

SENATE BILL NO. 987

March 3, 1998, Introduced by Senators JAYE, BENNETT,
GOUGEON, MILLER and SHUGARS and referred to the Committee
on Hunting, Fishing and Forestry.

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possess-
ing, and carrying of certain firearms and gas ejecting devices;
to prohibit the buying, selling, or carrying of certain firearms
and gas ejecting devices without a license; to provide for the
forfeiture of firearms possessed in violation of this act; to
provide immunity from civil liability under certain circum-
stances; to prescribe the powers and duties of certain state and
local agencies; and to repeal all acts and parts of acts incon-
sistent with the provisions of this act,"

by amending the title and sections 8 and 12 (MCL 28.428 and
28.432), the title as amended by 1990 PA 320, and by adding sec-
tions 5b, 5c, 5d, 5f, 5g, 5h, 5i, 5l, 5m, 5n, and 5o; and to
repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

TITLE

2

An act to regulate and license the selling, purchasing,

3

possessing, and carrying of certain firearms and gas ejecting

4

devices; to prohibit the buying, selling, or carrying of certain

1 firearms and gas ejecting devices without a license OR OTHER
2 AUTHORIZATION; to provide for the forfeiture of firearms
3 ~~possessed in violation of this act~~ UNDER CERTAIN CIRCUMSTANCES;
4 to provide immunity from civil liability under certain circum-
5 stances; to prescribe the powers and duties of certain state and
6 local agencies; TO PROHIBIT CERTAIN CONDUCT AGAINST INDIVIDUALS
7 WHO APPLY FOR OR RECEIVE CONCEALED WEAPON PERMITS; TO PROHIBIT
8 CERTAIN CONDUCT AGAINST INDIVIDUALS WHO ACT AS REFERENCES FOR
9 INDIVIDUALS WHO APPLY FOR CONCEALED WEAPON PERMITS; TO PRESCRIBE
10 PENALTIES; TO PROVIDE REMEDIES; and to repeal all acts and parts
11 of acts inconsistent with ~~the provisions of~~ this act.

12 SEC. 5B. (1) AN INDIVIDUAL MAY APPLY TO THE CONCEALED
13 WEAPON LICENSING BOARD IN THE COUNTY IN WHICH THAT INDIVIDUAL
14 RESIDES FOR A LICENSE TO CARRY A CONCEALED PISTOL. THE APPLICA-
15 TION SHALL BE FILED WITH THE COUNTY CLERK AS CLERK OF THE CON-
16 CEALED WEAPON LICENSING BOARD DURING THE COUNTY CLERK'S NORMAL
17 BUSINESS HOURS. THE APPLICATION SHALL BE ON A FORM PROVIDED BY
18 THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE AND SHALL ALLOW
19 THE APPLICANT TO DESIGNATE WHETHER THE APPLICANT SEEKS A TEMPO-
20 RARY LICENSE PENDING ISSUANCE OF A REGULAR LICENSE. THE APPLI-
21 CANT SHALL PROVIDE 2 PHOTOGRAPHS OF THE APPLICANT IN PASSPORT
22 SIZE, STYLE, AND QUALITY AT THE TIME THE APPLICATION IS FILED.
23 THE APPLICATION SHALL BE SIGNED UNDER OATH BY THE APPLICANT. THE
24 OATH SHALL BE ADMINISTERED BY THE COUNTY CLERK OR HIS OR HER
25 REPRESENTATIVE. THE APPLICATION SHALL CONTAIN ALL OF THE FOLLOW-
26 ING INFORMATION:

1 (A) THE APPLICANT'S NAME AND ADDRESS.

2 (B) A STATEMENT BY THE APPLICANT THAT THE APPLICANT IS
3 FAMILIAR WITH THE PROVISIONS OF THIS ACT AS THEY RELATE TO CARRY-
4 ING A CONCEALED PISTOL.

5 (C) A STATEMENT BY THE APPLICANT THAT THE APPLICANT MEETS
6 THE CRITERIA FOR A LICENSE UNDER THIS ACT TO CARRY A CONCEALED
7 PISTOL.

8 (D) A STATEMENT BY THE APPLICANT PROVIDING AUTHORITY TO THE
9 CONCEALED WEAPON LICENSING BOARD TO ACCESS ANY RECORD OF THE
10 JUVENILE DIVISION OF THE PROBATE COURT OR THE FAMILY DIVISION OF
11 THE CIRCUIT COURT RELATING TO THE APPLICANT'S ELIGIBILITY UNDER
12 SUBSECTION (8) TO RECEIVE A LICENSE TO CARRY A CONCEALED PISTOL.
13 THE APPLICANT MAY REQUEST THAT INFORMATION RECEIVED BY THE CON-
14 CEALED WEAPON LICENSING BOARD UNDER THIS SUBDIVISION BE REVIEWED
15 IN A CLOSED SESSION. IF THE APPLICANT REQUESTS THAT THE SESSION
16 BE CLOSED, THE CONCEALED WEAPON LICENSING BOARD SHALL CLOSE THE
17 SESSION ONLY FOR PURPOSES OF THIS SUBDIVISION. THE APPLICANT HAS
18 THE RIGHT TO BE PRESENT IN THE CLOSED SESSION. INFORMATION
19 RECEIVED BY THE CONCEALED WEAPON LICENSING BOARD UNDER THIS SUB-
20 DIVISION IS CONFIDENTIAL AND SHALL NOT BE DISCLOSED TO ANY PERSON
21 EXCEPT FOR PURPOSES OF THIS ACT.

22 (E) A STATEMENT BY THE APPLICANT REGARDING WHETHER HE OR SHE
23 HAS BEEN TREATED FOR SUBSTANCE ABUSE WITHIN 5 YEARS PRECEDING THE
24 DATE OF APPLICATION OR HAS A HISTORY OF MENTAL ILLNESS THAT WOULD
25 DISQUALIFY HIM OR HER UNDER SUBSECTION (8)(G) TO (I) FROM RECEIV-
26 ING A LICENSE TO CARRY A CONCEALED PISTOL, AND GRANTING AUTHORITY
27 TO THE CONCEALED WEAPON LICENSING BOARD TO ACCESS ALL MEDICAL

1 RECORDS OF THE APPLICANT RELATING TO THOSE ISSUES. THE APPLICANT
2 MAY REQUEST THAT INFORMATION RECEIVED BY THE CONCEALED WEAPON
3 LICENSING BOARD UNDER THIS SUBDIVISION BE REVIEWED IN A CLOSED
4 SESSION. IF THE APPLICANT REQUESTS THAT THE SESSION BE CLOSED,
5 THE CONCEALED WEAPON LICENSING BOARD SHALL CLOSE THE SESSION ONLY
6 FOR PURPOSES OF THIS SUBDIVISION. THE APPLICANT AND HIS OR HER
7 REPRESENTATIVE HAVE THE RIGHT TO BE PRESENT IN THE CLOSED
8 SESSION. INFORMATION RECEIVED BY THE CONCEALED WEAPON LICENSING
9 BOARD UNDER THIS SUBDIVISION IS CONFIDENTIAL AND SHALL NOT BE
10 DISCLOSED TO ANY PERSON EXCEPT FOR PURPOSES OF THIS ACT.

11 (F) A STATEMENT BY THE APPLICANT REGARDING WHETHER HE OR SHE
12 HAS EVER BEEN CONVICTED IN THIS STATE OR ELSEWHERE FOR ANY CRIME
13 INVOLVING DOMESTIC VIOLENCE.

14 (G) IF THE APPLICANT SEEKS A TEMPORARY LICENSE PENDING ISSU-
15 ANCE OF A REGULAR LICENSE, THE FACTS SUPPORTING THE ISSUANCE OF
16 THAT TEMPORARY LICENSE.

17 (H) A STATEMENT BY THE APPLICANT LISTING THE NAMES,
18 ADDRESSES, AND TELEPHONE NUMBERS OF 2 INDIVIDUALS WHO ARE NOT
19 RELATED TO THE APPLICANT WHO MAY BE CONTACTED BY THE CONCEALED
20 WEAPON LICENSING BOARD AS REFERENCES FOR THE APPLICANT. A POLICE
21 AGENCY SHALL NOT DISCIPLINE A PEACE OFFICER WHO SERVES AS A REF-
22 ERENCE FOR AN APPLICANT UNDER THIS SUBDIVISION.

23 (I) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF 1 OF THE FOL-
24 LOWING INDIVIDUALS WHO ARE RELATED TO THE APPLICANT BY MARRIAGE,
25 BLOOD, OR ADOPTION WHO ARE 18 YEARS OF AGE OR OLDER OR, IF THE
26 APPLICANT HAS NONE OF THE FOLLOWING RELATIVES WHO ARE 18 YEARS OF
27 AGE OR OLDER, A STATEMENT BY THE APPLICANT THAT HE OR SHE HAS

1 NONE OF THE FOLLOWING RELATIVES WHO ARE 18 YEARS OF AGE OR
2 OLDER:

3 (i) HIS OR HER SPOUSE.

4 (ii) A PARENT.

5 (iii) A GRANDPARENT.

6 (iv) A GREAT-GRANDPARENT.

7 (v) AN UNCLE OR AUNT.

8 (vi) A BROTHER OR SISTER.

9 (vii) A NEPHEW OR NIECE.

10 (viii) A SON OR DAUGHTER.

11 (ix) A GRANDSON OR GRANDDAUGHTER.

12 (x) A GREAT-GRANDSON OR GREAT-GRANDDAUGHTER.

13 (2) IF THE APPLICANT IS A PEACE OFFICER, THE APPLICATION
14 SHALL INDICATE THAT FACT AND THE NAME, ADDRESS, AND TELEPHONE
15 NUMBER OF THE POLICE AGENCY THAT EMPLOYS HIM OR HER.

16 (3) THE APPLICATION FORM SHALL CONTAIN A CONSPICUOUS WARNING
17 THAT THE APPLICATION IS EXECUTED UNDER OATH AND THAT INTENTION-
18 ALLY MAKING A MATERIAL FALSE STATEMENT ON THE APPLICATION IS A
19 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A
20 FINE OF NOT MORE THAN \$2,000.00, OR BOTH.

21 (4) AN INDIVIDUAL WHO INTENTIONALLY MAKES A MATERIAL FALSE
22 STATEMENT ON AN APPLICATION FOR A LICENSE TO CARRY A CONCEALED
23 PISTOL IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT
24 MORE THAN 4 YEARS OR A FINE OF NOT MORE THAN \$2,000.00, OR BOTH.

25 (5) THE CONCEALED WEAPON LICENSING BOARD SHALL RETAIN A COPY
26 OF EACH APPLICATION FOR A LICENSE TO CARRY A CONCEALED PISTOL AS
27 AN OFFICIAL RECORD.

1 (6) EACH APPLICANT SHALL PAY AN APPLICATION FEE AT THE TIME
2 HE OR SHE SUBMITS AN APPLICATION UNDER THIS SECTION. THE APPLI-
3 CATION FEE SHALL NOT EXCEED THE ACTUAL AND REASONABLE COSTS OF
4 PROCESSING THE APPLICATION. THE FEE SHALL BE PAYABLE TO THE
5 COUNTY. THE COUNTY TREASURER SHALL DEPOSIT THE FEE IN THE GEN-
6 ERAL FUND OF THE COUNTY.

7 (7) THE CONCEALED WEAPON LICENSING BOARD SHALL VERIFY THE
8 REQUIREMENTS OF SUBSECTION (8)(C) TO (I) THROUGH THE LAW ENFORCE-
9 MENT INFORMATION NETWORK. THE CONCEALED WEAPON LICENSING BOARD
10 MAY CONTACT REFERENCES PROVIDED BY AN APPLICANT UNDER THIS
11 SECTION.

12 (8) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, THE CONCEALED
13 WEAPON LICENSING BOARD SHALL PROMPTLY ISSUE A LICENSE TO AN
14 APPLICANT TO CARRY A CONCEALED PISTOL IF THE APPLICANT PROPERLY
15 SUBMITS AN APPLICATION UNDER THIS SECTION AND THE CONCEALED
16 WEAPON LICENSING BOARD DETERMINES THAT ALL OF THE FOLLOWING CIR-
17 CUMSTANCES EXIST:

18 (A) THE APPLICANT IS EITHER OF THE FOLLOWING:

19 (i) TWENTY-ONE YEARS OF AGE OR OLDER.

20 (ii) EIGHTEEN YEARS OF AGE OR OLDER BUT LESS THAN 21 YEARS
21 OF AGE AND IS REQUIRED TO CARRY A CONCEALED PISTOL IN THE COURSE
22 OF HIS OR HER EMPLOYMENT.

23 (B) THE APPLICANT IS A CURRENT RESIDENT OF THIS STATE AND
24 HAS RESIDED IN THIS STATE 1 YEAR OR LONGER.

25 (C) THE APPLICANT IS NOT THE SUBJECT OF AN ORDER OR DISPOSI-
26 TION ENTERED INTO THE LAW ENFORCEMENT INFORMATION NETWORK UNDER
27 ANY OF THE FOLLOWING:

1 (i) SECTION 464A OF THE MENTAL HEALTH CODE, 1974 PA 258, MCL
2 330.1464A.

3 (ii) SECTION 444A OF THE REVISED PROBATE CODE, 1978 PA 642,
4 MCL 700.444A.

5 (iii) SECTION 2950 OF THE REVISED JUDICATURE ACT OF 1961,
6 1961 PA 236, MCL 600.2950.

7 (iv) SECTION 2950A OF THE REVISED JUDICATURE ACT OF 1961,
8 1961 PA 236, MCL 600.2950A.

9 (v) SECTION 6B OF CHAPTER V OF THE CODE OF CRIMINAL PROCE-
10 DURE, 1927 PA 175, MCL 765.6B, IF THE ORDER HAS A CONDITION
11 IMPOSED PURSUANT TO SECTION 6B(3) OF CHAPTER V OF THE CODE OF
12 CRIMINAL PROCEDURE, 1927 PA 175, MCL 765.6B.

13 (vi) SECTION 16B OF CHAPTER IX OF THE CODE OF CRIMINAL PRO-
14 CEDURE, 1927 PA 175, MCL 769.16B.

15 (D) THE APPLICANT IS NOT PROHIBITED FROM POSSESSING, USING,
16 TRANSPORTING, SELLING, PURCHASING, CARRYING, SHIPPING, RECEIVING,
17 OR DISTRIBUTING A FIREARM UNDER SECTION 224F OF THE MICHIGAN
18 PENAL CODE, 1931 PA 328, MCL 750.224F.

19 (E) THE APPLICANT HAS NEVER BEEN CONVICTED OF A VIOLENT
20 FELONY, HAS NOT BEEN CONVICTED OF OR CONFINED FOR A FELONY OTHER
21 THAN A VIOLENT FELONY IN THIS STATE OR ELSEWHERE DURING THE
22 8-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE OF THE APPLICATION,
23 AND A FELONY CHARGE AGAINST THE APPLICANT IS NOT PENDING AT THE
24 TIME HE OR SHE APPLIES FOR A LICENSE DESCRIBED IN THIS SECTION.
25 AS USED IN THIS SUBDIVISION:

26 (i) "CONFINED" INCLUDES, BUT IS NOT LIMITED TO, DETENTION IN
27 A JUVENILE FACILITY.

1 (ii) "CONVICTED" OR "CONVICTION" MEANS A FINAL CONVICTION,
2 THE PAYMENT OF A FINE, A PLEA OF GUILTY OR NOLO CONTENDERE IF
3 ACCEPTED BY THE COURT, OR A FINDING OF GUILT FOR A CRIMINAL LAW
4 VIOLATION OR A JUVENILE ADJUDICATION OR DISPOSITION BY THE JUVE-
5 NILE DIVISION OF PROBATE COURT OR FAMILY DIVISION OF CIRCUIT
6 COURT FOR A VIOLATION THAT IF COMMITTED BY AN ADULT WOULD BE A
7 CRIME, REGARDLESS OF WHETHER THE PENALTY IS REBATED OR
8 SUSPENDED.

9 (iii) "VIOLENT FELONY" MEANS A VIOLATION OF ANY OF THE
10 FOLLOWING:

11 (A) SECTION 82 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
12 750.82 (FELONIOUS ASSAULT).

13 (B) SECTION 83 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
14 750.83 (ASSAULT WITH INTENT TO COMMIT MURDER).

15 (C) SECTION 84 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
16 750.84 (ASSAULT WITH INTENT TO DO GREAT BODILY HARM LESS THAN
17 MURDER).

18 (D) SECTION 88 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
19 750.88 (ASSAULT WITH INTENT TO STEAL; UNARMED).

20 (E) SECTION 89 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
21 750.89 (ASSAULT WITH INTENT TO STEAL; ARMED).

22 (F) SECTION 91 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
23 750.91 (ATTEMPT TO MURDER).

24 (G) SECTION 110A OF THE MICHIGAN PENAL CODE, 1931 PA 328,
25 MCL 750.110A (HOME INVASION).

26 (H) SECTION 136B(2) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
27 MCL 750.136B (FIRST DEGREE CHILD ABUSE).

1 (I) SECTION 157B(2) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
2 MCL 750.157B (SOLICITATION TO COMMIT MURDER).
3 (J) SECTION 197C OF THE MICHIGAN PENAL CODE, 1931 PA 328,
4 MCL 750.197C (BREAKING OR ESCAPING JAIL, HEALTH CARE FACILITY, OR
5 OTHER PLACE OF CONFINEMENT).
6 (K) SECTION 316 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
7 750.316 (FIRST DEGREE MURDER).
8 (L) SECTION 317 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
9 750.317 (SECOND DEGREE MURDER).
10 (M) SECTION 321 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
11 750.321 (MANSLAUGHTER).
12 (N) SECTION 349 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
13 750.349 (KIDNAPPING).
14 (O) SECTION 411I OF THE MICHIGAN PENAL CODE, 1931 PA 328,
15 MCL 750.411I (AGGRAVATED STALKING).
16 (P) SECTION 479 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
17 750.479 (RESISTING OR OBSTRUCTING OFFICER IN DISCHARGE OF DUTY).
18 (Q) SECTION 520B OF THE MICHIGAN PENAL CODE, 1931 PA 328,
19 MCL 750.520B (FIRST DEGREE CRIMINAL SEXUAL CONDUCT).
20 (R) SECTION 520C OF THE MICHIGAN PENAL CODE, 1931 PA 328,
21 MCL 750.520C (SECOND DEGREE CRIMINAL SEXUAL CONDUCT).
22 (S) SECTION 520D OF THE MICHIGAN PENAL CODE, 1931 PA 328,
23 MCL 750.520D (THIRD DEGREE CRIMINAL SEXUAL CONDUCT).
24 (T) SECTION 520G OF THE MICHIGAN PENAL CODE, 1931 PA 328,
25 MCL 750.520G (ASSAULT WITH INTENT TO COMMIT CRIMINAL SEXUAL
26 CONDUCT).

1 (U) SECTION 529 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
2 750.529 (ARMED ROBBERY).

3 (V) SECTION 530 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
4 750.530 (UNARMED ROBBERY).

5 (W) SECTION 531 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
6 750.531 (BANK, SAFE, OR VAULT ROBBERY).

7 (X) SECTION 542 OF 1968 PA 302, MCL 752.542 (INCITING TO
8 RIOT).

9 (Y) A VIOLATION OF A LAW OF THE UNITED STATES, ANOTHER
10 STATE, OR A LOCAL UNIT OF GOVERNMENT OF ANOTHER STATE SUBSTAN-
11 Tially CORRESPONDING TO A VIOLATION DESCRIBED IN
12 SUB-SUBPARAGRAPHS (A) TO (X).

13 (F) THE APPLICANT HAS NOT BEEN CONVICTED OF OR CONFINED FOR
14 A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR MORE THAN 1 YEAR IN
15 THE 8 YEARS PRECEDING THE APPLICATION OR BEEN CONVICTED OF OR
16 CONFINED FOR A VIOLENT MISDEMEANOR IN THE 8 YEARS PRECEDING THE
17 APPLICATION. AS USED IN THIS SUBDIVISION:

18 (i) "CONFINED" INCLUDES, BUT IS NOT LIMITED TO, DETENTION IN
19 A JUVENILE FACILITY.

20 (ii) "CONVICTED" MEANS A FINAL CONVICTION, THE PAYMENT OF A
21 FINE, A PLEA OF GUILTY OR NOLO CONTENDERE IF ACCEPTED BY THE
22 COURT, OR A FINDING OF GUILT FOR A CRIMINAL LAW VIOLATION OR A
23 JUVENILE ADJUDICATION OR DISPOSITION BY THE JUVENILE DIVISION OF
24 PROBATE COURT OR FAMILY DIVISION OF CIRCUIT COURT FOR A VIOLATION
25 THAT IF COMMITTED BY AN ADULT WOULD BE A CRIME, REGARDLESS OF
26 WHETHER THE PENALTY IS REBATED OR SUSPENDED.

1 (iii) "VIOLENT MISDEMEANOR" MEANS A VIOLATION OF ANY OF THE
2 FOLLOWING:

3 (A) SECTION 81 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
4 750.81 (ASSAULT OR SPOUSE ABUSE).

5 (B) SECTION 324 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
6 750.324 (NEGLIGENT HOMICIDE).

7 (C) SECTION 411H OF THE MICHIGAN PENAL CODE, 1931 PA 328,
8 MCL 750.411H (STALKING).

9 (D) SECTION 520E OF THE MICHIGAN PENAL CODE, 1931 PA 328,
10 MCL 750.520E (FOURTH DEGREE CRIMINAL SEXUAL CONDUCT).

11 (E) A VIOLATION OF A LAW OF THE UNITED STATES, ANOTHER
12 STATE, OR A LOCAL UNIT OF GOVERNMENT OF ANOTHER STATE SUBSTAN-
13 Tially CORRESPONDING TO A VIOLATION DESCRIBED IN
14 SUB-SUBPARAGRAPHS (A) TO (D).

15 (G) THE APPLICANT HAS NOT BEEN ACQUITTED OF ANY CRIME ON
16 GROUNDS OF INSANITY.

17 (H) THE APPLICANT IS NOT UNDER AN ORDER OF INVOLUNTARY COM-
18 MITMENT IN AN INPATIENT OR OUTPATIENT SETTING DUE TO MENTAL
19 ILLNESS.

20 (I) THE APPLICANT IS NOT UNDER A COURT ORDER OF LEGAL INCA-
21 PACITY IN THIS STATE OR ELSEWHERE.

22 (J) THE APPLICANT CAN DOCUMENT KNOWLEDGE OR TRAINING IN THE
23 SAFE USE AND HANDLING OF A PISTOL BY 1 OF THE FOLLOWING:

24 (i) SUCCESSFUL COMPLETION OF A PISTOL SAFETY TRAINING COURSE
25 OR CLASS PRESENTED BY THE NATIONAL RIFLE ASSOCIATION.

26 (ii) SUCCESSFUL COMPLETION OF A PISTOL SAFETY TRAINING
27 COURSE OR CLASS AVAILABLE TO THE GENERAL PUBLIC AND PRESENTED BY

1 A LAW ENFORCEMENT AGENCY, JUNIOR OR COMMUNITY COLLEGE, COLLEGE,
2 OR PUBLIC OR PRIVATE INSTITUTION OR ORGANIZATION OR FIREARMS
3 TRAINING SCHOOL, AND USING INSTRUCTORS CERTIFIED BY THE NATIONAL
4 RIFLE ASSOCIATION OR BY THIS STATE.

5 (iii) SUCCESSFUL COMPLETION OF A LAW ENFORCEMENT FIREARMS
6 SAFETY TRAINING COURSE OR CLASS OFFERED FOR SECURITY GUARDS,
7 INVESTIGATORS, SPECIAL DEPUTIES, OR LAW ENFORCEMENT OFFICERS.

8 (K) ISSUING A LICENSE TO THE APPLICANT TO CARRY A CONCEALED
9 PISTOL IN THIS STATE IS NOT DETRIMENTAL TO THE SAFETY OF THE
10 APPLICANT OR TO ANY OTHER INDIVIDUAL.

11 (9) BEFORE SUBMITTING AN APPLICATION UNDER THIS SECTION, THE
12 INDIVIDUAL SHALL HAVE 2 SETS OF FINGERPRINTS TAKEN BY 1 OF THE
13 FOLLOWING:

14 (A) IF THE INDIVIDUAL LIVES IN A LOCAL UNIT OF GOVERNMENT
15 THAT HAS A POLICE DEPARTMENT, BY THAT POLICE DEPARTMENT.

16 (B) IF THE INDIVIDUAL LIVES IN A LOCAL UNIT OF GOVERNMENT
17 THAT DOES NOT HAVE A POLICE DEPARTMENT, BY THE COUNTY SHERIFF.

18 (10) WITHIN THE EXPIRATION OF 5 DAYS AFTER THE INDIVIDUAL
19 REQUESTS HIS OR HER FINGERPRINTS TO BE TAKEN UNDER
20 SUBSECTION (9), A POLICE DEPARTMENT OR SHERIFF SHALL TAKE THE
21 FINGERPRINTS OF THAT INDIVIDUAL AND FORWARD THEM AS PROVIDED IN
22 SUBSECTION (11). A FEE MAY BE CHARGED AS PROVIDED IN SECTION 3
23 OF 1985 PA 175, MCL 28.273.

24 (11) ONE SET OF FINGERPRINTS TAKEN UNDER SUBSECTION (9)
25 SHALL BE TAKEN ON A FORM FURNISHED BY THE DEPARTMENT OF STATE
26 POLICE AND PROVIDED TO THE APPLICANT UNDER SECTION 5C. THAT SET
27 OF FINGERPRINTS SHALL BE FORWARDED BY THE ENTITY TAKING THE

1 FINGERPRINTS TO THE DEPARTMENT OF STATE POLICE. THE DEPARTMENT
2 OF STATE POLICE SHALL COMPARE THAT SET OF FINGERPRINTS WITH FIN-
3 GERPRINTS ALREADY ON FILE WITH THE DEPARTMENT OF STATE POLICE.
4 THE OTHER SET OF FINGERPRINTS TAKEN UNDER SUBSECTION (10) SHALL
5 BE TAKEN ON A FORM FURNISHED BY THE FEDERAL BUREAU OF INVESTIGA-
6 TION AND PROVIDED TO THE APPLICANT UNDER SECTION 5C. THAT SET OF
7 FINGERPRINTS SHALL BE FORWARDED BY THE ENTITY TAKING THE FINGER-
8 PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION OR AN ENTITY DESIG-
9 NATED BY THE FEDERAL BUREAU OF INVESTIGATION TO RECEIVE THOSE
10 FINGERPRINTS. THE REQUEST SHALL STATE THAT THE DEPARTMENT OF
11 STATE POLICE IS TO BE PROVIDED WITH THE REPORT OF THE
12 COMPARISON. WHEN THE DEPARTMENT OF STATE POLICE RECEIVES THE
13 REPORT, THE DEPARTMENT OF STATE POLICE SHALL PROVIDE A COPY OF
14 BOTH COMPARISONS TO THE ENTITY THAT TOOK THE FINGERPRINTS AND TO
15 THE CONCEALED WEAPON LICENSING BOARD OF THE COUNTY IN WHICH THE
16 APPLICANT RESIDES. THE DEPARTMENT OF STATE POLICE SHALL DESTROY
17 THE FINGERPRINTS WHEN THE DEPARTMENT PROVIDES THE COMPARISON
18 REPORT TO THE ENTITY THAT TOOK THE FINGERPRINTS AND THE CONCEALED
19 WEAPON LICENSING BOARD, OR UPON THE EXPIRATION OF 30 DAYS AFTER
20 THE FINGERPRINTS WERE SUBMITTED FOR COMPARISON, WHICHEVER IS
21 SOONER. IF THE FEDERAL BUREAU OF INVESTIGATION DOES NOT RETURN
22 THE FINGERPRINTS TO THE DEPARTMENT OF STATE POLICE WITHIN THE
23 30-DAY PERIOD, THE DEPARTMENT OF STATE POLICE SHALL REQUIRE THE
24 FEDERAL BUREAU OF INVESTIGATION TO DESTROY THE FINGERPRINTS OR
25 SHALL REQUIRE THE FEDERAL BUREAU OF INVESTIGATION TO RETURN THE
26 FINGERPRINTS TO THE DEPARTMENT OF STATE POLICE FOR DESTRUCTION.
27 THE CONCEALED WEAPON LICENSING BOARD SHALL NOT ISSUE A CONCEALED

1 WEAPON LICENSE UNDER THIS SECTION TO AN APPLICANT UNTIL THE
2 CONCEALED WEAPON LICENSING BOARD HAS RECEIVED THE FINGERPRINT
3 COMPARISON REPORTS REQUIRED UNDER THIS SUBSECTION. HOWEVER, IF
4 THE CONCEALED WEAPON LICENSING BOARD DOES NOT RECEIVE A FINGER-
5 PRINT REPORT UNDER THIS SUBSECTION WITHIN THE EXPIRATION OF 30
6 DAYS AFTER THE FINGERPRINTS ARE SUBMITTED FOR THAT REPORT, THE
7 REQUIREMENTS FOR THE REPORT ARE WAIVED, AND THE CONCEALED WEAPON
8 LICENSING BOARD SHALL NOT REFUSE TO ISSUE A LICENSE TO CARRY A
9 CONCEALED WEAPON ON GROUNDS THAT THE CONCEALED WEAPON LICENSING
10 BOARD DID NOT RECEIVE THE REPORT.

11 (12) THE DEPARTMENT OF STATE POLICE SHALL COMPILE THE FIRE-
12 ARMS LAWS OF THIS STATE, INCLUDING LAWS THAT APPLY TO CARRYING A
13 CONCEALED PISTOL, AND SHALL PROVIDE COPIES OF THE COMPILATION TO
14 EACH CONCEALED WEAPON LICENSING BOARD IN THIS STATE FOR DISTRIBU-
15 TION UNDER THIS SUBSECTION. THE CONCEALED WEAPON LICENSING BOARD
16 SHALL DISTRIBUTE A COPY OF THE COMPILATION TO EACH INDIVIDUAL WHO
17 APPLIES FOR A LICENSE TO CARRY A CONCEALED PISTOL WHEN THE APPLI-
18 CATION IS SUBMITTED. THE CONCEALED WEAPON LICENSING BOARD SHALL
19 REQUIRE THE APPLICANT TO SIGN A WRITTEN STATEMENT ACKNOWLEDGING
20 THAT HE OR SHE HAS RECEIVED A COPY OF THE COMPILATION.

21 (13) THE CONCEALED WEAPON LICENSING BOARD MAY INVESTIGATE
22 ANY RESIDENT OF THAT COUNTY WHO APPLIES UNDER THIS ACT FOR A
23 LICENSE TO CARRY A CONCEALED PISTOL. THE INVESTIGATION SHALL BE
24 RESTRICTED TO DETERMINING ONLY WHETHER THE RESIDENT IS ELIGIBLE
25 UNDER THIS ACT TO RECEIVE A LICENSE TO CARRY A CONCEALED PISTOL.
26 THE CONCEALED WEAPON LICENSING BOARD MAY REQUIRE THE APPLICANT TO
27 APPEAR BEFORE THE BOARD AT A MUTUALLY AGREED-UPON TIME FOR A

1 CONFERENCE. THE APPLICANT'S FAILURE OR REFUSAL TO APPEAR WITHOUT
2 JUST CAUSE BEFORE THE CONCEALED WEAPON LICENSING BOARD AS PRO-
3 VIDED IN THIS SUBSECTION IS GROUNDS FOR THE BOARD TO DENY ISSU-
4 ANCE OF A LICENSE TO CARRY A CONCEALED PISTOL TO THAT APPLICANT.

5 (14) IF THE CONCEALED WEAPON LICENSING BOARD DETERMINES
6 THERE IS PROBABLE CAUSE TO BELIEVE SAFETY OF THE APPLICANT OR A
7 MEMBER OF THE APPLICANT'S FAMILY IS ENDANGERED BY THE APPLICANT'S
8 INABILITY TO IMMEDIATELY OBTAIN A LICENSE TO CARRY A CONCEALED
9 PISTOL, THE CONCEALED WEAPON LICENSING BOARD MAY, PENDING ISSU-
10 ANCE OF A PERMANENT LICENSE, ISSUE A TEMPORARY LICENSE TO THE
11 INDIVIDUAL TO CARRY A CONCEALED PISTOL. A TEMPORARY LICENSE
12 SHALL BE ON A FORM PROVIDED BY THE DEPARTMENT OF STATE POLICE. A
13 TEMPORARY LICENSE SHALL BE UNRESTRICTED AND SHALL BE VALID FOR
14 NOT MORE THAN 180 DAYS. A TEMPORARY LICENSE MAY BE RENEWED FOR 1
15 ADDITIONAL PERIOD OF NOT MORE THAN 180 DAYS. A TEMPORARY LICENSE
16 IS, FOR ALL OTHER PURPOSES OF THIS ACT, A LICENSE TO CARRY A CON-
17 CEALED PISTOL.

18 (15) THE CONCEALED WEAPON LICENSING BOARD SHALL ISSUE A
19 LICENSE TO AN APPLICANT TO CARRY A CONCEALED WEAPON UNLESS 1 OR
20 MORE OF THE FOLLOWING CIRCUMSTANCES EXIST:

21 (A) THE APPLICANT IS NOT QUALIFIED UNDER SUBSECTION (8) TO
22 RECEIVE THAT LICENSE.

23 (B) THE CONCEALED WEAPON LICENSING BOARD DETERMINES THAT
24 ISSUING A LICENSE TO THE APPLICANT THREATENS THE SAFETY OF THE
25 APPLICANT OR ANY OTHER INDIVIDUAL.

26 (16) IF THE CONCEALED WEAPON LICENSING BOARD ISSUES A
27 LICENSE TO AN INDIVIDUAL 18 YEARS OF AGE OR OLDER BUT LESS THAN

1 21 YEARS OF AGE, THE LICENSE SHALL BE RESTRICTED TO ALLOW THE
2 INDIVIDUAL TO CARRY A CONCEALED WEAPON ONLY IN THE COURSE OF HIS
3 OR HER EMPLOYMENT.

4 (17) A LICENSE TO CARRY A CONCEALED PISTOL THAT IS ISSUED
5 BASED UPON AN APPLICATION THAT CONTAINS A MATERIAL FALSE STATE-
6 MENT IS VOID FROM THE DATE THE LICENSE IS ISSUED.

7 (18) THE CONCEALED WEAPON LICENSING BOARD SHALL ISSUE OR
8 DENY ISSUANCE OF A LICENSE WITHIN 15 DAYS AFTER THE CONCEALED
9 WEAPON LICENSING BOARD RECEIVES THE FINGERPRINT COMPARISON REPORT
10 PROVIDED UNDER SUBSECTION (11) OR WITHIN 45 DAYS AFTER THE APPLI-
11 CATION FOR A LICENSE IS SUBMITTED TO THE BOARD, WHICHEVER OCCURS
12 FIRST. IF THE CONCEALED WEAPON LICENSING BOARD DENIES ISSUANCE
13 OF A LICENSE TO CARRY A CONCEALED PISTOL, THE CONCEALED WEAPON
14 LICENSING BOARD SHALL IMMEDIATELY DO BOTH OF THE FOLLOWING:

15 (A) INFORM THE APPLICANT IN WRITING OF THE REASONS FOR THE
16 DENIAL. INFORMATION UNDER THIS SUBDIVISION SHALL INCLUDE ALL OF
17 THE FOLLOWING:

18 (i) A STATEMENT OF THE SPECIFIC AND ARTICULABLE FACTS SUP-
19 PORTING THE DENIAL.

20 (ii) COPIES OF ANY WRITINGS, PHOTOGRAPHS, RECORDS, OR OTHER
21 DOCUMENTARY EVIDENCE UPON WHICH THE DENIAL IS BASED.

22 (B) INFORM THE APPLICANT IN WRITING OF HIS OR HER RIGHT TO
23 PETITION THE DISTRICT COURT UNDER SECTION 5E FOR REVIEW OF THE
24 DENIAL.

25 SEC. 5C. (1) POLICE DEPARTMENTS OF LOCAL UNITS OF GOVERN-
26 MENT OF THIS STATE, COUNTY SHERIFFS, AND COUNTY CLERKS SHALL
27 PROVIDE CONCEALED WEAPON APPLICATION KITS DURING NORMAL BUSINESS

1 HOURS TO INDIVIDUALS WHO WISH TO APPLY FOR LICENSES TO CARRY
2 CONCEALED PISTOLS. EACH KIT SHALL CONTAIN ALL OF THE FOLLOWING:

3 (A) A CONCEALED PISTOL LICENSE APPLICATION FORM PROVIDED BY
4 THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE.

5 (B) THE FINGERPRINT CARDS REQUIRED UNDER SECTION 5B(11).

6 (C) WRITTEN INFORMATION REGARDING THE PROCEDURES INVOLVED IN
7 OBTAINING A LICENSE TO CARRY A CONCEALED PISTOL, INCLUDING INFOR-
8 MATION REGARDING THE RIGHT TO APPEAL THE DENIAL OF A LICENSE AND
9 THE FORM REQUIRED FOR THAT APPEAL.

10 (D) WRITTEN INFORMATION IDENTIFYING ENTITIES THAT OFFER THE
11 TRAINING REQUIRED UNDER SECTION 5B(8).

12 (2) A POLICE DEPARTMENT OR COUNTY SHERIFF SHALL NOT DENY AN
13 INDIVIDUAL THE RIGHT TO RECEIVE A CONCEALED PISTOL APPLICATION
14 KIT UNDER THIS SECTION.

15 SEC. 5D. (1) A LICENSE TO CARRY A CONCEALED PISTOL SHALL BE
16 IN A FORM PRESCRIBED BY THE DEPARTMENT OF STATE POLICE. THE
17 LICENSE SHALL CONTAIN ALL OF THE FOLLOWING:

18 (A) THE LICENSEE'S FULL NAME AND STREET ADDRESS.

19 (B) A REGISTRATION NUMBER UNIQUE TO THAT LICENSE.

20 (C) A PHYSICAL DESCRIPTION OF THE LICENSEE.

21 (D) A PHOTOGRAPH OF THE LICENSEE.

22 (E) A STATEMENT OF THE EFFECTIVE DATES OF THE LICENSE.

23 (F) A STATEMENT THAT THE LICENSE AUTHORIZES THE LICENSEE TO
24 CARRY A CONCEALED PISTOL BUT DOES NOT AUTHORIZE THE LICENSEE TO
25 DISCHARGE OR OTHERWISE USE THE PISTOL IN VIOLATION OF ANY LAW,
26 AND THAT IMPROPER DISCHARGE OR USE OF THE PISTOL MAY RESULT IN
27 CRIMINAL AND CIVIL LIABILITY.

1 (G) A STATEMENT OF ANY RESTRICTIONS IMPOSED UNDER SECTION
2 5B(16).

3 (H) A STATEMENT THAT THE LICENSE IS VALID THROUGHOUT THE
4 STATE.

5 (2) A LICENSE ISSUED UNDER THIS ACT TO CARRY A CONCEALED
6 PISTOL IS VALID THROUGHOUT THIS STATE AND IS INTENDED FOR USE IN
7 OTHER STATES THAT RECOGNIZE A LICENSE TO CARRY A CONCEALED PISTOL
8 ISSUED BY ANOTHER STATE.

9 SEC. 5F. (1) EACH CONCEALED WEAPON LICENSING BOARD SHALL
10 PROMPTLY PROVIDE THE FOLLOWING INFORMATION TO THE DEPARTMENT OF
11 STATE POLICE REGARDING EACH INDIVIDUAL WHO APPLIES TO THAT CON-
12 CEALED WEAPON LICENSING BOARD FOR A LICENSE TO CARRY A CONCEALED
13 PISTOL:

14 (A) THE APPLICANT'S FULL NAME.

15 (B) THE APPLICANT'S ADDRESS.

16 (C) THE APPLICANT'S TELEPHONE NUMBER.

17 (D) A STATEMENT AS TO WHETHER THE INDIVIDUAL'S APPLICATION
18 IS PENDING, WAS GRANTED, OR WAS DENIED.

19 (E) WHETHER THE APPLICANT IS A PEACE OFFICER.

20 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), THE INFORMATION
21 REQUIRED UNDER SUBSECTION (1) IS SUBJECT TO DISCLOSURE UNDER THE
22 FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246,
23 AND SHALL BE DISCLOSED TO THE PUBLIC BY THE CONCEALED WEAPON
24 LICENSING BOARD PROVIDING THAT INFORMATION TO THE DEPARTMENT OF
25 STATE POLICE AND BY THE DEPARTMENT OF STATE POLICE, IN COMPLIANCE
26 WITH THAT ACT.

1 (3) THE INFORMATION REQUIRED UNDER SUBSECTION (1)(B) AND (C)
2 IS NOT SUBJECT TO DISCLOSURE AS PROVIDED IN SUBSECTION (2) IF THE
3 APPLICANT IS A PEACE OFFICER.

4 (4) THE DEPARTMENT OF STATE POLICE SHALL CREATE AND MAINTAIN
5 A COMPUTERIZED DATA BASE OF INDIVIDUALS WHO APPLY UNDER THIS ACT
6 FOR A LICENSE TO CARRY A CONCEALED PISTOL. THE DATA BASE SHALL
7 CONTAIN ONLY THE FOLLOWING INFORMATION AS TO EACH APPLICANT:

8 (A) THE APPLICANT'S NAME, ADDRESS, AND COUNTY OF RESIDENCE.

9 (B) IF THE APPLICANT IS LICENSED TO CARRY A CONCEALED PISTOL
10 IN THIS STATE, THE LICENSE NUMBER AND DATE OF EXPIRATION.

11 (C) A STATEMENT OF ANY RESTRICTIONS IMPOSED.

12 (D) EXCEPT AS PROVIDED IN SUBSECTION (5), IF THE APPLICANT
13 WAS DENIED A LICENSE TO CARRY A CONCEALED PISTOL, A STATEMENT OF
14 THE REASONS FOR THAT DENIAL.

15 (5) IF AN INDIVIDUAL WHO WAS DENIED A LICENSE TO CARRY A
16 CONCEALED PISTOL IS SUBSEQUENTLY ISSUED A LICENSE TO CARRY A CON-
17 CEALED PISTOL, THE DEPARTMENT OF STATE POLICE SHALL DELETE FROM
18 THE COMPUTERIZED DATA BASE THE PREVIOUS REASONS FOR THE DENIAL.

19 (6) THE DEPARTMENT OF STATE POLICE SHALL ENTER THE INFORMA-
20 TION DESCRIBED IN SUBSECTION (4)(A) TO (C) INTO THE LAW ENFORCE-
21 MENT INFORMATION NETWORK.

22 (7) INFORMATION IN THE DATA BASE IS CONFIDENTIAL AND SHALL
23 NOT BE DISCLOSED TO ANY PERSON EXCEPT FOR PURPOSES OF THIS ACT OR
24 TO A POLICE AGENCY THROUGH THE LAW ENFORCEMENT INFORMATION NET-
25 WORK TO VERIFY WHETHER AN INDIVIDUAL IS LICENSED TO CARRY A CON-
26 CEALED PISTOL.

1 (8) THE DEPARTMENT OF STATE POLICE SHALL FILE AN ANNUAL
2 REPORT WITH THE SECRETARY OF THE SENATE AND THE CLERK OF THE
3 HOUSE OF REPRESENTATIVES SETTING FORTH ALL OF THE FOLLOWING
4 INFORMATION FOR EACH COUNTY CONCEALED WEAPON LICENSING BOARD:

5 (A) THE NUMBER OF CONCEALED PISTOL APPLICATIONS RECEIVED.

6 (B) THE NUMBER OF CONCEALED PISTOL LICENSES ISSUED.

7 (C) THE NUMBER OF CONCEALED PISTOL LICENSES DENIED.

8 (D) CATEGORIES FOR DENIAL UNDER SUBDIVISION (C).

9 (E) THE NUMBER OF CONCEALED PISTOL LICENSES REVOKED.

10 (F) CATEGORIES FOR REVOCATION UNDER SUBDIVISION (E).

11 (G) THE NUMBER OF APPLICATIONS PENDING AT THE TIME THE
12 REPORT IS MADE.

13 SEC. 5G. (1) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT
14 TO CARRY A CONCEALED PISTOL SHALL HAVE HIS OR HER LICENSE TO
15 CARRY THAT PISTOL IN HIS OR HER POSSESSION AT ALL TIMES HE OR SHE
16 IS CARRYING A CONCEALED PISTOL.

17 (2) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT TO CARRY A
18 CONCEALED PISTOL SHALL SHOW THAT LICENSE TO A PEACE OFFICER UPON
19 REQUEST BY THAT PEACE OFFICER.

20 (3) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS RESPONSIBLE
21 FOR A STATE CIVIL INFRACTION AND MAY BE FINED NOT MORE THAN
22 \$100.00.

23 SEC. 5H. (1) AN INDIVIDUAL WHO IS LICENSED TO CARRY A CON-
24 CEALED PISTOL ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
25 ADDED THIS SECTION MAY CARRY A CONCEALED PISTOL UNDER THAT
26 LICENSE UNTIL THE LICENSE EXPIRES OR THE INDIVIDUAL'S AUTHORITY

1 TO CARRY A CONCEALED PISTOL UNDER THAT LICENSE IS OTHERWISE
2 TERMINATED, WHICHEVER OCCURS FIRST.

3 (2) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT TO CARRY A
4 CONCEALED PISTOL ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
5 ADDED THIS SECTION MAY APPLY FOR A RENEWAL LICENSE UPON THE EXPI-
6 RATION OF THAT LICENSE AS PROVIDED IN SECTION 5M.

7 SEC. 5I. AN OWNER OF PRIVATE REAL PROPERTY MAY POST A SIGN
8 ON THAT REAL PROPERTY STATING THAT THE CARRYING OF CONCEALED PIS-
9 TOLS ON THAT REAL PROPERTY IS PROHIBITED.

10 SEC. 5I. A PISTOL TRAINING OR SAFETY PROGRAM DESCRIBED IN
11 SECTION 5B(8)(J) MEETS THE REQUIREMENTS FOR IMPARTING KNOWLEDGE
12 OR TRAINING IN THE SAFE USE AND HANDLING OF A PISTOL ONLY IF ALL
13 OF THE FOLLOWING CONDITIONS ARE MET:

14 (A) THE COURSE PROVIDES AT LEAST 12 HOURS OF INSTRUCTION IN
15 THE SAFE USE AND HANDLING OF A PISTOL, THE LAW OF SELF-DEFENSE,
16 AND CIVIL AND CRIMINAL LIABILITY FOR IMPROPER USE OF A PISTOL,
17 AND INCLUDES AT LEAST 4 HOURS OF FIRING RANGE TIME.

18 (B) THE PROGRAM PROVIDES A CERTIFICATE OF COMPLETION.

19 SEC. 5M. A LICENSE TO CARRY A CONCEALED PISTOL IS VALID FOR
20 3 YEARS, AND MAY BE RENEWED IN THE SAME MANNER AS THE ORIGINAL
21 LICENSE WAS RECEIVED, EXCEPT AS FOLLOWS:

22 (A) THE RENEWAL FEE SHALL NOT EXCEED THE ACTUAL AND REASON-
23 ABLE COSTS OF PROCESSING THE RENEWAL APPLICATION. THE FEE SHALL
24 BE PAYABLE TO THE COUNTY. THE COUNTY TREASURER SHALL DEPOSIT THE
25 FEE IN THE GENERAL FUND OF THE COUNTY. AN INDIVIDUAL WHO IS A
26 RETIRED POLICE OFFICER OF A POLICE AGENCY OF THIS STATE OR OF A
27 POLITICAL SUBDIVISION OF THIS STATE WHO PRESENTS EVIDENCE

1 SATISFACTORY TO THE CONCEALED WEAPON LICENSING BOARD OF HIS OR
2 HER STATUS AS A RETIRED POLICE OFFICER OF THIS STATE OR A POLITI-
3 CAL SUBDIVISION OF THIS STATE IS NOT REQUIRED TO PAY A RENEWAL
4 FEE UNDER THIS SECTION.

5 (B) FINGERPRINTS ARE NOT REQUIRED FOR A RENEWAL.

6 (C) THE EDUCATIONAL REQUIREMENTS OF SECTION 5B(8)(J) ARE
7 WAIVED EXCEPT THAT THE APPLICANT SHALL PRESENT EVIDENCE SATISFAC-
8 TORY TO THE CONCEALED WEAPON LICENSING BOARD THAT HE OR SHE HAS
9 COMPLETED NOT LESS THAN 3 HOURS OF REVIEW OF THE TRAINING
10 DESCRIBED UNDER SECTION 5B(8)(J) SINCE RECEIVING HIS OR HER
11 LICENSE, AND THAT TRAINING INCLUDED FIRING RANGE TIME IN THE 6
12 MONTHS IMMEDIATELY PRECEDING HIS OR HER RENEWAL APPLICATION.

13 SEC. 5N. (1) A POLICE AGENCY SHALL NOT PROHIBIT AN EMPLOYEE
14 OF THAT POLICE AGENCY FROM DOING EITHER OF THE FOLLOWING:

15 (A) APPLYING FOR AND RECEIVING A LICENSE TO CARRY A CON-
16 CEALED PISTOL AS PROVIDED IN THIS ACT.

17 (B) CARRYING A CONCEALED PISTOL IN COMPLIANCE WITH A LICENSE
18 ISSUED UNDER THIS ACT.

19 (2) A POLICE AGENCY SHALL NOT DISCIPLINE OR OTHERWISE RETAL-
20 IATE AGAINST AN EMPLOYEE OF THAT POLICE AGENCY FOR PROVIDING
21 INFORMATION, INCLUDING BUT NOT LIMITED TO ORAL TESTIMONY, REGARD-
22 ING THE PROPRIETY OF ISSUING A LICENSE TO AN INDIVIDUAL TO CARRY
23 A CONCEALED PISTOL.

24 (3) AS USED IN THIS SECTION, "POLICE AGENCY" MEANS ANY OF
25 THE FOLLOWING:

26 (A) THE DEPARTMENT OF STATE POLICE.

1 (B) A POLICE DEPARTMENT OF A CITY, VILLAGE, OR TOWNSHIP.

2 (C) A COUNTY SHERIFF.

3 (D) A TOWNSHIP CONSTABLE.

4 (E) A POLICE DEPARTMENT OR PUBLIC SAFETY DEPARTMENT OF A
5 COLLEGE OR UNIVERSITY.

6 SEC. 5o. AN EMPLOYER SHALL NOT PROHIBIT AN EMPLOYEE FROM
7 DOING EITHER OF THE FOLLOWING:

8 (A) APPLYING FOR OR RECEIVING A LICENSE TO CARRY A CONCEALED
9 PISTOL UNDER THIS ACT.

10 (B) CARRYING A CONCEALED PISTOL IN COMPLIANCE WITH A LICENSE
11 ISSUED UNDER THIS ACT. THIS SUBDIVISION DOES NOT PROHIBIT AN
12 EMPLOYER FROM PROHIBITING AN EMPLOYEE FROM CARRYING A CONCEALED
13 PISTOL IN THE COURSE OF HIS OR HER EMPLOYMENT WITH THAT EMPLOYER.

14 Sec. 8. The CONCEALED WEAPON licensing board ~~herein cre-~~
15 ~~ated by section 6~~ THAT ISSUED A LICENSE TO AN APPLICANT TO CARRY
16 A CONCEALED PISTOL may revoke ~~any~~ THAT license ~~issued by it~~
17 ~~upon receiving a certificate of any magistrate showing that such~~
18 ~~licensee has been convicted of violating any of the provisions of~~
19 ~~this act, or has been convicted of a felony. Such license may~~
20 ~~also be revoked whenever in the judgment of said board the reason~~
21 ~~for granting such license shall have ceased to exist, or whenever~~
22 ~~said board shall for any reasonable cause determine said licensee~~
23 ~~to be an unfit person to carry a pistol concealed upon his~~

24 ~~person. No such~~ IF THE BOARD DETERMINES THAT THE INDIVIDUAL
25 COMMITTED ANY VIOLATION OF THIS ACT OTHER THAN A VIOLATION OF
26 SECTION 5G OR IF THE BOARD DETERMINES THAT THE INDIVIDUAL IS NOT
27 ELIGIBLE UNDER THIS ACT TO RECEIVE A LICENSE TO CARRY A CONCEALED

1 PISTOL. A license shall NOT be revoked UNDER THIS SECTION except
 2 upon written complaint and ~~then only after~~ AN OPPORTUNITY FOR a
 3 hearing ~~by said~~ BEFORE THE board. ~~, of which~~ THE BOARD SHALL
 4 GIVE THE INDIVIDUAL at least 7 days' notice ~~shall be given to~~
 5 ~~the licensee either~~ OF A HEARING UNDER THIS SECTION. THE NOTICE
 6 SHALL BE by personal service or by ~~registered~~ CERTIFIED mail
 7 DELIVERED to ~~his~~ THE INDIVIDUAL'S last known address. The
 8 clerk of ~~said~~ THE CONCEALED WEAPON licensing board is ~~hereby~~
 9 authorized to administer an oath to any ~~person~~ INDIVIDUAL tes-
 10 tifying before ~~such~~ THE board at ~~any such~~ A hearing UNDER
 11 THIS SECTION.

12 Sec. 12. Sections 2 and 9 do not apply to ~~a duly~~
 13 ~~authorized~~ ANY OF THE FOLLOWING:

14 (A) A police or correctional agency of the United States or
 15 of ~~the~~ THIS state or any subdivision ~~thereof, nor to the~~ OF
 16 THIS STATE.

17 (B) THE UNITED STATES army, air force, navy, or marine
 18 corps. ~~of the United States, nor to organizations~~

19 (C) AN ORGANIZATION authorized by law to purchase or receive
 20 weapons from the United States or from this state. ~~, nor to the~~

21 (D) THE national guard, armed forces reserves, or other duly
 22 authorized military ~~organizations, or to members of the above~~
 23 ~~agencies or organizations for weapons used for the purposes of or~~
 24 ~~incidental to such agencies or organizations, nor to a person~~
 25 ORGANIZATION.

1 (E) A MEMBER OF AN ENTITY OR ORGANIZATION DESCRIBED IN
2 SUBDIVISIONS (A) TO (D) FOR A PISTOL USED IN THE COURSE OF HIS OR
3 HER DUTIES WITH THAT ENTITY.

4 (F) A NONRESIDENT holding a license to carry a pistol con-
5 cealed upon his OR HER person issued by another state ~~, nor to~~
6 ~~the~~ WHO MEETS THE CRITERIA SET FORTH IN SECTION 5B(8)(C), (D),
7 (E), (G), (H), OR (I).

8 (G) THE regular and ordinary transportation of ~~pistols~~ A
9 PISTOL as merchandise by AN authorized ~~agents~~ AGENT of ~~any~~ A
10 person licensed to manufacture firearms OR A LICENSED DEALER.

11 Enacting section 1. Sections 3 and 9d of 1927 PA 372, MCL
12 28.423 and 28.429d, are repealed.

13 Enacting section 2. This amendatory act takes effect
14 January 1, 1999.

15 Enacting section 3. This amendatory act does not take
16 effect unless all of the following bills of the 89th Legislature
17 are enacted into law:

18 (a) Senate Bill No. _____ or House Bill No. _____ (request
19 no. 05123'97 a *).

20 (b) Senate Bill No. 988.

21

22 (c) Senate Bill No. _____ or House Bill No. _____ (request
23 no. 05123'97 c *).

24 (d) Senate Bill No. _____ or House Bill No. _____ (request
25 no. 05123'97 d *).

26 (e) Senate Bill No. 967.

27

1 (f) Senate Bill No. _____ or House Bill No. _____ (request
2 no. 05750'98 *).

3 (g) Senate Bill No. 983.

4

5 (h) Senate Bill No. 984.

6

7 (i) Senate Bill No. 985.

8

9 (j) Senate Bill No. 986.

10