

**SENATE BILL NO. 163**

January 28, 1999, Introduced by Senator JAYE and referred to the Committee on Judiciary.

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possessing, 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 circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act,"

(MCL 28.421 to 28.434) by adding section 5e.

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

1           SEC. 5E. IF THE CONCEALED WEAPON LICENSING BOARD DENIES  
2 ISSUANCE OF A LICENSE TO CARRY A CONCEALED PISTOL, OR FAILS TO  
3 ISSUE THAT LICENSE AS PROVIDED IN THIS ACT, OR ISSUES A  
4 RESTRICTED LICENSE, THE APPLICANT MAY PETITION THE DISTRICT COURT  
5 IN THE JUDICIAL DISTRICT IN WHICH HE OR SHE RESIDES TO REVIEW THE  
6 DENIAL, THE FAILURE TO ISSUE THE LICENSE, OR THE ISSUANCE OF A  
7 RESTRICTED LICENSE. THE REVIEW OF THE DENIAL, FAILURE TO ISSUE A

1 LICENSE, OR ISSUANCE OF A RESTRICTED LICENSE SHALL BE MADE DE  
2 NOVO. IF THE COURT DETERMINES THE CONCEALED WEAPON LICENSING  
3 BOARD IMPROPERLY DENIED ISSUANCE OF A LICENSE TO CARRY A CON-  
4 CEALED PISTOL, IMPROPERLY FAILED TO ISSUE A LICENSE AS PROVIDED  
5 IN THIS ACT, OR IMPROPERLY ISSUED A RESTRICTED LICENSE, THE COURT  
6 SHALL ORDER THE CONCEALED WEAPON LICENSING BOARD TO PAY THE  
7 ACTUAL AND REASONABLE EXPENSES OF THE APPLICANT INCLUDING, BUT  
8 NOT LIMITED TO, ACTUAL AND REASONABLE ATTORNEY FEES.

9       Enacting section 1. This amendatory act takes effect  
10 January 1, 2000.