



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 5969 (Substitute S-3 as reported)

Sponsor: Representative Jeff Mayes

House Committee: Tourism, Outdoor Recreation and Natural Resources

Senate Committee: Judiciary

CONTENT

The bill would amend the handgun licensure law to do the following:

- Provide that a person would be considered a legal resident of this State for the purposes of being issued a license to purchase, carry, possess, or transport a pistol or carry a concealed pistol if he or she met certain criteria (described below).
- Exempt a nonresident from having to obtain a pistol license if he or she were licensed in another state, did not intend to establish residency or stay in Michigan for more than 180 days, and met other criteria.
- Allow a concealed weapon licensing board to waive a six-month Michigan residency period for an applicant who was licensed in another state upon establishing residency, and require the board to issue a temporary license until it made its final decision on the application.
- Provide that a nonresident who did not present his or her pistol license from another state to a police officer upon request would be guilty of a misdemeanor punishable by imprisonment for up to 90 days and/or a maximum fine of \$100.
- Exempt a person from the license requirements if or she were at a recognized target range or shooting facility, possessed the pistol for target practice or safe pistol use instruction, and, if a minor, were under the supervision of a parent or legal guardian.
- Disqualify a person from licensure if certain criminal charges were pending against him or her at the time of the application.
- Provide that a person who failed to return a concealed weapon license that was suspended or revoked would be guilty of a misdemeanor punishable by imprisonment for up to 93 days and/or a maximum fine of \$500.
- Delete provisions concerning the Basic Pistol Safety Review Board in the Department of State Police.

For the purposes of being issued a pistol license, a person would be considered a legal resident of Michigan if any of the following applied:

- He or she had a valid, lawfully obtained Michigan driver license or an official State personal ID card.
- He or she was lawfully registered to vote in Michigan.
- He or she was on active duty status with the United States Armed Forces and was stationed outside of the State, but his or her home of record was in Michigan.
- The person was on active duty status and was stationed permanently in Michigan, but his or her home of record was in another state.

The bill is tie-barred to Senate Bill 505, which would exclude a State court judge or retired judge who was licensed under the handgun licensure law from provisions that prohibit an individual who is licensed to carry a concealed pistol, or who is exempt from licensure, from carrying a concealed pistol on certain premises.

MCL 28.422 et al.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on the Department of State Police.

The bill would have an indeterminate fiscal impact on local government. There are no data to indicate how many offenders would be convicted of the proposed offenses. Local governments would incur the costs of misdemeanor probation and incarceration in local facilities, which vary by county. Additional penal fine revenue would benefit public libraries.

Date Completed: 12-11-08

Fiscal Analyst: Bruce Baker
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.