICER OF THE DEPARTMENT OF STATE POLICE, HIS OR  
18 HER EMPLOYEE IDENTIFICATION.

19 (vi) FOR AN INDIVIDUAL WHO IS A MEMBER OF A SHERIFF'S POSSE,  
20 HIS OR HER IDENTIFICATION.

21 (vii) FOR AN INDIVIDUAL WHO IS AN AUXILIARY OFFICER OR RESERVE  
22 OFFICER OF A POLICE OR SHERIFF'S DEPARTMENT, HIS OR HER EMPLOYEE  
23 IDENTIFICATION.

24 (viii) FOR AN INDIVIDUAL WHO IS A PAROLE OR PROBATION OFFICER OF  
25 THE DEPARTMENT OF CORRECTIONS, HIS OR HER EMPLOYEE IDENTIFICATION.

26 (ix) FOR A STATE COURT JUDGE OR STATE COURT RETIRED JUDGE, A  
27 LETTER FROM THE JUDICIAL TENURE COMMISSION STATING THAT THE STATE

1 COURT JUDGE OR STATE COURT RETIRED JUDGE IS IN GOOD STANDING.

2 (x) FOR AN INDIVIDUAL WHO IS A COURT OFFICER, HIS OR HER  
3 EMPLOYEE IDENTIFICATION.

4 (B) ~~(a)~~—"Convicted" means a final conviction, the payment of a  
5 fine, a plea of guilty or nolo contendere if accepted by the court,  
6 or a finding of guilt for a criminal law violation or a juvenile  
7 adjudication or disposition by the juvenile division of probate  
8 court or family division of circuit court for a violation that if  
9 committed by an adult would be a crime.

10 (C) ~~(b)~~—"Felony" means, **EXCEPT AS OTHERWISE PROVIDED IN THIS**  
11 **SUBDIVISION**, that term as defined in section 1 of chapter I of the  
12 code of criminal procedure, 1927 PA 175, MCL 761.1, or a violation  
13 of a law of the United States or another state that is designated  
14 as a felony or that is punishable by death or by imprisonment for  
15 more than 1 year. **FELONY DOES NOT INCLUDE A VIOLATION OF A PENAL**  
16 **LAW OF THIS STATE THAT IS EXPRESSLY DESIGNATED AS A MISDEMEANOR.**

17 (D) ~~(c)~~—"Mental illness" means a substantial disorder of  
18 thought or mood that significantly impairs judgment, behavior,  
19 capacity to recognize reality, or ability to cope with the ordinary  
20 demands of life, and includes, but is not limited to, clinical  
21 depression.

22 (E) ~~(d)~~—"Misdemeanor" means a violation of a penal law of this  
23 state or violation of a local ordinance substantially corresponding  
24 to a violation of a penal law of this state that is not a felony or  
25 a violation of an order, rule, or regulation of a state agency that  
26 is punishable by imprisonment or a fine that is not a civil fine,  
27 or both.

1           (F) ~~(e)~~—"Treatment" means care or any therapeutic service,  
2 including, but not limited to, the administration of a drug, and  
3 any other service for the treatment of a mental illness.

4           (23) SUBSECTION (5), AS AMENDED BY THE 2014 AMENDATORY ACT  
5 THAT ADDED THIS SUBSECTION, TAKES EFFECT JANUARY 1, 2015.

6           (24) SUBSECTIONS (1) TO (4), (6) TO (18), AND (22), AS AMENDED  
7 BY THE 2014 AMENDATORY ACT THAT ADDED THIS SUBSECTION, TAKE EFFECT  
8 OCTOBER 1, 2015.

9           (25) SUBSECTIONS (19) TO (21), AS ADDED BY THE AMENDATORY ACT  
10 THAT ADDED THIS SUBSECTION, TAKE EFFECT OCTOBER 1, 2015.

11           Sec. 5c. (1) A license to carry a concealed pistol shall be in  
12 a form, with the same dimensions as a Michigan operator license,  
13 prescribed by the department of state police. BEGINNING OCTOBER 1,  
14 2015, THE LICENSE SHALL BE CONSTRUCTED OF PLASTIC LAMINATED PAPER  
15 OR HARD PLASTIC. NO ADDITIONAL FEE SHALL BE CHARGED FOR THE LICENSE  
16 UNLESS OTHERWISE PRESCRIBED IN THIS ACT. A FEE NOT TO EXCEED \$10.00  
17 MAY BE CHARGED FOR AN OPTIONAL HARD PLASTIC LICENSE ONLY IF THE  
18 COUNTY CLERK ALSO PROVIDES THE OPTION OF OBTAINING A PLASTIC  
19 LAMINATED PAPER LICENSE AT NO CHARGE. A COUNTY CLERK SHALL DEPOSIT  
20 A FEE COLLECTED UNDER THIS SUBSECTION IN THE CONCEALED PISTOL  
21 LICENSING FUND CREATED IN SECTION 5X. The license shall contain all  
22 of the following:

23           (a) The licensee's full name and date of birth.

24           (b) A photograph and a physical description of the licensee.

25           (c) A statement of the effective dates of the license.

26           (d) An indication of exceptions authorized by this act  
27 applicable to the licensee.

1 (E) THE LICENSEE'S STATE-ISSUED DRIVER LICENSE OR PERSONAL  
2 IDENTIFICATION CARD NUMBER.

3 (F) THE PREMISES ON WHICH CARRYING A CONCEALED PISTOL IS  
4 PROHIBITED UNDER SECTION 5o.

5 (G) THE PEACE OFFICER DISCLOSURE REQUIRED UNDER SECTION 5F(3).

6 (H) ~~(e)~~—An indication whether the license is a duplicate OR AN  
7 EMERGENCY LICENSE.

8 (I) IF THE LICENSE IS AN EMERGENCY LICENSE, AN INDICATION THAT  
9 THE EMERGENCY LICENSE DOES NOT EXEMPT THE INDIVIDUAL FROM COMPLYING  
10 WITH ALL APPLICABLE LAWS FOR THE PURCHASE OF FIREARMS.

11 (2) THE DEPARTMENT OF STATE POLICE OR A COUNTY CLERK SHALL NOT  
12 REQUIRE A LICENSEE'S SIGNATURE TO APPEAR ON A LICENSE TO CARRY A  
13 CONCEALED PISTOL.

14 (3) ~~(2)~~—Subject to section 5o and except as otherwise provided  
15 by law, a license to carry a concealed pistol issued by the ~~county~~  
16 ~~concealed weapon licensing board~~ COUNTY CLERK authorizes the  
17 licensee to do all of the following:

18 (a) Carry a pistol concealed on or about his or her person  
19 anywhere in this state.

20 (b) Carry a pistol in a vehicle, whether concealed or not  
21 concealed, anywhere in this state.

22 Sec. 5d. (1) If the ~~concealed weapon licensing board denies~~  
23 ~~issuance of a license to carry a concealed pistol,~~ COUNTY CLERK  
24 ISSUES A NOTICE OF STATUTORY DISQUALIFICATION, FAILS TO PROVIDE A  
25 RECEIPT THAT COMPLIES WITH SECTION 5B(1) OR 5I(3), or fails to issue  
26 ~~that~~ A license TO CARRY A CONCEALED PISTOL as provided in this act,  
27 OR THE COUNTY CLERK, DEPARTMENT OF STATE POLICE, COUNTY SHERIFF,

1 LOCAL POLICE AGENCY, OR OTHER ENTITY FAILS TO PROVIDE A RECEIPT  
 2 THAT COMPLIES WITH SECTION 5B(9), the applicant may appeal the  
 3 ~~denial~~ NOTICE OF STATUTORY DISQUALIFICATION, THE FAILURE TO PROVIDE  
 4 A RECEIPT, or the failure to issue the license to the circuit court  
 5 in the judicial circuit in which he or she resides. The appeal of  
 6 the ~~denial~~ NOTICE OF STATUTORY DISQUALIFICATION, FAILURE TO PROVIDE  
 7 A RECEIPT, or failure to issue a license shall be determined by a  
 8 review of the record for error. ~~, except that if the decision of~~  
 9 ~~the concealed weapon licensing board was based upon grounds~~  
 10 ~~specified in section 5b(7)(n) that portion of the appeal shall be~~  
 11 ~~by hearing de novo. Witnesses in the hearing shall be sworn. A jury~~  
 12 ~~shall not be provided in a hearing under this section.~~

13 (2) If the court determines that the ~~denial~~ NOTICE OF  
 14 STATUTORY DISQUALIFICATION, FAILURE TO PROVIDE A RECEIPT THAT  
 15 COMPLIES WITH SECTION 5B(1) OR (9) OR 5/(3), or failure to issue a  
 16 license was clearly erroneous OR WAS ARBITRARY AND CAPRICIOUS, the  
 17 court shall order the ~~concealed weapon licensing board~~ COUNTY CLERK  
 18 to issue a license OR RECEIPT as required by this act. IF THE COURT  
 19 DETERMINES THAT THE NOTICE OF STATUTORY DISQUALIFICATION, FAILURE  
 20 TO PROVIDE A RECEIPT THAT COMPLIES WITH SECTION 5B(1) OR (9) OR  
 21 5/(3), OR FAILURE TO ISSUE A LICENSE WAS CLEARLY ERRONEOUS, THE  
 22 COURT MAY ORDER AN ENTITY TO REFUND ANY FILING FEES THE APPLICANT  
 23 INCURRED IN FILING THE APPEAL, ACCORDING TO THE DEGREE OF  
 24 RESPONSIBILITY OF THAT ENTITY.

25 (3) If the court UNDER SUBSECTION (2) determines that the  
 26 ~~decision of the concealed weapon licensing board to deny issuance~~  
 27 ~~of~~ NOTICE OF STATUTORY DISQUALIFICATION, FAILURE TO PROVIDE A

1 **RECEIPT THAT COMPLIES WITH SECTION 5B(1) OR (9) OR 5/(3), OR FAILURE**  
 2 **TO ISSUE** a license to an applicant was arbitrary and capricious,  
 3 the court shall order ~~this state to pay 1/3 and the county in which~~  
 4 ~~the concealed weapon licensing board is located~~ **COUNTY CLERK, THE**  
 5 **ENTITY TAKING THE FINGERPRINTS, OR THE STATE** to pay ~~2/3 of the~~  
 6 actual costs and actual attorney fees of the applicant in appealing  
 7 the ~~denial~~ **NOTICE OF STATUTORY DISQUALIFICATION, FAILURE TO PROVIDE**  
 8 **A RECEIPT THAT COMPLIES WITH SECTION 5B(1) OR (9) OR 5/(3), OR**  
 9 **FAILURE TO ISSUE A LICENSE, ACCORDING TO THE DEGREE OF**  
 10 **RESPONSIBILITY OF THE COUNTY CLERK, THE ENTITY TAKING THE**  
 11 **FINGERPRINTS, OR THE STATE.**

12 (4) If the court determines that an applicant's appeal was  
 13 frivolous, the court shall order the applicant to pay the actual  
 14 costs and actual attorney fees of the ~~concealed weapon licensing~~  
 15 ~~board~~ **COUNTY CLERK, ENTITY TAKING THE FINGERPRINTS, OR THE STATE** in  
 16 responding to the appeal.

17 Sec. 5e. (1) The department of state police shall create and  
 18 maintain a computerized database of individuals who apply under  
 19 this act for a license to carry a concealed pistol. The database  
 20 shall contain only the following information as to each individual:

21 (a) The individual's name, date of birth, address, ~~and county~~  
 22 of residence, **AND STATE-ISSUED DRIVER LICENSE AND PERSONAL**  
 23 **IDENTIFICATION CARD NUMBER.**

24 (b) If the individual is licensed to carry a concealed pistol  
 25 in this state, the license number and date of expiration.

26 (c) Except as provided in subsection (2), if the individual  
 27 was denied a license to carry a concealed pistol after July 1, 2001

1 **OR ISSUED A NOTICE OF STATUTORY DISQUALIFICATION**, a statement of  
2 the reasons for that denial **OR NOTICE OF STATUTORY**  
3 **DISQUALIFICATION**.

4 (d) A statement of all criminal charges pending and criminal  
5 convictions obtained against the individual during the license  
6 period.

7 (e) A statement of all determinations of responsibility for  
8 civil infractions of this act pending or obtained against the  
9 individual during the license period.

10 **(F) THE STATUS OF THE INDIVIDUAL'S APPLICATION OR LICENSE.**

11 (2) If an individual who was denied a license to carry a  
12 concealed pistol after July 1, 2001 **OR ISSUED A NOTICE OF STATUTORY**  
13 **DISQUALIFICATION** is subsequently issued a license to carry a  
14 concealed pistol, the department of state police shall delete from  
15 the computerized database the previous reasons for the denial **OR**  
16 **NOTICE OF STATUTORY DISQUALIFICATION**.

17 (3) The department of state police shall enter the information  
18 described in subsection (1)(a) and (b) into the law enforcement  
19 information network.

20 (4) Information in the database shall only be accessed and  
21 disclosed according to an access protocol that includes the  
22 following requirements:

23 (a) That the requestor of the firearms records uses the law  
24 enforcement information network or another system that maintains a  
25 record of the requestor's identity, time, and date that the request  
26 was made.

27 (b) Requires the requestor in an intentional query by name of

the firearms records to attest that the firearms records were sought under 1 of the lawful purposes provided in section 1b(2).

(5) The department of state police shall file with the secretary of the senate and the clerk of the house of representatives, and post on the department of state police's internet website, an annual report setting forth all of the following information for ~~each county concealed weapon licensing board.~~

**THE STATE:**

(a) The number of concealed pistol applications received.

(b) The number of concealed pistol licenses issued.

(c) The number of ~~concealed pistol licenses denied.~~ **STATUTORILY DISQUALIFIED APPLICANTS.**

(d) Categories for ~~denial~~ **STATUTORY DISQUALIFICATION** under subdivision (c).

(e) The number of concealed pistol licenses **SUSPENDED OR** revoked.

(f) Categories for **SUSPENSION OR** revocation under subdivision (e).

(g) The number of applications pending at the time the report is made.

(h) The mean and median amount of time and the longest and shortest amount of time used by the federal bureau of investigation to supply the fingerprint comparison report required in section 5b(10). The department may use a statistically significant sample to comply with this subdivision.

~~—— (i) The number of charges of state civil infractions of this act or charges of criminal violations, categorized by offense,~~

~~filed against individuals licensed to carry a concealed pistol that resulted in a finding of responsibility or a criminal conviction. The report shall indicate the number of crimes in each category of criminal offense that involved the brandishing or use of a pistol, the number that involved the carrying of a pistol by the license holder during the commission of the crime, and the number in which no pistol was carried by the license holder during the commission of the crime.~~

~~—— (j) The number of pending criminal charges, categorized by offense, against individuals licensed to carry a concealed pistol.~~

~~—— (k) The number of criminal cases dismissed, categorized by offense, against individuals licensed to carry a concealed pistol.~~

~~—— (l) The number of cases filed against individuals licensed to carry a concealed pistol for criminal violations that resulted in a finding of not responsible or not guilty, categorized by offense.~~

~~—— (m) For the purposes of subdivisions (i), (j), (k), and (l), the department of state police shall use the data provided under section 5m.~~

**(I) THE TOTAL NUMBER OF INDIVIDUALS LICENSED TO CARRY A CONCEALED PISTOL FOUND RESPONSIBLE FOR A CIVIL VIOLATION OF THIS ACT, THE TOTAL NUMBER OF CIVIL VIOLATIONS OF THIS ACT CATEGORIZED BY OFFENSE, THE TOTAL NUMBER OF INDIVIDUALS LICENSED TO CARRY A CONCEALED PISTOL CONVICTED OF A CRIME, AND THE TOTAL NUMBER OF THOSE CRIMINAL CONVICTIONS CATEGORIZED BY OFFENSE.**

**(J)** ~~(n)~~ The number of suicides by individuals licensed to carry a concealed pistol.

**(K) ACTUAL COSTS INCURRED PER PERMIT FOR THE DEPARTMENT OF**

1   **STATE POLICE.**

2           (1) ~~(e)~~ Actual costs incurred per permit for each county **CLERK.**

3           (M) ~~(p)~~ The number of times the database was accessed,  
4 categorized by the purpose for which the database was accessed.

5           Sec. 5f. (1) An individual who is licensed ~~under this act~~ to  
6 carry a concealed pistol shall have his or her license to carry  
7 that pistol **AND HIS OR HER STATE-ISSUED DRIVER LICENSE OR PERSONAL**  
8 **IDENTIFICATION CARD** in his or her possession at all times he or she  
9 is carrying a concealed pistol or a portable device that uses  
10 electro-muscular disruption technology.

11           (2) An individual who is licensed ~~under this act~~ to carry a  
12 concealed pistol and who is carrying a concealed pistol or a  
13 portable device that uses electro-muscular disruption technology  
14 shall show both of the following to a peace officer upon request by  
15 that peace officer:

16           (a) His or her license to carry a concealed pistol.

17           (b) His or her **STATE-ISSUED** driver license or ~~Michigan~~  
18 personal identification card.

19           (3) An individual licensed under this act to carry a concealed  
20 pistol and who is carrying a concealed pistol or a portable device  
21 that uses electro-muscular disruption technology and who is stopped  
22 by a peace officer shall immediately disclose to the peace officer  
23 that he or she is carrying a pistol or a portable device that uses  
24 electro-muscular disruption technology concealed upon his or her  
25 person or in his or her vehicle.

26           (4) An individual who violates subsection (1) or (2) is  
27 responsible for a state civil infraction and ~~may~~ **SHALL** be fined ~~not~~

1 ~~more than \$100.00.~~

2 (5) An individual who violates subsection (3) is responsible  
3 for a state civil infraction and ~~may~~ **SHALL** be fined as follows:

4 (a) For a first offense, by a fine of ~~not more than \$500.00 or~~  
5 **AND** by the individual's license to carry a concealed pistol being  
6 suspended for 6 months. ~~, or both.~~

7 (b) For a subsequent offense within 3 years of a prior  
8 offense, by a fine of ~~not more than \$1,000.00~~ and by the  
9 individual's license to carry a concealed pistol being revoked.

10 (6) If an individual is found responsible for a state civil  
11 infraction under ~~this section, the court shall notify the~~  
12 ~~department of state police and the concealed weapon licensing board~~  
13 ~~that~~ **SUBSECTION (5), THE PEACE OFFICER SHALL NOTIFY THE DEPARTMENT**  
14 **OF STATE POLICE OF THAT CIVIL INFRACTION. THE DEPARTMENT OF STATE**  
15 **POLICE SHALL NOTIFY THE COUNTY CLERK WHO** issued the license, ~~of~~  
16 ~~that determination.~~ **WHO SHALL SUSPEND OR REVOKE THAT LICENSE. THE**  
17 **COUNTY CLERK SHALL SEND NOTICE BY FIRST-CLASS MAIL OF THAT**  
18 **SUSPENSION OR REVOCATION TO THE INDIVIDUAL'S LAST KNOWN ADDRESS AS**  
19 **INDICATED IN THE RECORDS OF THE COUNTY CLERK. THE DEPARTMENT OF**  
20 **STATE POLICE SHALL IMMEDIATELY ENTER THAT SUSPENSION OR REVOCATION**  
21 **INTO THE LAW ENFORCEMENT INFORMATION NETWORK.**

22 (7) A pistol or portable device that uses electro-muscular  
23 disruption technology carried in violation of this section is  
24 subject to immediate seizure by a peace officer. If a peace officer  
25 seizes a pistol or portable device that uses electro-muscular  
26 disruption technology under this subsection, the individual has 45  
27 days in which to display his or her license or documentation to an

1 authorized employee of the law enforcement entity that employs the  
2 peace officer. If the individual displays his or her license or  
3 documentation to an authorized employee of the law enforcement  
4 entity that employs the peace officer within the 45-day period, the  
5 authorized employee of that law enforcement entity shall return the  
6 pistol or portable device that uses electro-muscular disruption  
7 technology to the individual unless the individual is prohibited by  
8 law from possessing a firearm or portable device that uses electro-  
9 muscular disruption technology. If the individual does not display  
10 his or her license or documentation within the 45-day period, the  
11 pistol or portable device that uses electro-muscular disruption  
12 technology is subject to forfeiture as provided in section 5g. A  
13 pistol or portable device that uses electro-muscular disruption  
14 technology is not subject to immediate seizure under this  
15 subsection if both of the following circumstances exist:

16 (a) The individual has his or her driver license or ~~Michigan~~  
17 **STATE-ISSUED** personal identification card in his or her possession  
18 when the violation occurs.

19 (b) The peace officer verifies through the law enforcement  
20 information network that the individual is licensed ~~under this act~~  
21 to carry a concealed pistol.

22 (8) As used in this section, "peace officer" includes a motor  
23 carrier officer appointed under section 6d of 1935 PA 59, MCL  
24 28.6d, and security personnel employed by the state under section  
25 6c of 1935 PA 59, MCL 28.6c.

26 Sec. 5j. (1) A pistol training or safety program described in  
27 section 5b(7)(c) meets the requirements for knowledge or training

1 in the safe use and handling of a pistol only if the program  
2 ~~consists~~ **TRAINING WAS PROVIDED WITHIN 5 YEARS PRECEDING THE DATE OF**  
3 **APPLICATION AND CONSISTED** of not less than 8 hours of instruction  
4 and all of the following conditions are met:

5 (a) The program is certified by this state or a national or  
6 state firearms training organization and provides 5 hours of  
7 instruction in, but is not limited to providing instruction in, all  
8 of the following:

9 (i) The safe storage, use, and handling of a pistol including,  
10 but not limited to, safe storage, use, and handling to protect  
11 child safety.

12 (ii) Ammunition knowledge, and the fundamentals of pistol  
13 shooting.

14 (iii) Pistol shooting positions.

15 (iv) Firearms and the law, including civil liability issues and  
16 the use of deadly force. This portion shall be taught by an  
17 attorney or an individual trained in the use of deadly force.

18 (v) Avoiding criminal attack and controlling a violent  
19 confrontation.

20 (vi) All laws that apply to carrying a concealed pistol in this  
21 state.

22 (b) The program provides at least 3 hours of instruction on a  
23 firing range and requires firing at least 30 rounds of ammunition.

24 (c) The program provides a certificate of completion that  
25 states the program complies with the requirements of this section  
26 and that the individual successfully completed the course, and that  
27 contains the printed name and signature of the course instructor.

1 ~~Not later than October 1, 2004, the~~ **THE** certificate of completion  
2 shall contain the statement, "This course complies with section 5j  
3 of 1927 PA 372.". **FOR CERTIFICATES ISSUED ON OR AFTER OCTOBER 1,**  
4 **2015, EACH CERTIFICATE SHALL ALSO CONTAIN BOTH OF THE FOLLOWING,**  
5 **WHICH SHALL BE PRINTED ON THE FACE OF THE CERTIFICATE OR ATTACHED**  
6 **IN A SEPARATE DOCUMENT:**

7 (i) **THE INSTRUCTOR'S NAME, ADDRESS, AND TELEPHONE NUMBER.**

8 (ii) **THE NAME AND TELEPHONE NUMBER OF THE STATE AGENCY OR A**  
9 **STATE OR NATIONAL FIREARMS TRAINING ORGANIZATION THAT HAS CERTIFIED**  
10 **THE INDIVIDUAL AS AN INSTRUCTOR FOR PURPOSES OF THIS SECTION, HIS**  
11 **OR HER INSTRUCTOR CERTIFICATION NUMBER, IF ANY, AND THE EXPIRATION**  
12 **DATE OF THAT CERTIFICATION.**

13 (d) The instructor of the course is certified by this state or  
14 a **STATE OR** national **FIREARMS TRAINING** organization to teach the ~~8-~~  
15 ~~hour-pistol safety training course~~ **COURSES** described in this  
16 section. **THE COUNTY CLERK SHALL NOT REQUIRE ANY OTHER CERTIFICATION**  
17 **OR REQUIRE AN INSTRUCTOR TO REGISTER WITH THE COUNTY OR COUNTY**  
18 **CLERK.**

19 (2) **A TRAINING CERTIFICATE THAT DOES NOT MEET THE REQUIREMENTS**  
20 **UNDER STATE LAW APPLICABLE AT THE TIME THE CERTIFICATION WAS ISSUED**  
21 **MAY OTHERWISE MEET THE REQUIREMENTS OF SUBSECTION (1)(C) IF THE**  
22 **APPLICANT PROVIDES INFORMATION THAT REASONABLY DEMONSTRATES THAT**  
23 **THE CERTIFICATE OR THE TRAINING MEETS THE APPLICABLE REQUIREMENTS.**

24 (3) ~~(2)~~ **A person shall not do either of the following:**

25 (a) Grant a certificate of completion described under  
26 subsection (1)(c) to an individual knowing the individual did not  
27 satisfactorily complete the course.

(b) Present a certificate of completion described under subsection (1)(c) to a ~~concealed weapon licensing board~~ **COUNTY CLERK** knowing that the individual did not satisfactorily complete the course.

(4) ~~(3)~~ A person who violates subsection ~~(2)~~ (3) is guilty of a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$2,500.00, or both.

(5) ~~(4)~~ A ~~concealed weapons licensing board~~ **COUNTY CLERK** shall not require that a specific form, color, wording, or other content appear on a certificate of completion, ~~except as provided in subsection (5), and shall accept as valid a certificate of completion issued prior to the effective date of the amendatory act that added this subsection that contains an inaccurate reference or no reference to this section but otherwise complies with this section.~~ **EXCEPT AS OTHERWISE REQUIRED UNDER THIS ACT.**

~~(5) Beginning October 1, 2004, a concealed weapons licensing board shall require that a certificate of completion contain the statement, "This course complies with section 5j of 1927 PA 372."~~

Sec. 5k. (1) Acceptance of a license issued under this act to carry a concealed pistol constitutes implied consent to submit to a chemical analysis under this section. This section also applies to individuals listed in section 12a.

(2) An individual shall not carry a concealed pistol or portable device that uses electro-muscular disruption technology while he or she is under the influence of alcoholic liquor or a controlled substance or while having a bodily alcohol content prohibited under this section. An individual who violates this

1 section is responsible for a state civil infraction or guilty of a  
2 crime as follows:

3 (a) If the person was under the influence of alcoholic liquor  
4 or a controlled substance or a combination of alcoholic liquor and  
5 a controlled substance, or had a bodily alcohol content of .10 or  
6 more grams per 100 milliliters of blood, per 210 liters of breath,  
7 or per 67 milliliters of urine, the individual is guilty of a  
8 misdemeanor punishable by imprisonment for not more than 93 days or  
9 \$100.00, or both. The court shall order the ~~concealed weapon~~

10 ~~licensing board~~ **COUNTY CLERK** that issued the individual a license  
11 to carry a concealed pistol to ~~permanently~~ revoke the license. ~~The~~  
12 ~~concealed weapon licensing board shall permanently revoke the~~  
13 ~~license as ordered by the court.~~ **THE COUNTY CLERK THAT ISSUED THE**  
14 **LICENSE SHALL NOTIFY THE DEPARTMENT OF STATE POLICE OF THE**  
15 **REVOCATION IN A MANNER PRESCRIBED BY THE DEPARTMENT OF STATE**  
16 **POLICE. THE DEPARTMENT OF STATE POLICE SHALL IMMEDIATELY ENTER THAT**  
17 **REVOCATION INTO THE LAW ENFORCEMENT INFORMATION NETWORK.**

18 (b) If the person had a bodily alcohol content of .08 or more  
19 but less than .10 grams per 100 milliliters of blood, per 210  
20 liters of breath, or per 67 milliliters of urine, the individual is  
21 guilty of a misdemeanor punishable by imprisonment for not more  
22 than 93 days or \$100.00, or both. The court ~~may~~ **SHALL** order the  
23 ~~concealed weapon licensing board~~ **COUNTY CLERK** that issued the  
24 individual a license to carry a concealed pistol to ~~revoke~~ **SUSPEND**  
25 the license for ~~not more than 3~~ years. ~~The concealed weapon~~  
26 ~~licensing board shall revoke the license as ordered by the~~  
27 ~~court.~~ **THE COUNTY CLERK THAT ISSUED THE LICENSE SHALL NOTIFY THE**

1 DEPARTMENT OF STATE POLICE OF THAT SUSPENSION IN A MANNER  
2 PRESCRIBED BY THE DEPARTMENT OF STATE POLICE. THE DEPARTMENT OF  
3 STATE POLICE SHALL IMMEDIATELY ENTER THAT SUSPENSION INTO THE LAW  
4 ENFORCEMENT INFORMATION NETWORK.

5 (c) If the person had a bodily alcohol content of .02 or more  
6 but less than .08 grams per 100 milliliters of blood, per 210  
7 liters of breath, or per 67 milliliters of urine, the individual is  
8 responsible for a state civil infraction and ~~may~~ **SHALL** be fined ~~not~~  
9 ~~more than \$100.00. The court may order the concealed weapon~~  
10 ~~licensing board that~~ **PEACE OFFICER SHALL NOTIFY THE DEPARTMENT OF**  
11 **STATE POLICE OF A CIVIL INFRACTION UNDER THIS SUBDIVISION. THE**  
12 **DEPARTMENT OF STATE POLICE SHALL NOTIFY THE COUNTY CLERK WHO** issued  
13 the individual the license, ~~to revoke~~ **WHO SHALL SUSPEND** the license  
14 for 1 year. ~~The concealed weapon licensing board shall revoke the~~  
15 ~~license as ordered by the court. The court shall notify the~~  
16 ~~concealed weapon licensing board that issued the individual a~~  
17 ~~license to carry a concealed pistol if an individual is found~~  
18 ~~responsible for a subsequent violation of this subdivision.~~ **THE**  
19 **DEPARTMENT OF STATE POLICE SHALL IMMEDIATELY ENTER THAT SUSPENSION**  
20 **INTO THE LAW ENFORCEMENT INFORMATION NETWORK.**

21 (3) This section does not prohibit an individual licensed  
22 under this act to carry a concealed pistol who has any bodily  
23 alcohol content from doing any of the following:

24 (a) Transporting that pistol in the locked trunk of his or her  
25 motor vehicle or another motor vehicle in which he or she is a  
26 passenger or, if the vehicle does not have a trunk, from  
27 transporting that pistol unloaded in a locked compartment or

1 container that is separated from the ammunition for that pistol.

2 (b) Transporting that pistol on a vessel if the pistol is  
3 transported unloaded in a locked compartment or container that is  
4 separated from the ammunition for that pistol.

5 (c) Transporting a portable device using electro-muscular  
6 disruption technology in the locked trunk of his or her motor  
7 vehicle or another motor vehicle in which he or she is a passenger,  
8 or, if the vehicle does not have a trunk, from transporting that  
9 portable device in a locked compartment or container.

10 (d) Transporting a portable device using electro-muscular  
11 disruption technology on a vessel if the portable device is  
12 transported in a locked compartment or container.

13 (4) A peace officer who has probable cause to believe an  
14 individual is carrying a concealed pistol or a portable device  
15 using electro-muscular disruption technology in violation of this  
16 section may require the individual to submit to a chemical analysis  
17 of his or her breath, blood, or urine.

18 (5) Before an individual is required to submit to a chemical  
19 analysis under subsection (4), the peace officer shall inform the  
20 individual of all of the following:

21 (a) The individual may refuse to submit to the chemical  
22 analysis, but if he or she chooses to do so, all of the following  
23 apply:

24 (i) The officer may obtain a court order requiring the  
25 individual to submit to a chemical analysis.

26 (ii) The refusal ~~may~~ **SHALL** result in his or her license to  
27 carry a concealed pistol being suspended ~~or revoked~~. **FOR 6 MONTHS.**

1 (b) If the individual submits to the chemical analysis, he or  
2 she may obtain a chemical analysis described in subsection (4) from  
3 a person of his or her own choosing.

4 (6) The collection and testing of breath, blood, and urine  
5 specimens under this section shall be conducted in the same manner  
6 that breath, blood, and urine specimens are collected and tested  
7 for alcohol- and controlled-substance-related driving violations  
8 under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

9 (7) If a person refuses to take a chemical test authorized  
10 under this section, the **PERSON IS RESPONSIBLE FOR A STATE CIVIL**  
11 **INFRACTION AND SHALL BE FINED \$100.00.** A peace officer shall  
12 promptly report the refusal in writing to the ~~concealed weapon~~  
13 ~~licensing board that issued the license to the individual to carry~~  
14 ~~a concealed pistol.~~ **DEPARTMENT OF STATE POLICE. THE DEPARTMENT OF**  
15 **STATE POLICE SHALL NOTIFY THE COUNTY CLERK THAT ISSUED THE LICENSE,**  
16 **WHO SHALL SUSPEND THE LICENSE FOR 6 MONTHS. THE DEPARTMENT OF STATE**  
17 **POLICE SHALL IMMEDIATELY ENTER THAT SUSPENSION INTO THE LAW**  
18 **ENFORCEMENT INFORMATION NETWORK.**

19 ~~—— (8) If a person takes a chemical test authorized under this~~  
20 ~~section and the test results indicate that the individual had any~~  
21 ~~bodily alcohol content while carrying a concealed pistol, the peace~~  
22 ~~officer shall promptly report the violation in writing to the~~  
23 ~~concealed weapon licensing board that issued the license to the~~  
24 ~~individual to carry a concealed pistol.~~

25 (8) ~~(9)~~ As used in this section:

26 (a) "Alcoholic liquor" means that term as defined in section  
27 105 of the Michigan liquor control code of 1998, 1998 PA 58, MCL

1 436.1105.

2 (b) "Controlled substance" means that term as defined in  
3 section 7104 of the public health code, 1978 PA 368, MCL 333.7104.

4 (C) "UNDER THE INFLUENCE OF ALCOHOLIC LIQUOR OR A CONTROLLED  
5 SUBSTANCE" MEANS THAT THE INDIVIDUAL'S ABILITY TO PROPERLY HANDLE A  
6 PISTOL OR TO EXERCISE CLEAR JUDGMENT REGARDING THE USE OF THAT  
7 PISTOL WAS SUBSTANTIALLY AND MATERIALLY AFFECTED BY THE CONSUMPTION  
8 OF ALCOHOLIC LIQUOR OR A CONTROLLED SUBSTANCE.

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

11 (1) ~~(2) An initial~~ A license to carry a concealed pistol,  
12 ~~issued or renewed on or after July 1, 2006, other than a license~~  
13 ~~described in subsection (1),~~ INCLUDING A RENEWAL LICENSE, is valid  
14 until the applicant's date of birth that falls not less than 4  
15 years or more than 5 years after the license is issued or renewed,  
16 as applicable. THE COUNTY CLERK SHALL NOTIFY THE LICENSEE THAT HIS  
17 OR HER LICENSE IS ABOUT TO EXPIRE AND MAY BE RENEWED AS PROVIDED IN  
18 THIS SECTION. THE NOTIFICATION SHALL BE SENT BY THE COUNTY CLERK TO  
19 THE LAST KNOWN ADDRESS OF THE LICENSEE AS SHOWN ON THE RECORDS OF  
20 THE COUNTY CLERK. THE NOTIFICATION SHALL BE SENT IN A SEALED  
21 ENVELOPE BY FIRST-CLASS MAIL NOT LESS THAN 3 MONTHS OR MORE THAN 6  
22 MONTHS BEFORE THE EXPIRATION DATE OF THE CURRENT LICENSE. Except as  
23 provided in ~~subsections (8) and (9),~~ THIS SECTION, a renewal of a  
24 license under section 5b shall ~~, except as provided in this~~  
25 ~~section,~~ be issued in the same manner as an original license issued  
26 under section 5b. EACH APPLICANT FOR A RENEWAL LICENSE UNDER THIS  
27 SECTION SHALL PAY, IN ADDITION TO THE AMOUNT REQUIRED UNDER SECTION

1 5B(5), A \$7.00 RENEWAL FEE TO THE COUNTY CLERK BY ANY METHOD OF  
2 PAYMENT ACCEPTED BY THAT COUNTY FOR PAYMENTS OF OTHER FEES AND  
3 PENALTIES. THE COUNTY CLERK SHALL DEPOSIT THE \$7.00 RENEWAL FEE  
4 UNDER THIS SUBSECTION IN THE CONCEALED PISTOL LICENSING FUND  
5 CREATED IN SECTION 5X. AN APPLICANT IS ELIGIBLE FOR A RENEWAL OF A  
6 LICENSE UNDER THIS SECTION IF HIS OR HER LICENSE IS NOT EXPIRED, OR  
7 EXPIRED WITHIN A 1-YEAR PERIOD BEFORE THE DATE OF APPLICATION UNDER  
8 THIS SECTION.

9 (2) ~~(3)~~—Subject to subsections (7) AND (8), and ~~(9)~~,—an  
10 application to renew a license to carry a concealed pistol may be  
11 submitted not more than 6 months before the expiration of the  
12 current license. A MEMBER OF THE UNITED STATES ARMED FORCES, THE  
13 UNITED STATES ARMED FORCES RESERVE, OR THE MICHIGAN NATIONAL GUARD  
14 WHO IS ON ORDERS TO A DUTY STATION OUTSIDE OF THIS STATE MAY SUBMIT  
15 HIS OR HER APPLICATION TO RENEW A LICENSE TO CARRY A CONCEALED  
16 PISTOL BY FIRST-CLASS MAIL, CONTAINING THE REQUIRED FEE, A  
17 NOTARIZED APPLICATION, THE LICENSEE'S ADDRESS OF RECORD WITHIN THE  
18 STATE, THE LICENSEE'S ORDERS TO REPORT TO A DUTY STATION OUTSIDE OF  
19 THIS STATE, AND IF THE LICENSEE DESIRES TO HAVE HIS OR HER  
20 APPLICATION RECEIPT, RENEWAL LICENSE, OR ANY OTHER NOTICES MAILED  
21 TO HIS OR HER ADDRESS OF ASSIGNMENT OR DEPLOYMENT, A LETTER  
22 REQUESTING THAT ACTION INCLUDING THE ADDRESS OF ASSIGNMENT OR  
23 DEPLOYMENT. IF THE COUNTY CLERK ISSUES A RENEWAL LICENSE UNDER THIS  
24 SECTION, THE COUNTY CLERK SHALL SEND THE LICENSE TO THE LICENSEE BY  
25 FIRST-CLASS MAIL IN A SEALED ENVELOPE. IF THE LICENSEE IS A MEMBER  
26 OF THE UNITED STATES ARMED FORCES, THE UNITED STATES ARMED FORCES  
27 RESERVE, OR THE MICHIGAN NATIONAL GUARD WHO IS ON ORDERS TO A DUTY

1 STATION OUTSIDE OF THIS STATE AND REQUESTS THAT HIS OR HER LICENSE  
 2 BE SENT TO THE ADDRESS OF ASSIGNMENT OR DEPLOYMENT, THE COUNTY  
 3 CLERK SHALL MAIL THE LICENSE TO THE LICENSEE AT THE ADDRESS OF  
 4 ASSIGNMENT OR DEPLOYMENT PROVIDED IN THE RENEWAL APPLICATION. If  
 5 the ~~concealed weapon licensing board approves~~ COUNTY CLERK ISSUES  
 6 the renewal, the effective date of the renewal license is the date  
 7 of expiration of the current license or the date of ~~approval~~ ISSUE  
 8 of the renewal, whichever is later, and the date of expiration is  
 9 the applicant's date of birth which is not less than 4 years or  
 10 more than 5 years from the effective date of the license.

11 (3) ~~(4) The concealed weapon licensing board~~ DEPARTMENT OF  
 12 STATE POLICE SHALL COMPLETE THE VERIFICATION REQUIRED UNDER SECTION  
 13 5B(6) AND THE COUNTY CLERK shall issue ~~or deny issuance of a~~  
 14 renewal license OR A NOTICE OF STATUTORY DISQUALIFICATION within ~~60~~  
 15 45 days after the DATE OF application for renewal. ~~is properly~~  
 16 ~~submitted.~~ The county clerk shall issue the applicant a receipt for  
 17 his or her renewal application at the time the application is  
 18 submitted. IF THE RENEWAL APPLICATION IS SUBMITTED BY A MEMBER OF  
 19 THE UNITED STATES ARMED FORCES, THE UNITED STATES ARMED FORCES  
 20 RESERVE, OR THE MICHIGAN NATIONAL GUARD WHO IS ON ORDERS TO A DUTY  
 21 STATION OUTSIDE OF THIS STATE, THE COUNTY CLERK SHALL MAIL THE  
 22 RECEIPT TO THE LICENSEE BY FIRST-CLASS MAIL. The receipt ISSUED  
 23 UNDER THIS SUBSECTION shall contain all of the 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) THE APPLICANT'S STATE-ISSUED DRIVER LICENSE OR PERSONAL

1 IDENTIFICATION CARD NUMBER.

2 (E) ~~(d) A THE statement, that the receipt is for a license~~  
 3 ~~renewal.~~ "THIS RECEIPT WAS ISSUED FOR THE PURPOSE OF RENEWAL OF A  
 4 CONCEALED PISTOL LICENSE. AS PROVIDED IN SECTION 5/ OF 1927 PA 372,  
 5 MCL 28.425/, THIS RECEIPT SHALL SERVE AS A CONCEALED PISTOL LICENSE  
 6 FOR THE INDIVIDUAL NAMED IN THE RECEIPT WHEN CARRIED WITH THE  
 7 EXPIRED LICENSE AND IS VALID UNTIL A LICENSE OR NOTICE OF STATUTORY  
 8 DISQUALIFICATION IS ISSUED BY THE COUNTY CLERK. THIS RECEIPT DOES  
 9 NOT EXEMPT THE INDIVIDUAL NAMED IN THE RECEIPT FROM COMPLYING WITH  
 10 ALL APPLICABLE LAWS FOR THE PURCHASE OF FIREARMS.".

11 ~~—— (e) A statement of whether the applicant qualifies for an~~  
 12 ~~extension under subsection (5).~~

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

14 (g) An impression of the county seal.

15 (4) ~~(5) If the concealed weapon licensing board fails to deny~~  
 16 ~~or issue a renewal license to the person within 60 days as required~~  
 17 ~~under subsection (4), AN INDIVIDUAL APPLIES FOR A RENEWAL LICENSE~~  
 18 **BEFORE THE EXPIRATION OF HIS OR HER LICENSE,** the expiration date of  
 19 the current license is extended by ~~180 days or until the renewal~~  
 20 **license OR NOTICE OF STATUTORY DISQUALIFICATION** is issued. ~~7~~  
 21 ~~whichever occurs first. This subsection does not apply unless the~~  
 22 ~~person pays the renewal fee at the time the renewal application is~~  
 23 ~~submitted and the person has submitted a receipt from a police~~  
 24 ~~agency that confirms that a background check has been requested by~~  
 25 ~~the applicant.~~ **THE COUNTY CLERK SHALL NOTIFY THE DEPARTMENT OF STATE**  
 26 **POLICE IN A MANNER PRESCRIBED BY THE DEPARTMENT OF STATE POLICE**  
 27 **AFTER HE OR SHE RECEIVES AN APPLICATION FOR RENEWAL. THE DEPARTMENT**

1 OF STATE POLICE SHALL IMMEDIATELY ENTER INTO THE LAW ENFORCEMENT  
2 INFORMATION NETWORK THE DATE THAT APPLICATION FOR RENEWAL WAS  
3 SUBMITTED AND THAT THE RENEWAL APPLICATION IS PENDING.

4 (5) ~~(6)~~ A person carrying a concealed pistol after the  
5 expiration date of his or her license ~~pursuant to~~ **UNDER** an  
6 extension under subsection ~~(5)~~ **(4)** shall keep the receipt issued by  
7 the county clerk under subsection ~~(4)~~ **(3)** and his or her expired  
8 license in his or her possession at all times that he or she is  
9 carrying the pistol. For the purposes of this act, the receipt is  
10 considered to be part of the license to carry a concealed pistol  
11 until a renewal license **OR NOTICE OF STATUTORY DISQUALIFICATION** is  
12 issued. ~~or denied. Failing to have the receipt and expired license~~  
13 ~~in possession while carrying a concealed pistol or failing to~~  
14 ~~display the receipt to a peace officer upon request is a violation~~  
15 ~~of this act.~~

16 (6) ~~(7)~~ The educational requirements under section 5b(7)(c)  
17 are waived for an applicant who is a retired police officer or  
18 retired law enforcement officer.

19 (7) ~~(8)~~ The educational requirements under section 5b(7)(c)  
20 for an applicant who is applying for a renewal of a license under  
21 this act are waived except that the applicant shall certify that he  
22 or she has completed at least 3 hours' review of the training  
23 described under section 5b(7)(c) and has had at least 1 hour of  
24 firing range time in the 6 months immediately preceding the  
25 subsequent application. **THE EDUCATIONAL AND FIRING RANGE**  
26 **REQUIREMENTS OF THIS SUBSECTION ARE MET IF THE APPLICANT CERTIFIES**  
27 **ON THE RENEWAL APPLICATION FORM THAT HE OR SHE HAS COMPLIED WITH**

1 THE REQUIREMENTS OF THIS SUBSECTION. THE COUNTY CLERK SHALL NOT  
2 OTHERWISE REQUIRE VERIFICATION OF THE STATEMENTS MADE UNDER THIS  
3 SUBSECTION AND SHALL NOT REQUIRE AN APPLICANT TO OBTAIN A  
4 CERTIFICATE OR UNDERGO TRAINING OTHER THAN AS REQUIRED BY THIS  
5 SUBSECTION.

6 (8) ~~(9) Beginning January 1, 2007, an~~ ~~AN~~ applicant who is  
7 applying for a renewal of a license issued under section 5b is not  
8 required to have fingerprints taken again under section 5b(9) if  
9 all of the following conditions have been met:

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

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

18 Sec. 50. (1) Subject to subsection (5), an individual licensed  
19 under this act to carry a concealed pistol, or who is exempt from  
20 licensure under section 12a(1)(h), shall not carry a concealed  
21 pistol on the premises of any of the following:

22 (a) A school or school property except that a parent or legal  
23 guardian of a student of the school is not precluded from carrying  
24 a concealed pistol while in a vehicle on school property, if he or  
25 she is dropping the student off at the school or picking up the  
26 student from the school. As used in this section, "school" and  
27 "school property" mean those terms as defined in section 237a of

1 the Michigan penal code, 1931 PA 328, MCL 750.237a.

2 (b) A public or private child care center or day care center,  
3 public or private child caring institution, or public or private  
4 child placing agency.

5 (c) A sports arena or stadium.

6 (d) A bar or tavern licensed under the Michigan liquor control  
7 code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, where the  
8 primary source of income of the business is the sale of alcoholic  
9 liquor by the glass and consumed on the premises. This subdivision  
10 does not apply to an owner or employee of the business. The  
11 Michigan liquor control commission shall develop and make available  
12 to holders of licenses under the Michigan liquor control code of  
13 1998, 1998 PA 58, MCL 436.1101 to 436.2303, an appropriate sign  
14 stating that "This establishment prohibits patrons from carrying  
15 concealed weapons". The owner or operator of an establishment  
16 licensed under the Michigan liquor control code of 1998, 1998 PA  
17 58, MCL 436.1101 to 436.2303, may, but is not required to, post the  
18 sign developed under this subdivision.

19 (e) Any property or facility owned or operated by a church,  
20 synagogue, mosque, temple, or other place of worship, unless the  
21 presiding official or officials of the church, synagogue, mosque,  
22 temple, or other place of worship permit the carrying of concealed  
23 pistol on that property or facility.

24 (f) An entertainment facility with a seating capacity of 2,500  
25 or more individuals that the individual knows or should know has a  
26 seating capacity of 2,500 or more individuals or that has a sign  
27 above each public entrance stating in letters not less than 1-inch

1 high a seating capacity of 2,500 or more individuals.

2 (g) A hospital.

3 (h) A dormitory or classroom of a community college, college,  
4 or university.

5 (2) Subject to subsection (5), an individual shall not carry a  
6 portable device that uses electro-muscular disruption technology on  
7 any of the premises described in subsection (1).

8 (3) An individual licensed under this act to carry a concealed  
9 pistol, or who is exempt from licensure under section 12a(1)(h),  
10 shall not carry a concealed pistol in violation of R 432.1212 or a  
11 successor rule of the Michigan administrative code promulgated  
12 under the Michigan gaming control and revenue act, 1996 IL 1, MCL  
13 432.201 to 432.226.

14 (4) As used in subsection (1), "premises" does not include  
15 parking areas of the places identified under subsection (1).

16 (5) Subsections (1) and (2) do not apply to any of the  
17 following:

18 (a) An individual licensed under this act who is a retired  
19 police officer or retired law enforcement officer. ~~The concealed~~  
20 ~~weapon licensing board may require a letter from the law~~  
21 ~~enforcement agency stating that the retired police officer or law~~  
22 ~~enforcement officer retired in good standing.~~

23 (b) An individual who is licensed under this act and who is  
24 employed or contracted by an entity described under subsection (1)  
25 to provide security services and is required by his or her employer  
26 or the terms of a contract to carry a concealed firearm on the  
27 premises of the employing or contracting entity.

1 (c) An individual who is licensed as a private investigator or  
2 private detective under the professional investigator licensure  
3 act, 1965 PA 285, MCL 338.821 to 338.851.

4 (d) An individual who is licensed under this act and who is a  
5 corrections officer of a county sheriff's department.

6 (e) An individual who is licensed under this act and who is a  
7 motor carrier officer or capitol security officer of the department  
8 of state police.

9 (f) An individual who is licensed under this act and who is a  
10 member of a sheriff's posse.

11 (g) An individual who is licensed under this act and who is an  
12 auxiliary officer or reserve officer of a police or sheriff's  
13 department.

14 (h) An individual who is licensed under this act and who is a  
15 parole or probation officer of the department of corrections.

16 (i) A state court judge or state court retired judge who is  
17 licensed under this act. ~~The concealed weapon licensing board may~~  
18 ~~require a state court retired judge to obtain and carry a letter~~  
19 ~~from the judicial tenure commission stating that the state court~~  
20 ~~retired judge is in good standing as authorized under section 30 of~~  
21 ~~article VI of the state constitution of 1963, and rules promulgated~~  
22 ~~under that section, in order to qualify under this subdivision.~~

23 (j) An individual who is licensed under this act and who is a  
24 court officer.

25 (6) An individual who violates this section is responsible for  
26 a state civil infraction or guilty of a crime as follows:

27 (a) Except as provided in subdivisions (b) and (c), the

1 individual is responsible for a state civil infraction and may be  
2 fined not more than \$500.00. The court shall order the individual's  
3 license to carry a concealed pistol suspended for 6 months.

4 (b) For a second violation, the individual is guilty of a  
5 misdemeanor punishable by a fine of not more than \$1,000.00. The  
6 court shall order the individual's license to carry a concealed  
7 pistol revoked.

8 (c) For a third or subsequent violation, the individual is  
9 guilty of a felony punishable by imprisonment for not more than 4  
10 years or a fine of not more than \$5,000.00, or both. The court  
11 shall order the individual's license to carry a concealed pistol  
12 revoked.

13 SEC. 5X. (1) EACH COUNTY SHALL ESTABLISH A CONCEALED PISTOL  
14 LICENSING FUND FOR THE DEPOSIT OF FEES COLLECTED FOR THE COUNTY  
15 CLERK UNDER THIS ACT. THE COUNTY TREASURER SHALL DIRECT INVESTMENT  
16 OF THE CONCEALED PISTOL LICENSING FUND AND SHALL CREDIT TO THE FUND  
17 INTEREST AND EARNINGS FROM FUND INVESTMENTS.

18 (2) MONEY CREDITED TO THE COUNTY CONCEALED PISTOL LICENSING  
19 FUND SHALL BE EXPENDED IN COMPLIANCE WITH THE UNIFORM BUDGETING AND  
20 ACCOUNTING ACT, 1968 PA 2, MCL 141.421 TO 141.440A, SUBJECT TO AN  
21 APPROPRIATION. EXPENDITURES FROM THE COUNTY CONCEALED PISTOL  
22 LICENSING FUND SHALL BE USED BY THE COUNTY CLERK ONLY FOR THE COST  
23 OF ADMINISTERING THIS ACT. ALLOWABLE EXPENDITURES INCLUDE, BUT ARE  
24 NOT LIMITED TO, ANY OF THE FOLLOWING COSTS OF THE COUNTY CLERK:

25 (A) STAFFING REQUIREMENTS DIRECTLY ATTRIBUTABLE TO PERFORMING  
26 FUNCTIONS REQUIRED UNDER THIS ACT.

27 (B) TECHNOLOGY UPGRADES, INCLUDING TECHNOLOGY TO TAKE

1 FINGERPRINTS BY ELECTRONIC MEANS.

2 (C) OFFICE SUPPLIES.

3 (D) DOCUMENT STORAGE AND RETRIEVAL SYSTEMS AND SYSTEM  
4 UPGRADES.

5 Sec. 8. (1) ~~The concealed weapon licensing board that COUNTY~~  
6 **CLERK WHO** issued a license to an individual to carry a concealed  
7 pistol ~~may~~ **SHALL SUSPEND**, revoke, ~~that~~ **OR REINSTATE A** license **AS**  
8 **REQUIRED UNDER THIS ACT** if ~~the board determines that the individual~~  
9 ~~committed any violation of this act other than a violation of~~  
10 ~~section 5f(4). If the board determines that the individual has been~~  
11 ~~found responsible for 3 or more state civil infraction violations~~  
12 ~~of this act during the license period, the board shall conduct a~~  
13 ~~hearing and may suspend the individual's license for not more than~~  
14 ~~1 year.~~ **ORDERED BY A COURT OR IF THE COUNTY CLERK IS NOTIFIED OF A**  
15 **CHANGE IN THE LICENSEE'S ELIGIBILITY TO CARRY A CONCEALED PISTOL**  
16 **UNDER THIS ACT.**

17 (2) Except as provided in subsections (3) ~~, OR (4), and (5), a~~  
18 license shall not be **SUSPENDED OR** revoked under this section except  
19 upon written complaint and an opportunity ~~for a hearing before the~~  
20 ~~board. The board shall give the individual at least 10 days' notice~~  
21 ~~of a hearing under this section. The notice shall be by personal~~  
22 ~~service or by certified mail delivered to the individual's last~~  
23 ~~known address.~~ **TO REQUEST THE COUNTY CLERK TO CONDUCT A REVIEW OF**  
24 **THAT SUSPENSION OR REVOCATION.**

25 (3) ~~If the concealed weapon licensing board is notified by a~~  
26 ~~law enforcement agency or prosecuting official that an individual~~  
27 ~~licensed to carry a concealed pistol is charged with a felony or~~

1 misdemeanor as defined in this act, the ~~concealed weapon licensing~~  
2 ~~board~~ COURT shall immediately ORDER THE COUNTY CLERK WHO ISSUED THE  
3 LICENSE TO CARRY A CONCEALED PISTOL TO suspend the individual's  
4 license until there is a final disposition of the charge for that  
5 offense. ~~and THE COURT SHALL NOTIFY THE COUNTY CLERK OF EACH~~  
6 STATUTORY PROVISION WITH WHICH THE INDIVIDUAL HAS BEEN CHARGED. THE  
7 COUNTY CLERK SHALL send notice BY FIRST-CLASS MAIL IN A SEALED  
8 ENVELOPE of that suspension to the individual's last known address  
9 as indicated in the records of the ~~concealed weapon licensing~~  
10 ~~board~~. COUNTY CLERK. The notice shall ~~inform the individual that he~~  
11 ~~or she is entitled to a prompt hearing on the suspension, and the~~  
12 ~~concealed weapon licensing board shall conduct a prompt hearing if~~  
13 ~~requested in writing by the individual. The~~ INCLUDE THE STATUTORY  
14 REASON FOR THE SUSPENSION, THE SOURCE OF THE RECORD SUPPORTING THAT  
15 SUSPENSION, THE LENGTH OF THE SUSPENSION, AND WHOM TO CONTACT FOR  
16 REINSTATING THE LICENSE ON EXPIRATION OF THE SUSPENSION, CORRECTING  
17 ERRORS IN THE RECORD, OR APPEALING THE SUSPENSION. THE requirements  
18 of subsection (2) do not apply to this subsection. IF A COURT  
19 ORDERED A LICENSE SUSPENDED UNDER THIS SUBSECTION AND THE  
20 INDIVIDUAL IS ACQUITTED OF THE CHARGE OR THE CHARGE IS DISMISSED,  
21 THE COURT SHALL NOTIFY THE COUNTY CLERK WHO SHALL AUTOMATICALLY  
22 REINSTATE THE LICENSE IF THE LICENSE IS NOT EXPIRED AND THE  
23 INDIVIDUAL IS OTHERWISE QUALIFIED TO RECEIVE A LICENSE TO CARRY A  
24 CONCEALED PISTOL, AS VERIFIED BY THE DEPARTMENT OF STATE POLICE. A  
25 COUNTY CLERK SHALL NOT CHARGE A FEE FOR THE REINSTATEMENT OF A  
26 LICENSE UNDER THIS SUBSECTION.

27 (4) The ~~concealed weapon licensing board that~~ DEPARTMENT OF

1    **STATE POLICE SHALL NOTIFY THE COUNTY CLERK WHO** issued a license to  
2    an individual to carry a concealed pistol ~~shall revoke that license~~  
3    if the ~~board~~ **DEPARTMENT OF STATE POLICE** determines that the  
4    ~~individual is not eligible~~ **THERE HAS BEEN A CHANGE IN THE**  
5    **INDIVIDUAL'S ELIGIBILITY** under this act to receive a license to  
6    carry a concealed pistol. The ~~concealed weapon licensing board~~  
7    **COUNTY CLERK** shall **SUSPEND, REVOKE, OR REINSTATE THE LICENSE AS**  
8    **REQUIRED UNDER THIS ACT AND** immediately send notice of ~~the fact of~~  
9    ~~and the reason for the~~ **SUSPENSION, revocation, OR REINSTATEMENT**  
10   under this subsection by first-class mail **IN A SEALED ENVELOPE** to  
11   the individual's last known address as indicated on the records of  
12   the ~~concealed weapon licensing board. The~~ **COUNTY CLERK. THE NOTICE**  
13   **SHALL INCLUDE THE STATUTORY REASON FOR THE SUSPENSION, REVOCATION,**  
14   **OR REINSTATEMENT, THE SOURCE OF THE RECORD SUPPORTING THE**  
15   **SUSPENSION, REVOCATION, OR REINSTATEMENT, THE LENGTH OF THE**  
16   **SUSPENSION OR REVOCATION, AND WHOM TO CONTACT FOR CORRECTING ERRORS**  
17   **IN THE RECORD, APPEALING THE SUSPENSION OR REVOCATION, AND**  
18   **REAPPLYING FOR THAT INDIVIDUAL'S LICENSE. THE DEPARTMENT OF STATE**  
19   **POLICE SHALL IMMEDIATELY ENTER THAT SUSPENSION, REVOCATION, OR**  
20   **REINSTATMENT INTO THE LAW ENFORCEMENT INFORMATION NETWORK. THE**  
21   requirements of subsection (2) do not apply to this subsection.  
22   ~~—— (5) If the concealed weapon licensing board determines by~~  
23   ~~clear and convincing evidence based on specific articulable facts~~  
24   ~~that the applicant poses a danger to the applicant or to any other~~  
25   ~~person, the concealed weapon licensing board shall immediately~~  
26   ~~suspend the individual's license pending a revocation hearing under~~  
27   ~~this section. The concealed weapon licensing board shall send~~

~~notice of the suspension to the individual's last known address as indicated in the records of the concealed weapon licensing board. The notice shall inform the individual that he or she is entitled to a prompt hearing on the suspension, and the concealed weapon licensing board shall conduct a prompt hearing if requested in writing by the individual. The requirements of subsection (2) do not apply to this subsection.~~

(5) IF A SUSPENSION IS IMPOSED UNDER THIS SECTION, THE SUSPENSION SHALL BE FOR A PERIOD STATED IN YEARS, MONTHS, OR DAYS, OR UNTIL THE FINAL DISPOSITION OF THE CHARGE, AND SHALL STATE THE DATE THE SUSPENSION WILL END, IF APPLICABLE. THE LICENSEE SHALL PROMPTLY SURRENDER HIS OR HER LICENSE TO THE COUNTY CLERK AFTER BEING NOTIFIED THAT HIS OR HER LICENSE HAS BEEN REVOKED OR SUSPENDED. AN INDIVIDUAL WHO FAILS TO SURRENDER A LICENSE AS REQUIRED UNDER THIS SUBSECTION AFTER HE OR SHE WAS NOTIFIED THAT HIS OR HER LICENSE WAS SUSPENDED OR REVOKED IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

(6) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (3) AND (7), IF A LICENSE IS SUSPENDED UNDER THIS SECTION AND THAT LICENSE WAS SURRENDERED BY THE LICENSEE, UPON EXPIRATION OF THE SUSPENSION PERIOD, THE APPLICANT MAY APPLY FOR A RENEWAL LICENSE IN THE SAME MANNER AS PROVIDED UNDER SECTION 5/. THE COUNTY CLERK SHALL ISSUE THE APPLICANT A RECEIPT FOR HIS OR HER APPLICATION AT THE TIME THE APPLICATION IS SUBMITTED. THE RECEIPT SHALL CONTAIN ALL OF THE FOLLOWING:

(A) THE NAME OF THE APPLICANT.

1 (B) THE DATE AND TIME THE RECEIPT IS ISSUED.

2 (C) THE AMOUNT PAID.

3 (D) THE APPLICANT'S STATE-ISSUED DRIVER LICENSE OR PERSONAL  
4 IDENTIFICATION CARD NUMBER.

5 (E) THE STATEMENT, "THIS RECEIPT WAS ISSUED FOR THE PURPOSE OF  
6 APPLYING FOR A RENEWAL OF A CONCEALED PISTOL LICENSE FOLLOWING A  
7 PERIOD OF SUSPENSION OR REVOCATION. THIS RECEIPT DOES NOT AUTHORIZE  
8 AN INDIVIDUAL TO CARRY A CONCEALED PISTOL IN THIS STATE."

9 (F) THE NAME OF THE COUNTY IN WHICH THE RECEIPT IS ISSUED.

10 (G) AN IMPRESSION OF THE COUNTY SEAL.

11 (7) IF A LICENSE IS SUSPENDED BECAUSE OF AN ORDER UNDER  
12 SECTION 5B(7) (D) (iii) AND THAT LICENSE WAS SURRENDERED BY THE  
13 LICENSEE, UPON EXPIRATION OF THE ORDER AND NOTIFICATION TO THE  
14 COUNTY CLERK, THE COUNTY CLERK SHALL AUTOMATICALLY REINSTATE THE  
15 LICENSE IF THE LICENSE IS NOT EXPIRED AND THE DEPARTMENT OF STATE  
16 POLICE HAS COMPLETED THE VERIFICATION REQUIRED UNDER SECTION 5B(6).  
17 THE COUNTY CLERK SHALL NOT CHARGE A FEE FOR THE REINSTATEMENT OF A  
18 LICENSE UNDER THIS SUBSECTION.

19 (8) ~~(6) If the concealed weapon licensing board~~ COURT orders a  
20 ~~license suspended or revoked~~ COUNTY CLERK TO SUSPEND, REVOKE, OR  
21 REINSTATE A LICENSE under this section or amends a suspension, ~~or~~  
22 revocation, OR REINSTATEMENT order, the ~~concealed weapon licensing~~  
23 ~~board~~ COUNTY CLERK shall immediately notify a ~~law enforcement~~  
24 ~~agency having jurisdiction in the county in which the concealed~~  
25 ~~weapon licensing board is located to~~ THE DEPARTMENT OF STATE POLICE  
26 IN A MANNER PRESCRIBED BY THE DEPARTMENT OF STATE POLICE. THE  
27 DEPARTMENT OF STATE POLICE SHALL enter the order or amended order

1 into the law enforcement information network. ~~A law enforcement~~  
2 ~~agency that receives notice of an order or amended order under this~~  
3 ~~subsection from a concealed weapon licensing board shall~~  
4 ~~immediately enter the order or amended order into the law~~  
5 ~~enforcement information network as requested by that concealed~~  
6 ~~weapon licensing board.~~

7 (9) ~~(7)~~ A suspension or revocation order or amended order  
8 issued under this section is immediately effective. However, an  
9 individual is not criminally liable for violating the order or  
10 amended order unless he or she has received notice of the order or  
11 amended order.

12 (10) ~~(8)~~ If an individual is carrying a pistol in violation of  
13 a suspension or revocation order or amended order issued under this  
14 section but has not previously received notice of the order or  
15 amended order, the individual shall be informed of the order or  
16 amended order and be given an opportunity to properly store the  
17 pistol or otherwise comply with the order or amended order before  
18 an arrest is made for carrying the pistol in violation of this act.

19 (11) ~~(9)~~ If a law enforcement agency or officer notifies an  
20 individual of a suspension or revocation order or amended order  
21 issued under this section who has not previously received notice of  
22 the order or amended order, the law enforcement agency or officer  
23 shall enter a statement into the law enforcement information  
24 network that the individual has received notice of the order or  
25 amended order under this section.

26 ~~— (10) The clerk of the concealed weapon licensing board is~~  
27 ~~authorized to administer an oath to any individual testifying~~

1 ~~before the board at a hearing under this section.~~

2       Enacting section 1. Sections 5m and 6a of 1927 PA 372, MCL  
3 28.425m and 28.426a, are repealed.

4       Enacting section 2. Sections 1, 2a, 4, 5, 5a, 5c, 5d, 5e, 5f,  
5 5j, 5k, 5l, 5o, and 8 of 1927 PA 372, MCL 28.421, 28.422a, 28.424,  
6 28.425, 28.425a, 28.425c, 28.425d, 28.425e, 28.425f, 28.425j,  
7 28.425k, 28.425l, 28.425o, and 28.428, as amended by this amendatory  
8 act, take effect October 1, 2015.

9       Enacting section 3. Section 5x as added by this amendatory act  
10 takes effect January 1, 2015.