

# Legislative Analysis



## CONCEALED WEAPONS TRAINING REQUIREMENTS: WAIVE FOR SOME VETERANS AND PEACE OFFICERS

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### House Bill 5108

**Sponsor: Rep. Joel Sheltroun**

**Committee: Tourism, Outdoor Recreation, and Natural Resources**

**Complete to 10-15-07**

### A SUMMARY OF HOUSE BILL 5108 AS INTRODUCED 8-21-07

Michigan law requires most applicants for a concealed weapon permit to complete a certified pistol training and safety program providing at least eight hours of instruction, including at least three hours on a firing range and an explanation of Michigan gun laws. Under current Section 5l of Michigan's handgun licensure law (MCL 28.425l), these educational requirements are waived for applicants who are *retired* police or law enforcement officers. House Bill 5108 would amend Section 5j (MCL 28.425j) to also waive firearm training requirements for both (1) honorably-discharged veterans with military training in pistol use (including some training in the last six months), and (2) current or former peace officers (police officers, tribal police officers, sergeants-at-arms, arson investigators, and others) required to carry a firearm in the course of duty.

Honorably-discharged veterans with recent pistol training. Veterans who could show all of the following would no longer have to complete the firearm safety training course otherwise required for a concealed weapon permit:

- Documentation of honorable discharge from the armed forces of Michigan, another state, or the United States.
- Proof of successful completion of training and qualification in the use of a pistol in the armed forces (in the form of a notarized statement signed by the individual saying that he or she had received this training and qualification in the armed forces).
- Certification of completion of at least three hours of review of their armed forces pistol training (including at least one hour on a firing range) in the past six months.

Peace officers. Current and former peace officers would also be exempted from having to complete a firearms training course before applying for a concealed weapon permit. Section 1d of Michigan's handgun licensure law (MCL 28.421(d)) defines "peace officer" as:

"except as otherwise provided in this act, an individual who is employed as a law enforcement officer, as that term is defined under section 2 of the commission on law enforcement standards act, 1965 PA 203, MCL 28.602, by this state or another state, a political subdivision of this state or another state, or the United States, and who is

required to carry a firearm in the course of his or her duties as a law enforcement officer.

**"Law enforcement officer"** is defined under Section 2 of the Commission on Law Enforcement Standards Act as:

(i) A regularly employed member of a law enforcement agency authorized and established pursuant to law, including common law, who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of this state. Police officer or law enforcement officer does not include a person serving solely because he or she occupies any other office or position.

(ii) A law enforcement officer of a Michigan Indian tribal police force, subject to the limitations set forth in section 9(3).

(iii) The sergeant at arms or any assistant sergeant at arms of either house of the Legislature who is commissioned as a police officer by that respective house of the Legislature as provided by the Legislative Sergeant at Arms Police Powers Act, 2001 PA 185, MCL 4.381 to 4.382.

(iv) A law enforcement officer of a multicounty metropolitan district, subject to the limitations of section 9(7).

(v) A county prosecuting attorney's investigator sworn and fully empowered by the sheriff of that county.

(vi) Until December 31, 2007, a law enforcement officer of a school district in this state that has a membership of at least 20,000 pupils and that includes in its territory a city with a population of at least 180,000 as of the most recent federal decennial census.

(vii) A fire arson investigator from a fire department within a city with a population of not less than 750,000 who is sworn and fully empowered by the city chief of police.

MCL 28.425j

#### **FISCAL IMPACT:**

This bill would have an indeterminate fiscal impact on the state and local units of government.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.