

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 5969

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 or other authorization; to provide for the forfeiture of firearms 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 2, 5b, 5l, 5o, 8, 9a, and 9b (MCL 28.422, 28.425b, 28.425l, 28.425o, 28.428, 28.429a, and 28.429b), section 2 as amended by 2008 PA 195, section 5b as amended by 2006 PA 350, section 5l as amended by 2006 PA 456, section 5o as amended by 2008 PA 194, section 8 as amended by 2000 PA 381, and sections 9a and 9b

as added by 1990 PA 320.

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

1           Sec. 2. (1) Except as **OTHERWISE** provided in ~~subsection (2)~~  
2 **THIS SECTION**, a person shall not purchase, carry, possess, or  
3 transport a pistol in this state without first having obtained a  
4 license for the pistol as prescribed in this section.

5           (2) A person who brings a pistol into this state who is on  
6 leave from active duty with the armed forces of the United States  
7 or who has been discharged from active duty with the armed forces  
8 of the United States shall obtain a license for the pistol within  
9 30 days after his or her arrival in this state.

10          (3) The commissioner or chief of police of a city, township,  
11 or village police department that issues licenses to purchase,  
12 carry, possess, or transport pistols, or his or her duly authorized  
13 deputy, or the sheriff or his or her duly authorized deputy, in the  
14 parts of a county not included within a city, township, or village  
15 having an organized police department, in discharging the duty to  
16 issue licenses shall with due speed and diligence issue licenses to  
17 purchase, carry, possess, or transport pistols to qualified  
18 applicants residing within the city, village, township, or county,  
19 as applicable unless he or she has probable cause to believe that  
20 the applicant would be a threat to himself or herself or to other  
21 individuals, or would commit an offense with the pistol that would  
22 violate a law of this or another state or of the United States. An  
23 applicant is qualified if all of the following circumstances exist:

24           (a) The person is not subject to an order or disposition for  
25 which he or she has received notice and an opportunity for a

1 hearing, and which was entered into the law enforcement information  
2 network pursuant to any of the following:

3 (i) Section 464a(1) of the mental health code, 1974 PA 258, MCL  
4 330.1464a.

5 (ii) Section 5107 of the estates and protected individuals  
6 code, 1998 PA 386, MCL 700.5107, or section 444a of former 1978 PA  
7 642.

8 (iii) Section 2950(10) of the revised judicature act of 1961,  
9 1961 PA 236, MCL 600.2950.

10 (iv) Section 2950a(7) of **THE REVISED JUDICATURE ACT OF 1961**,  
11 1961 PA 236, MCL 600.2950a.

12 (v) Section 14 of 1846 RS 84, MCL 552.14.

13 (vi) Section 6b(5) of chapter V of the code of criminal  
14 procedure, 1927 PA 175, MCL 765.6b, if the order has a condition  
15 imposed under section 6b(3) of chapter V of **THE CODE OF CRIMINAL**  
16 **PROCEDURE**, 1927 PA 175, MCL 765.6b.

17 (vii) Section 16b(1) of chapter IX of **THE CODE OF CRIMINAL**  
18 **PROCEDURE**, 1927 PA 175, MCL 769.16b.

19 (b) The person is 18 years of age or older or, if the seller  
20 is licensed ~~pursuant to section 923 of title 18 of the United~~  
21 ~~States Code,~~ **UNDER** 18 USC 923, is 21 years of age or older.

22 (c) The person is a citizen of the United States and is a  
23 legal resident of this state. **FOR THE PURPOSES OF THIS SECTION, A**  
24 **PERSON SHALL BE CONSIDERED A LEGAL RESIDENT OF THIS STATE IF ANY OF**  
25 **THE FOLLOWING APPLY:**

26 (i) **THE PERSON HAS A VALID, LAWFULLY OBTAINED MICHIGAN DRIVER**  
27 **LICENSE ISSUED UNDER THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL**

1 257.1 TO 257.923, OR AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD  
2 ISSUED UNDER 1972 PA 222, MCL 28.291 TO 28.300.

3 (ii) THE PERSON IS LAWFULLY REGISTERED TO VOTE IN THIS STATE.

4 (iii) THE PERSON IS ON ACTIVE DUTY STATUS WITH THE UNITED STATES  
5 ARMED FORCES AND IS STATIONED OUTSIDE OF THIS STATE, BUT THE  
6 PERSON'S HOME OF RECORD IS IN THIS STATE.

7 (iv) THE PERSON IS ON ACTIVE DUTY STATUS WITH THE UNITED STATES  
8 ARMED FORCES AND IS PERMANENTLY STATIONED IN THIS STATE, BUT THE  
9 PERSON'S HOME OF RECORD IS IN ANOTHER STATE.

10 (d) A felony charge OR A CRIMINAL CHARGE LISTED IN SECTION 5B  
11 against the person is not pending at the time of application.

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

16 (f) The person has not been adjudged insane in this state or  
17 elsewhere unless he or she has been adjudged restored to sanity by  
18 court order.

19 (g) The person is not under an order of involuntary commitment  
20 in an inpatient or outpatient setting due to mental illness.

21 (h) The person has not been adjudged legally incapacitated in  
22 this state or elsewhere. This subdivision does not apply to a  
23 person who has had his or her legal capacity restored by order of  
24 the court.

25 (i) The person correctly answers 70% or more of the questions  
26 on a basic pistol safety review questionnaire approved by the ~~basic~~  
27 ~~pistol safety review board~~ DEPARTMENT OF STATE POLICE and provided

1 to the individual free of charge by the licensing authority. If the  
2 person fails to correctly answer 70% or more of the questions on  
3 the basic pistol safety review questionnaire, the licensing  
4 authority shall inform the person of the questions he or she  
5 answered incorrectly and allow the person to attempt to complete  
6 another basic pistol safety review questionnaire. The person shall  
7 not be allowed to attempt to complete more than 2 basic pistol  
8 safety review questionnaires on any single day. The licensing  
9 authority shall allow the person to attempt to complete the  
10 questionnaire during normal business hours on the day the person  
11 applies for his or her license.

12 (4) Applications for licenses under this section shall be  
13 signed by the applicant under oath upon forms provided by the  
14 director of the department of state police. Licenses to purchase,  
15 carry, possess, or transport pistols shall be executed in  
16 quadruplicate upon forms provided by the director of the department  
17 of state police and shall be signed by the licensing authority.  
18 Four copies of the license shall be delivered to the applicant by  
19 the licensing authority. A license is void unless used within 10  
20 days after the date it is issued.

21 (5) If an individual purchases or otherwise acquires a pistol,  
22 the seller shall fill out the license forms describing the pistol,  
23 together with the date of sale or acquisition, and sign his or her  
24 name in ink indicating that the pistol was sold to or otherwise  
25 acquired by the purchaser. The purchaser shall also sign his or her  
26 name in ink indicating the purchase or other acquisition of the  
27 pistol from the seller. The seller may retain a copy of the license

1 as a record of the transaction. The purchaser shall receive 3  
2 copies of the license. The purchaser shall return 2 copies of the  
3 license to the licensing authority within 10 days after the date  
4 the pistol is purchased or acquired. The return of the copies to  
5 the licensing authority may be made in person or may be made by  
6 first-class mail or certified mail sent within the 10-day period to  
7 the proper address of the licensing authority. A purchaser who  
8 fails to comply with the requirements of this subsection is  
9 responsible for a state civil infraction and may be fined not more  
10 than \$250.00. If a purchaser is found responsible for a state civil  
11 infraction under this subsection, the court shall notify the  
12 department of state police of that determination.

13 (6) Within 48 hours after receiving the license copies  
14 returned under subsection (5), the licensing authority shall  
15 forward 1 copy of the license to the department of state police.  
16 The licensing authority shall retain the other copy of the license  
17 as an official record for not less than 6 years. Within 10 days  
18 after receiving the license copies returned under subsection (5),  
19 the licensing authority shall electronically enter the information  
20 into the pistol entry database as required by the department of  
21 state police if it has the ability to electronically enter that  
22 information. If the licensing authority does not have that ability,  
23 the licensing authority shall provide that information to the  
24 department of state police in a manner otherwise required by the  
25 department of state police. Any licensing authority that provided  
26 pistol descriptions to the department of state police under former  
27 section 9 of this act shall continue to provide pistol descriptions

1 to the department of state police under this subsection. The  
2 purchaser has the right to obtain a copy of the information placed  
3 in the pistol entry database under this subsection to verify the  
4 accuracy of that information. The licensing authority may charge a  
5 fee not to exceed \$1.00 for the cost of providing the copy. The  
6 licensee may carry, use, possess, and transport the pistol for 30  
7 days beginning on the date of purchase or acquisition only while he  
8 or she is in possession of his or her copy of the license. However,  
9 the person is not required to have the license in his or her  
10 possession while carrying, using, possessing, or transporting the  
11 pistol after this period.

12 (7) This section does not apply to the purchase of pistols  
13 from wholesalers by dealers regularly engaged in the business of  
14 selling pistols at retail, or to the sale, barter, or exchange of  
15 pistols kept as relics or curios not made for modern ammunition or  
16 permanently deactivated. This section does not prevent the transfer  
17 of ownership of pistols that are inherited if the license to  
18 purchase is approved by the commissioner or chief of police,  
19 sheriff, or their authorized deputies, and signed by the personal  
20 representative of the estate or by the next of kin having authority  
21 to dispose of the pistol.

22 (8) AN INDIVIDUAL WHO IS NOT A RESIDENT OF THIS STATE IS NOT  
23 REQUIRED TO OBTAIN A LICENSE UNDER THIS SECTION IF ALL OF THE  
24 FOLLOWING CONDITIONS APPLY:

25 (A) THE INDIVIDUAL IS LICENSED IN HIS OR HER STATE OF  
26 RESIDENCE TO PURCHASE, CARRY, OR TRANSPORT A PISTOL.

27 (B) THE INDIVIDUAL IS IN POSSESSION OF THE LICENSE DESCRIBED

1 IN SUBDIVISION (A).

2 (C) THE INDIVIDUAL IS THE OWNER OF THE PISTOL HE OR SHE  
3 POSSESSES, CARRIES, OR TRANSPORTS.

4 (D) THE INDIVIDUAL POSSESSES THE PISTOL FOR A LAWFUL PURPOSE  
5 AS THAT TERM IS DEFINED IN SECTION 231A OF THE MICHIGAN PENAL CODE,  
6 1931 PA 328, MCL 750.231A.

7 (E) THE INDIVIDUAL IS IN THIS STATE FOR A PERIOD OF 180 DAYS  
8 OR LESS AND DOES NOT INTEND TO ESTABLISH RESIDENCY IN THIS STATE.

9 (9) AN INDIVIDUAL WHO IS A NONRESIDENT OF THIS STATE SHALL  
10 PRESENT THE LICENSE DESCRIBED IN SUBSECTION (8) (A) UPON THE DEMAND  
11 OF A POLICE OFFICER. AN INDIVIDUAL WHO VIOLATES THIS SUBSECTION IS  
12 GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE  
13 THAN 90 DAYS OR A FINE OF NOT MORE THAN \$100.00, OR BOTH.

14 (10) THE LICENSING AUTHORITY MAY REQUIRE A PERSON CLAIMING  
15 ACTIVE DUTY STATUS WITH THE UNITED STATES ARMED FORCES TO PROVIDE  
16 PROOF OF 1 OR BOTH OF THE FOLLOWING:

17 (A) THE PERSON'S HOME OF RECORD.

18 (B) PERMANENT ACTIVE DUTY ASSIGNMENT IN THIS STATE.

19 (11) THIS SECTION DOES NOT APPLY TO A PERSON WHO IS YOUNGER  
20 THAN THE AGE REQUIRED UNDER SUBSECTION (3) (B) AND WHO POSSESSES A  
21 PISTOL IF ALL OF THE FOLLOWING CONDITIONS APPLY:

22 (A) THE PERSON IS NOT OTHERWISE PROHIBITED FROM POSSESSING  
23 THAT PISTOL.

24 (B) THE PERSON IS AT A RECOGNIZED TARGET RANGE.

25 (C) THE PERSON POSSESSES THE PISTOL FOR THE PURPOSE OF TARGET  
26 PRACTICE OR INSTRUCTION IN THE SAFE USE OF A PISTOL.

27 (D) THE PERSON'S PARENT OR GUARDIAN IS PHYSICALLY PRESENT AND

1 SUPERVISING THE PERSON.

2 (E) THE OWNER OF THE PISTOL IS PHYSICALLY PRESENT.

3 (12) THIS SECTION DOES NOT APPLY TO A PERSON WHO POSSESSES A  
4 PISTOL IF ALL OF THE FOLLOWING CONDITIONS APPLY:

5 (A) THE PERSON IS NOT OTHERWISE PROHIBITED FROM POSSESSING A  
6 PISTOL.

7 (B) THE PERSON IS AT A RECOGNIZED TARGET RANGE OR SHOOTING  
8 FACILITY.

9 (C) THE PERSON POSSESSES THE PISTOL FOR THE PURPOSE OF TARGET  
10 PRACTICE OR INSTRUCTION IN THE SAFE USE OF A PISTOL.

11 (D) THE OWNER OF THE PISTOL IS PHYSICALLY PRESENT AND  
12 SUPERVISING THE USE OF THE PISTOL.

13 (13) ~~(8)~~—The licensing authority shall provide a basic pistol  
14 safety brochure to each applicant for a license under this section  
15 before the applicant answers the basic pistol safety review  
16 questionnaire. A basic pistol safety brochure shall contain, but is  
17 not limited to providing, information on all of the following  
18 subjects:

19 (a) Rules for safe handling and use of pistols.

20 (b) Safe storage of pistols.

21 (c) Nomenclature and description of various types of pistols.

22 (d) The responsibilities of owning a pistol.

23 (14) ~~(9)~~—The basic pistol safety brochure shall be supplied in  
24 addition to the safety pamphlet required by section 9b.

25 (15) ~~(10)~~—The basic pistol safety brochure required in  
26 subsection ~~(8)~~—(13) shall be produced by a national nonprofit  
27 membership organization that provides voluntary pistol safety

1 programs that include training individuals in the safe handling and  
2 use of pistols.

3 (16) ~~(11)~~—A person who forges any matter on an application for  
4 a license under this section is guilty of a felony, punishable by  
5 imprisonment for not more than 4 years or a fine of not more than  
6 \$2,000.00, or both.

7 (17) ~~(12)~~—A licensing authority shall implement this section  
8 during all of the licensing authority's normal business hours and  
9 shall set hours for implementation that allow an applicant to use  
10 the license within the time period set forth in subsection ~~(6)~~—(4).

11 Sec. 5b. (1) To obtain a license to carry a concealed pistol,  
12 an individual shall apply to the concealed weapon licensing board  
13 in the county in which that individual resides. The application  
14 shall be filed with the county clerk during the county clerk's  
15 normal business hours. The application shall be on a form provided  
16 by the director of the department of state police and shall allow  
17 the applicant to designate whether the applicant seeks a temporary  
18 license. The application shall be signed under oath by the  
19 applicant. The oath shall be administered by the county clerk or  
20 his or her representative. The application shall contain all of the  
21 following information:

22 (a) The applicant's legal name and date of birth and the  
23 address of his or her primary residence. If the applicant resides  
24 in a city, village, or township that has a police department, the  
25 name of the police department. Information received under this  
26 subdivision is confidential, is not subject to disclosure under the  
27 freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, and

1 shall not be disclosed to any person except for purposes of this  
2 act or for law enforcement purposes.

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

5 (c) A statement by the applicant authorizing the concealed  
6 weapon licensing board to access any record, including any medical  
7 record, pertaining to the applicant's qualifications for a license  
8 to carry a concealed pistol under this act. The applicant may  
9 request that information received by the concealed weapon licensing  
10 board under this subdivision be reviewed in a closed session. If  
11 the applicant requests that the session be closed, the concealed  
12 weapon licensing board shall close the session only for purposes of  
13 this subdivision. The applicant and his or her representative have  
14 the right to be present in the closed session. Medical records and  
15 personal identifying information received by the concealed weapon  
16 licensing board under this subdivision is confidential, is not  
17 subject to disclosure under the freedom of information act, 1976 PA  
18 442, MCL 15.231 to 15.246, and shall not be disclosed to any person  
19 except for purposes of this act or for law enforcement purposes or  
20 if the applicant is convicted of a felony involving a pistol.

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

1 this subdivision be reviewed in a closed session. If the applicant  
2 requests that the session be closed, the concealed weapon licensing  
3 board shall close the session only for purposes of this  
4 subdivision. The applicant and his or her representative have the  
5 right to be present in the closed session. Medical records and  
6 personal identifying information received by the concealed weapon  
7 licensing board under this subdivision is confidential, is not  
8 subject to disclosure under the freedom of information act, 1976 PA  
9 442, MCL 15.231 to 15.246, and shall not be disclosed to any person  
10 except for purposes of this act or for law enforcement purposes.

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

14 (i) Any felony.

15 (ii) A misdemeanor listed under subsection (7)(h) or (i), if  
16 the applicant was convicted of violating that misdemeanor in the 8  
17 years immediately preceding the date of the application.

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

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

22 (h) The names, residential addresses, and telephone numbers of  
23 2 individuals who are references for the applicant. Information  
24 received under this subdivision is confidential, is not subject to  
25 disclosure under the freedom of information act, 1976 PA 442, MCL  
26 15.231 to 15.246, and shall not be disclosed to any person except  
27 for purposes of this act or for law enforcement purposes.

1 (i) A passport-quality photograph of the applicant provided by  
2 the applicant at the time of application.

3 (j) A certificate stating that the applicant has completed the  
4 training course prescribed by this act.

5 (2) The application form shall contain a conspicuous warning  
6 that the application is executed under oath and that intentionally  
7 making a material false statement on the application is a felony  
8 punishable by imprisonment for not more than 4 years or a fine of  
9 not more than \$2,500.00, or both.

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

14 (4) The concealed weapon licensing board shall retain a copy  
15 of each application for a license to carry a concealed pistol as an  
16 official record. One year after the expiration of a concealed  
17 pistol license, the county clerk may destroy the record and  
18 maintain only a name index of the record.

19 (5) Each applicant shall pay a **NONREFUNDABLE** fee of \$105.00 by  
20 any method of payment accepted by that county for payments of other  
21 fees and penalties. Except for a local police agency as provided in  
22 subsection (9), a unit of local government, an agency of a unit of  
23 local government, or an agency or department of this state shall  
24 not charge an additional fee, assessment, or other amount in  
25 connection with a license under this section. The fee shall be  
26 payable to the county. The county treasurer shall deposit \$41.00 of  
27 each fee collected under this section in the general fund of the

1 county and credit \$26.00 of that deposit to the credit of the  
2 county clerk and \$15.00 of that deposit to the credit of the county  
3 sheriff and forward the balance to the state treasurer. The state  
4 treasurer shall deposit the balance of the fee in the general fund  
5 to the credit of the department of state police. The department of  
6 state police shall use the money received under this act to process  
7 the fingerprints and to reimburse the federal bureau of  
8 investigation for the costs associated with processing fingerprints  
9 submitted under this act. The balance of the money received under  
10 this act shall be credited to the department of state police.

11 (6) The county sheriff on behalf of the concealed weapon  
12 licensing board shall verify the requirements of subsection (7) (d),  
13 (e), (f), (h), (i), (j), (k), (l), and (m) through the law  
14 enforcement information network and report his or her finding to  
15 the concealed weapon licensing board. If the applicant resides in a  
16 city, village, or township that has a police department, the  
17 concealed weapon licensing board shall contact that city, village,  
18 or township police department to determine only whether that city,  
19 village, or township police department has any information relevant  
20 to the investigation of whether the applicant is eligible under  
21 this act to receive a license to carry a concealed pistol. **THE**  
22 **CONCEALED WEAPON LICENSING BOARD MAY REQUIRE A PERSON CLAIMING**  
23 **ACTIVE DUTY STATUS WITH THE UNITED STATES ARMED FORCES UNDER THIS**  
24 **SECTION TO PROVIDE PROOF OF 1 OR BOTH OF THE FOLLOWING:**

25 (A) **THE PERSON'S HOME OF RECORD.**

26 (B) **PERMANENT ACTIVE DUTY ASSIGNMENT IN THIS STATE.**

27 (7) The concealed weapon licensing board shall issue a license

1 to an applicant to carry a concealed pistol within the period  
2 required under this act after the applicant properly submits an  
3 application under subsection (1) and the concealed weapon licensing  
4 board determines that all of the following circumstances exist:

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

6 (b) The applicant is a citizen of the United States or is an  
7 alien lawfully admitted into the United States, is a **LEGAL** resident  
8 of this state, and has resided in this state for not less than **THE**  
9 6 months **IMMEDIATELY PRECEDING THE DATE OF APPLICATION**. The  
10 concealed weapon licensing board may waive the 6-month residency  
11 requirement for a temporary license under section 5a(8) if the  
12 concealed weapon licensing board determines there is probable cause  
13 to believe the safety of the applicant or the safety of a member of  
14 the applicant's family is endangered by the applicant's inability  
15 to immediately obtain a license to carry a concealed pistol. **IF THE**  
16 **APPLICANT HOLDS A VALID CONCEALED PISTOL LICENSE ISSUED BY ANOTHER**  
17 **STATE AT THE TIME THE APPLICANT'S RESIDENCY IN THIS STATE IS**  
18 **ESTABLISHED, THE CONCEALED WEAPON LICENSING BOARD MAY WAIVE THE 6-**  
19 **MONTH WAITING PERIOD AND THE APPLICANT MAY APPLY FOR A CONCEALED**  
20 **PISTOL LICENSE AT THE TIME THE APPLICANT'S RESIDENCY IN THIS STATE**  
21 **IS ESTABLISHED. THE CONCEALED WEAPON LICENSING BOARD SHALL**  
22 **IMMEDIATELY ISSUE A TEMPORARY LICENSE TO THAT APPLICANT. THE**  
23 **TEMPORARY LICENSE SHALL BE VALID UNTIL THE CONCEALED WEAPON**  
24 **LICENSING BOARD DECIDES WHETHER TO GRANT OR DENY THE APPLICATION.**  
25 **FOR THE PURPOSES OF THIS SECTION, A PERSON SHALL BE CONSIDERED A**  
26 **LEGAL RESIDENT OF THIS STATE IF ANY OF THE FOLLOWING APPLY:**

27 (i) **THE PERSON HAS A VALID, LAWFULLY OBTAINED MICHIGAN DRIVER**

1 LICENSE ISSUED UNDER THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL  
2 257.1 TO 257.923, OR OFFICIAL STATE PERSONAL IDENTIFICATION CARD  
3 ISSUED UNDER 1972 PA 222, MCL 28.291 TO 28.300.

4 (ii) THE PERSON IS LAWFULLY REGISTERED TO VOTE IN THIS STATE.

5 (iii) THE PERSON IS ON ACTIVE DUTY STATUS WITH THE UNITED STATES  
6 ARMED FORCES AND IS STATIONED OUTSIDE OF THIS STATE, BUT THE  
7 PERSON'S HOME OF RECORD IS IN THIS STATE.

8 (iv) THE PERSON IS ON ACTIVE DUTY STATUS WITH THE UNITED STATES  
9 ARMED FORCES AND IS PERMANENTLY STATIONED IN THIS STATE, BUT THE  
10 PERSON'S HOME OF RECORD IS IN ANOTHER STATE.

11 (c) The applicant has knowledge and has had training in the  
12 safe use and handling of a pistol by the successful completion of a  
13 pistol safety training course or class that meets the requirements  
14 of section 5j, and that is available to the general public and  
15 presented by a law enforcement agency, junior or community college,  
16 college, or public or private institution or organization or  
17 firearms training school.

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

20 (i) Section 464a of the mental health code, 1974 PA 258, MCL  
21 330.1464a.

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

24 (iii) Sections 2950 and 2950a of the revised judicature act of  
25 1961, 1961 PA 236, MCL 600.2950 and 600.2950a.

26 (iv) Section 6b of chapter V of the code of criminal procedure,  
27 1927 PA 175, MCL 765.6b, if the order has a condition imposed

1 pursuant to section 6b(3) of chapter V of the code of criminal  
2 procedure, 1927 PA 175, MCL 765.6b.

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

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

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

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

15 (h) The applicant has not been convicted of a misdemeanor  
16 violation of any of the following in the 8 years immediately  
17 preceding the date of application:

18 (i) Section 617a of the Michigan vehicle code, 1949 PA 300, MCL  
19 257.617a (failing to stop when involved in a personal injury  
20 accident).

21 (ii) Section 625 of the Michigan vehicle code, 1949 PA 300, MCL  
22 257.625, punishable as provided in subsection (9)(b) of that  
23 section (operating while intoxicated, second offense).

24 (iii) Section 625m of the Michigan vehicle code, 1949 PA 300,  
25 MCL 257.625m punishable under subsection (4) of that section (~~drunk~~  
26 ~~driving~~, **OPERATING A commercial vehicle WITH ALCOHOL CONTENT,**  
27 **SECOND OFFENSE**).

1 (iv) Section 626 of the Michigan vehicle code, 1949 PA 300, MCL  
2 257.626 (reckless driving).

3 (v) Section 904(1) of the Michigan vehicle code, 1949 PA 300,  
4 MCL 257.904 (~~driving~~**OPERATING** while license suspended or revoked),  
5 punishable as a second or subsequent offense.

6 (vi) Section 185 of the aeronautics code of the state of  
7 Michigan, 1945 PA 327, MCL 259.185 (operating aircraft while under  
8 the influence of intoxicating liquor or a controlled substance with  
9 prior conviction).

10 (vii) Section 29 of the weights and measures act, 1964 PA 283,  
11 MCL 290.629 (hindering or obstructing certain persons performing  
12 official weights and measures duties).

13 (viii) Section 10 of the motor fuels quality act, 1984 PA 44,  
14 MCL 290.650 (hindering, obstructing, assaulting, or committing  
15 bodily injury upon director or authorized representative).

16 (ix) Section 81134 of the natural resources and environmental  
17 protection act, 1994 PA 451, MCL 324.81134, punishable under  
18 subsection (5) or (6) of that section (operating ORV under the  
19 influence of intoxicating liquor or a controlled substance, second  
20 or subsequent offense).

21 (x) Section 82127 of the natural resources and environmental  
22 protection act, 1994 PA 451, MCL 324.82127 (operating a snowmobile  
23 under the influence of intoxicating liquor or a controlled  
24 substance), punishable as a second or subsequent offense under  
25 section 82128(1)(b) or (c) of the natural resources and  
26 environmental protection act, 1994 PA 451, MCL 324.82128.

27 (xi) Section 80176 of the natural resources and environmental

1 protection act, 1994 PA 451, MCL 324.80176, and punishable under  
2 section 80177(1)(b) (operating vessel under the influence of  
3 intoxicating liquor or a controlled substance, second or subsequent  
4 offense).

5 (xii) Section 7403 of the public health code, 1978 PA 368, MCL  
6 333.7403.

7 (xiii) Section 353 of the railroad code of 1993, 1993 PA 354,  
8 MCL 462.353 (operating locomotive under the influence of  
9 intoxicating liquor or a controlled substance, or while visibly  
10 impaired), punishable under subsection (4) of that section.

11 (xiv) Section 7 of 1978 PA 33, MCL 722.677 (displaying sexually  
12 explicit matter to minors).

13 (xv) Section 81 of the Michigan penal code, 1931 PA 328, MCL  
14 750.81 (assault or domestic assault).

15 (xvi) Section 81a(1) or (2) of the Michigan penal code, 1931 PA  
16 328, MCL 750.81a (aggravated assault or aggravated domestic  
17 assault).

18 (xvii) Section 115 of the Michigan penal code, 1931 PA 328, MCL  
19 750.115 (**BREAKING AND ENTERING OR** entering without breaking).

20 (xviii) Section 136b(6) of the Michigan penal code, 1931 PA 328,  
21 MCL 750.136b (fourth degree child abuse).

22 (xix) Section 145a of the Michigan penal code, 1931 PA 328, MCL  
23 750.145a (accosting, enticing, or soliciting a child for immoral  
24 purposes).

25 (xx) Section 145n of the Michigan penal code, 1931 PA 328, MCL  
26 750.145n (vulnerable adult abuse).

27 (xxi) Section 157b(3)(b) of the Michigan penal code, 1931 PA

1 328, MCL 750.157b (solicitation to commit a felony).

2 (xxii) Section 215 of the Michigan penal code, 1931 PA 328, MCL  
3 750.215 (impersonating peace officer or medical examiner).

4 (xxiii) Section 223 of the Michigan penal code, 1931 PA 328, MCL  
5 750.223 (illegal sale of a firearm or ammunition).

6 (xxiv) Section 224d of the Michigan penal code, 1931 PA 328,  
7 MCL 750.224d (illegal **USE OR** sale of a self-defense spray).

8 (xxv) Section 226a of the Michigan penal code, 1931 PA 328, MCL  
9 750.226a (sale or possession of a switchblade).

10 (xxvi) Section 227c of the Michigan penal code, 1931 PA 328,  
11 MCL 750.227c (improper transportation of a loaded firearm).

12 (xxvii) Section 228 of the Michigan penal code, 1931 PA 328, MCL  
13 750.228 (failure to have a pistol inspected).

14 (xxviii) Section 229 of the Michigan penal code, 1931 PA 328,  
15 MCL 750.229 (accepting a pistol in pawn).

16 (xxix) Section 232 of the Michigan penal code, 1931 PA 328, MCL  
17 750.232 (failure to register the purchase of a firearm or a firearm  
18 component).

19 (xxx) Section 232a of the Michigan penal code, 1931 PA 328, MCL  
20 750.232a (improperly obtaining a pistol, making a false statement  
21 on an application to purchase a pistol, or using false  
22 identification to purchase a pistol).

23 (xxxi) Section 233 of the Michigan penal code, 1931 PA 328, MCL  
24 750.233 (intentionally aiming a firearm without malice).

25 (xxxii) Section 234 of the Michigan penal code, 1931 PA 328, MCL  
26 750.234 (intentionally discharging a firearm aimed without malice).

27 (xxxiii) Section 234d of the Michigan penal code, 1931 PA 328,

1 MCL 750.234d (possessing a firearm on prohibited premises).

2 (xxxiv) Section 234e of the Michigan penal code, 1931 PA 328,  
3 MCL 750.234e (brandishing a firearm in public).

4 (xxxv) Section 234f of the Michigan penal code, 1931 PA 328,  
5 MCL 750.234f (possession of a firearm by an individual less than 18  
6 years of age).

7 (xxxvi) Section 235 of the Michigan penal code, 1931 PA 328, MCL  
8 750.235 (intentionally discharging a firearm aimed without malice  
9 causing injury).

10 (xxxvii) Section 235a of the Michigan penal code, 1931 PA 328,  
11 MCL 750.235a (parent of a minor who possessed a firearm in a weapon  
12 free school zone).

13 (xxxviii) Section 236 of the Michigan penal code, 1931 PA 328,  
14 MCL 750.236 (setting a spring gun or other device).

15 (xxxix) Section 237 of the Michigan penal code, 1931 PA 328, MCL  
16 750.237 (possessing a firearm while under the influence of  
17 intoxicating liquor or a drug).

18 (xl) Section 237a of the Michigan penal code, 1931 PA 328, MCL  
19 750.237a (weapon free school zone violation).

20 (xli) Section 335a of the Michigan penal code, 1931 PA 328, MCL  
21 750.335a (indecent exposure).

22 (xlii) Section 411h of the Michigan penal code, 1931 PA 328, MCL  
23 750.411h (stalking).

24 **(xliii) SECTION 520E OF THE MICHIGAN PENAL CODE, 1931 PA 328,**  
25 **MCL 750.520E (FOURTH DEGREE CRIMINAL SEXUAL CONDUCT).**

26 **(xliv) ~~(xliii)~~—Section 1 of 1952 PA 45, MCL 752.861 (reckless,**  
27 **careless, or negligent use of a firearm resulting in injury or**

1 death).

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

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

7        ~~(xlvii)~~ ~~(xlvii)~~—A violation of a law of the United States, another  
8 state, or a local unit of government of this state or another state  
9 substantially corresponding to a violation described in  
10 subparagraphs (i) to ~~(xlv)~~ ~~(xlvii)~~.

11        (i) The applicant has not been convicted of a misdemeanor  
12 violation of any of the following in the 3 years immediately  
13 preceding the date of application unless the misdemeanor violation  
14 is listed under subdivision (h):

15        (i) Section 625 of the Michigan vehicle code, 1949 PA 300, MCL  
16 257.625 (operating under the influence).

17        (ii) Section 625a of the Michigan vehicle code, 1949 PA 300,  
18 MCL 257.625a (refusal of commercial vehicle ~~driver~~ **OPERATOR** to  
19 submit to a chemical test).

20        (iii) Section 625k of the Michigan vehicle code, 1949 PA 300,  
21 MCL 257.625k (~~negligently fails to comply~~ **IGNITION INTERLOCK DEVICE**  
22 **REPORTING VIOLATION**).

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

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

1           (vi) Section 185 of the aeronautics code of the state of  
2 Michigan, 1945 PA 327, MCL 259.185 (operating aircraft under the  
3 influence).

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

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

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

13           (x) Part 74 of the public health code, 1978 PA 368, MCL  
14 333.7401 to 333.7461 (controlled ~~substances~~—**SUBSTANCE VIOLATION**).

15           (xi) Section 353 of the railroad code of 1993, 1993 PA 354, MCL  
16 462.353 (operating locomotive under the influence), punishable  
17 under subsection (3) of that section.

18           (xii) Section 167 of the Michigan penal code, 1931 PA 328, MCL  
19 750.167 (disorderly person).

20           (xiii) Section 174 of the Michigan penal code, 1931 PA 328, MCL  
21 750.174 (embezzlement).

22           (xiv) Section 218 of the Michigan penal code, 1931 PA 328, MCL  
23 750.218 (false pretenses **WITH INTENT TO DEFRAUD**).

24           (xv) Section 356 of the Michigan penal code, 1931 PA 328, MCL  
25 750.356 (larceny).

26           (xvi) Section 356d of the Michigan penal code, 1931 PA 328, MCL  
27 750.356d (**SECOND DEGREE** retail fraud).

1           (xvii) Section 359 of the Michigan penal code, 1931 PA 328, MCL  
2 750.359 (larceny-vacant building).

3           (xviii) Section 362 of the Michigan penal code, 1931 PA 328, MCL  
4 750.362 (larceny by conversion).

5           (xix) Section 362a of the Michigan penal code, 1931 PA 328, MCL  
6 750.362a (**LARCENY**-defrauding lessor).

7           (xx) Section 377a of the Michigan penal code, 1931 PA 328, MCL  
8 750.377a (malicious destruction of property).

9           (xxi) Section 380 of the Michigan penal code, 1931 PA 328, MCL  
10 750.380 (malicious destruction of real property).

11 ~~(xxii) Section 479a of the Michigan penal code, 1931 PA 328, MCL~~  
12 ~~750.479a (failure to obey police direction).~~

13           (xxii) ~~(xxiii)~~ Section 535 of the Michigan penal code, 1931 PA  
14 328, MCL 750.535 (receiving stolen property).

15           (xxiii) ~~(xxiv)~~ Section 540e of the Michigan penal code, 1931 PA  
16 328, MCL 750.540e (malicious use of telephones).

17           (xxiv) ~~(xxv)~~ A violation of a law of the United States, another  
18 state, or a local unit of government of this state or another state  
19 substantially corresponding to a violation described in  
20 subparagraphs (i) to ~~(xxiv)~~ (xxiii).

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

24           (k) The applicant has never been subject to an order of  
25 involuntary commitment in an inpatient or outpatient setting due to  
26 mental illness.

27           (l) The applicant does not have a diagnosed mental illness at

1 the time the application is made regardless of whether he or she is  
2 receiving treatment for that illness.

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

5 (n) Issuing a license to the applicant to carry a concealed  
6 pistol in this state is not detrimental to the safety of the  
7 applicant or to any other individual. A determination under this  
8 subdivision shall be based on clear and convincing evidence of  
9 repeated violations of this act, crimes, personal protection orders  
10 or injunctions, or police reports or other clear and convincing  
11 evidence of the actions of, or statements of, the applicant that  
12 bear directly on the applicant's ability to carry a concealed  
13 pistol.

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

25 (9) An individual, after submitting an application and paying  
26 the fee prescribed under subsection (5), shall request and have  
27 classifiable fingerprints taken by the county sheriff or a local

1 police agency if that local police agency maintains fingerprinting  
2 capability. If the individual requests that classifiable  
3 fingerprints be taken by a local police agency, the individual  
4 shall also pay to that local police agency a fee of \$15.00 by any  
5 method of payment accepted by the unit of local government for  
6 payments of other fees and penalties. The county sheriff or local  
7 police agency shall take the fingerprints within 5 business days  
8 after the request.

9 (10) The fingerprints shall be taken, under subsection (9), on  
10 forms and in a manner prescribed by the department of state police.  
11 The fingerprints shall be immediately forwarded to the department  
12 of state police for comparison with fingerprints already on file  
13 with the department of state police. The department of state police  
14 shall forward the fingerprints to the federal bureau of  
15 investigation. Within 10 days after receiving a report of the  
16 fingerprints from the federal bureau of investigation, the  
17 department of state police shall provide a copy to the submitting  
18 sheriff's department or local police agency as appropriate and the  
19 clerk of the appropriate concealed weapon licensing board. Except  
20 as provided in subsection (14), the concealed weapon licensing  
21 board shall not issue a concealed pistol license until it receives  
22 the fingerprint comparison report prescribed in this subsection.  
23 The concealed weapon licensing board may deny a license if an  
24 individual's fingerprints are not classifiable by the federal  
25 bureau of investigation.

26 (11) The concealed weapon licensing board shall deny a license  
27 to an applicant to carry a concealed pistol if the applicant is not

1 qualified under subsection (7) to receive that license.

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

5 (13) Subject to subsections (10) and (14), the concealed  
6 weapon licensing board shall issue or deny issuance of a license  
7 within 45 days after the concealed weapon licensing board receives  
8 the fingerprint comparison report provided under subsection (10).  
9 If the concealed weapon licensing board denies issuance of a  
10 license to carry a concealed pistol, the concealed weapon licensing  
11 board shall within 5 business days do both of the following:

12 (a) Inform the applicant in writing of the reasons for the  
13 denial. Information under this subdivision shall include all of the  
14 following:

15 (i) A statement of the specific and articulable facts  
16 supporting the denial.

17 (ii) Copies of any writings, photographs, records, or other  
18 documentary evidence upon which the denial is based.

19 (b) Inform the applicant in writing of his or her right to  
20 appeal the denial to the circuit court as provided in section 5d.

21 (14) If the fingerprint comparison report is not received by  
22 the concealed weapon licensing board within 60 days after the  
23 fingerprint report is forwarded to the department of state police  
24 by the federal bureau of investigation, the concealed weapon  
25 licensing board shall issue a temporary license to carry a  
26 concealed pistol to the applicant if the applicant is otherwise  
27 qualified for a license. A temporary license issued under this

1 section is valid for 180 days or until the concealed weapon  
2 licensing board receives the fingerprint comparison report provided  
3 under subsection (10) and issues or denies issuance of a license to  
4 carry a concealed pistol as otherwise provided under this act. Upon  
5 issuance or the denial of issuance of the license to carry a  
6 concealed pistol to an applicant who received a temporary license  
7 under this section, the applicant shall immediately surrender the  
8 temporary license to the concealed weapon licensing board that  
9 issued that temporary license.

10 (15) If an individual licensed under this act to carry a  
11 concealed pistol moves to a different county within this state, his  
12 or her license remains valid until it expires or is otherwise  
13 suspended or revoked under this act. A license to carry a concealed  
14 pistol that is lost, stolen, or defaced may be replaced by the  
15 issuing county clerk for a replacement fee of \$10.00.

16 (16) If a concealed weapons licensing board suspends or  
17 revokes a license issued under this act, the license is forfeited  
18 and shall be returned to the concealed weapon licensing board  
19 forthwith. **AN INDIVIDUAL WHO FAILS TO RETURN A LICENSE AS REQUIRED**  
20 **UNDER THIS SUBSECTION AFTER HE OR SHE WAS NOTIFIED THAT HIS OR HER**  
21 **LICENSE WAS SUSPENDED OR REVOKED IS GUILTY OF A MISDEMEANOR**  
22 **PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A FINE OF**  
23 **NOT MORE THAN \$500.00, OR BOTH.**

24 (17) An applicant or an individual licensed under this act to  
25 carry a concealed pistol may be furnished a copy of his or her  
26 application under this section upon request and the payment of a  
27 reasonable fee.

1           (18) This section does not prohibit the concealed weapon  
2 licensing board from making public and distributing to the public  
3 at no cost lists of individuals who are certified as qualified  
4 instructors as prescribed under section 5j.

5           (19) As used in this section:

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

12           (b) "Felony" means that term as defined in section 1 of  
13 chapter I of the code of criminal procedure, 1927 PA 175, MCL  
14 761.1, or a violation of a law of the United States or another  
15 state that is designated as a felony or that is punishable by death  
16 or by imprisonment for more than 1 year.

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

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

27           (e) "Treatment" means care or any therapeutic service,

1 including, but not limited to, the administration of a drug, and  
2 any other service for the treatment of a mental illness.

3 Sec. 5/. (1) **A LICENSE TO CARRY A CONCEALED PISTOL ISSUED ON OR**  
4 **AFTER JULY 1, 2003 BUT BEFORE JULY 1, 2006 IS VALID FOR 5 YEARS.**

5 (2) ~~(1)~~—A license to carry a concealed pistol **ISSUED OR**  
6 **RENEWED ON OR AFTER JULY 1, 2006** is valid until the applicant's  
7 date of birth that falls not less than 4 years or more than 5 years  
8 after the license is issued **OR RENEWED, AS APPLICABLE**. Except as  
9 provided in subsections ~~(6)~~—(7) and ~~(7)~~—(8), a renewal of a license  
10 under section 5b shall, except as provided in this section, be  
11 issued in the same manner as an original license issued under  
12 section 5b.

13 (3) ~~(2)~~—The concealed weapon licensing board shall issue or  
14 deny issuance of a renewal license within 60 days after the  
15 application for renewal is properly submitted. The county clerk  
16 shall issue the applicant a receipt for his or her renewal  
17 application at the time the application is submitted. The receipt  
18 shall contain all of the following:

19 (a) The name of the applicant.

20 (b) The date and time the receipt is issued.

21 (c) The amount paid.

22 (d) A statement that the receipt is for a license renewal.

23 (e) A statement of whether the applicant qualifies for an  
24 extension under subsection ~~(3)~~—(4).

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

26 (g) An impression of the county seal.

27 (4) ~~(3)~~—If the concealed weapon licensing board fails to deny

1 or issue a renewal license to the person within 60 days as required  
2 under subsection ~~(2)~~—(3), the expiration date of the current  
3 license is extended by 180 days or until the renewal license is  
4 issued, whichever occurs first. This subsection does not apply  
5 unless the person pays the renewal fee at the time the renewal  
6 application is submitted and the person has submitted a receipt  
7 from a police agency that confirms that a background check has been  
8 requested by the applicant.

9 (5) ~~(4)~~—A person carrying a concealed pistol after the  
10 expiration date of his or her license pursuant to an extension  
11 under subsection ~~(3)~~—(4) shall keep the receipt issued by the  
12 county clerk under subsection ~~(2)~~—(3) and his or her expired  
13 license in his or her possession at all times that he or she is  
14 carrying the pistol. For the purposes of this act, the receipt is  
15 considered to be part of the license to carry a concealed pistol  
16 until a renewal license is issued or denied. Failing to have the  
17 receipt and expired license in possession while carrying a  
18 concealed pistol or failing to display the receipt to a peace  
19 officer upon request is a violation of this act.

20 (6) ~~(5)~~—The educational requirements under section 5b(7)(c)  
21 are waived for an applicant who is a retired police officer or  
22 retired law enforcement officer.

23 (7) ~~(6)~~—The educational requirements under section 5b(7)(c)  
24 for an applicant who is applying for a renewal of a license under  
25 this act are waived except that the applicant shall certify that he  
26 or she has completed at least 3 hours' review of the training  
27 described under section 5b(7)(c) and has had at least 1 hour of

1 firing range time in the 6 months immediately preceding the  
2 subsequent application.

3 (8) ~~(7)~~—Beginning January 1, 2007, an applicant who is  
4 applying for a renewal of a license issued under section 5b is not  
5 required to have fingerprints taken again under section 5b(9) if  
6 all of the following conditions have been met:

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

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

15 Sec. 50. (1) Subject to subsection (4), an individual licensed  
16 under this act to carry a concealed pistol, or who is exempt from  
17 licensure under section 12a(1)(f), shall not carry a concealed  
18 pistol on the premises of any of the following:

19 (a) A school or school property except that a parent or legal  
20 guardian of a student of the school is not precluded from carrying  
21 a concealed pistol while in a vehicle on school property, if he or  
22 she is dropping the student off at the school or picking up the  
23 child from the school. As used in this section, "school" and  
24 "school property" mean those terms as defined in section 237a of  
25 the Michigan penal code, 1931 PA 328, MCL 750.237a.

26 (b) A public or private child care center or day care center,  
27 public or private child caring institution, or public or private

1 child placing agency.

2 (c) A sports arena or stadium.

3 (d) A bar or tavern licensed under the Michigan liquor control  
4 code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, where the  
5 primary source of income of the business is the sale of alcoholic  
6 liquor by the glass and consumed on the premises. This subdivision  
7 does not apply to an owner or employee of the business. The  
8 Michigan liquor control commission shall develop and make available  
9 to holders of licenses under the Michigan liquor control code of  
10 1998, 1998 PA 58, MCL 436.1101 to 436.2303, an appropriate sign  
11 stating that "This establishment prohibits patrons from carrying  
12 concealed weapons". The owner or operator of an establishment  
13 licensed under the Michigan liquor control code of 1998, 1998 PA  
14 58, MCL 436.1101 to 436.2303, may, but is not required to, post the  
15 sign developed under this subdivision. A record made available by  
16 an establishment licensed under the Michigan liquor control code of  
17 1998, 1998 PA 58, MCL 436.1101 to 436.2303, necessary to enforce  
18 this subdivision is exempt from disclosure under the freedom of  
19 information act, 1976 PA 442, MCL 15.231 to 15.246.

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

25 (f) An entertainment facility with a seating capacity of 2,500  
26 or more individuals that the individual knows or should know has a  
27 seating capacity of 2,500 or more individuals or that has a sign

1 above each public entrance stating in letters not less than 1-inch  
2 high a seating capacity of 2,500 or more individuals.

3 (g) A hospital.

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

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

12 (3) As used in subsection (1), "premises" does not include  
13 parking areas of the places identified under subsection (1).

14 (4) Subsection (1) does not apply to any of the following:

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

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

25 (c) An individual who is licensed as a private investigator or  
26 private detective under the ~~private detective license~~ **PROFESSIONAL**  
27 **INVESTIGATOR LICENSURE** act, 1965 PA 285, MCL 338.821 to 338.851.

- 1 ~~— (d) Any of the following who is licensed under this act:~~  
 2 ~~— (i) A corrections officer of a county sheriff's department.~~  
 3 ~~— (ii) A motor carrier officer or capitol security officer of the~~  
 4 ~~department of state police.~~  
 5 ~~— (iii) A member of a sheriff's posse.~~  
 6 ~~— (iv) An auxiliary officer or reserve officer of a police or~~  
 7 ~~sheriff's department.~~  
 8 ~~— (v) A parole or probation officer of the department of~~  
 9 ~~corrections.~~

10 (D) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT AND WHO IS A  
 11 CORRECTIONS OFFICER OF A COUNTY SHERIFF'S DEPARTMENT.

12 (E) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT AND WHO IS A  
 13 MOTOR CARRIER OFFICER OR CAPITOL SECURITY OFFICER OF THE DEPARTMENT  
 14 OF STATE POLICE.

15 (F) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT AND WHO IS A  
 16 MEMBER OF A SHERIFF'S POSSE.

17 (G) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT AND WHO IS AN  
 18 AUXILIARY OFFICER OR RESERVE OFFICER OF A POLICE OR SHERIFF'S  
 19 DEPARTMENT.

20 (H) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT AND WHO IS A  
 21 PAROLE OR PROBATION OFFICER OF THE DEPARTMENT OF CORRECTIONS.

22 (5) An individual who violates this section is responsible for  
 23 a state civil infraction or guilty of a crime as follows:

24 (a) Except as provided in subdivisions (b) and (c), the  
 25 individual is responsible for a state civil infraction and may be  
 26 fined not more than \$500.00. The court shall order the individual's  
 27 license to carry a concealed pistol suspended for 6 months.

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

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

10 Sec. 8. (1) The concealed weapon licensing board that issued a  
11 license to an ~~applicant~~ **INDIVIDUAL** to carry a concealed pistol may  
12 revoke that license if the board determines that the individual  
13 committed any violation of this act other than a violation of  
14 section 5f(4). ~~or if the board determines that the individual is~~  
15 ~~not eligible under this act to receive a license to carry a~~  
16 ~~concealed pistol.~~ If the board determines that the individual has  
17 been found responsible for 3 or more state civil infraction  
18 violations of this act during the license period, the board shall  
19 conduct a hearing and may suspend the individual's license for not  
20 more than 1 year.

21 (2) Except as provided in subsections (3), ~~and~~ (4), **AND (5)**, a  
22 license shall not be revoked under this section except upon written  
23 complaint and an opportunity for a hearing before the board. The  
24 board shall give the individual at least 10 days' notice of a  
25 hearing under this section. The notice shall be by personal service  
26 or by certified mail delivered to the individual's last known  
27 address.

1           (3) If the concealed weapon licensing board is notified by a  
2 law enforcement agency or prosecuting official that an individual  
3 licensed to carry a concealed pistol is charged with a felony or  
4 misdemeanor as defined in this act, the concealed weapon licensing  
5 board shall immediately suspend the individual's license until  
6 there is a final disposition of the charge for that offense and  
7 send notice of that suspension to the individual's last known  
8 address as indicated in the records of the concealed weapon  
9 licensing board. The notice shall inform the individual that he or  
10 she is entitled to a prompt hearing on the suspension, and the  
11 concealed weapon licensing board shall conduct a prompt hearing if  
12 requested in writing by the individual. The requirements of  
13 subsection (2) do not apply to this subsection.

14           **(4) THE CONCEALED WEAPON LICENSING BOARD THAT ISSUED A LICENSE**  
15 **TO AN INDIVIDUAL TO CARRY A CONCEALED PISTOL SHALL REVOKE THAT**  
16 **LICENSE IF THE BOARD DETERMINES THAT THE INDIVIDUAL IS NOT ELIGIBLE**  
17 **UNDER THIS ACT TO RECEIVE A LICENSE TO CARRY A CONCEALED PISTOL.**  
18 **THE CONCEALED WEAPON LICENSING BOARD SHALL IMMEDIATELY SEND NOTICE**  
19 **OF THE FACT OF AND THE REASON FOR THE REVOCATION UNDER THIS**  
20 **SUBSECTION BY FIRST-CLASS MAIL TO THE INDIVIDUAL'S LAST KNOWN**  
21 **ADDRESS AS INDICATED ON THE RECORDS OF THE CONCEALED WEAPON**  
22 **LICENSING BOARD. THE REQUIREMENTS OF SUBSECTION (2) DO NOT APPLY TO**  
23 **THIS SUBSECTION.**

24           (5) ~~(4)~~—If the concealed weapon licensing board determines by  
25 clear and convincing evidence based on specific articulable facts  
26 that the applicant poses a danger to the applicant or to any other  
27 person, the concealed weapon licensing board shall immediately

1 suspend the individual's license pending a revocation hearing under  
2 this section. The concealed weapon licensing board shall send  
3 notice of the suspension to the individual's last known address as  
4 indicated in the records of the concealed weapon licensing board.  
5 The notice shall inform the individual that he or she is entitled  
6 to a prompt hearing on the suspension, and the concealed weapon  
7 licensing board shall conduct a prompt hearing if requested in  
8 writing by the individual. The requirements of subsection (2) do  
9 not apply to this subsection.

10 (6) ~~(5)~~—If the concealed weapon licensing board orders a  
11 license suspended or revoked under this section or amends a  
12 suspension or revocation order, the concealed weapon licensing  
13 board shall immediately notify a law enforcement agency having  
14 jurisdiction in the county in which the concealed weapon licensing  
15 board is located to enter the order or amended order into the law  
16 enforcement information network. A law enforcement agency that  
17 receives notice of an order or amended order under this subsection  
18 from a concealed weapon licensing board shall immediately enter the  
19 order or amended order into the law enforcement information network  
20 as requested by that concealed weapon licensing board.

21 (7) ~~(6)~~—A suspension or revocation order or amended order  
22 issued under this section is immediately effective. However, an  
23 individual is not criminally liable for violating the order or  
24 amended order unless he or she has received notice of the order or  
25 amended order.

26 (8) ~~(7)~~—If an individual is carrying a pistol in violation of  
27 a suspension or revocation order or amended order issued under this

1 section but has not previously received notice of the order or  
2 amended order, the individual shall be informed of the order or  
3 amended order and be given an opportunity to properly store the  
4 pistol or otherwise comply with the order or amended order before  
5 an arrest is made for carrying the pistol in violation of this act.

6 (9) ~~(8)~~—If a law enforcement agency or officer notifies an  
7 individual of a suspension or revocation order or amended order  
8 issued under this section who has not previously received notice of  
9 the order or amended order, the law enforcement agency or officer  
10 shall enter a statement into the law enforcement information  
11 network that the individual has received notice of the order or  
12 amended order under this section.

13 (10) ~~(9)~~—The clerk of the concealed weapon licensing board is  
14 authorized to administer an oath to any individual testifying  
15 before the board at a hearing under this section.

16 Sec. 9a. ~~(1) The basic pistol safety review board is created~~  
17 ~~in the department of state police. The board shall consist of the~~  
18 ~~following members:~~

19 ~~—— (a) The director of the department of state police or his or~~  
20 ~~her representative.~~

21 ~~—— (b) The director of the department of natural resources or his~~  
22 ~~or her representative.~~

23 ~~—— (c) One person appointed by the governor with the advice and~~  
24 ~~consent of the senate representing the interests of organizations~~  
25 ~~involved in shooting sports.~~

26 ~~—— (d) One person appointed by the governor with the advice and~~  
27 ~~consent of the senate representing the interests of a statewide~~

1 ~~conservation organization.~~

2 ~~—— (c) One person appointed by the governor with the advice and~~  
3 ~~consent of the senate representing the interests of the public.~~

4 ~~—— (2) The director of the department of state police shall chair~~  
5 ~~the basic pistol safety board.~~

6 ~~—— (3) The basic pistol safety board~~ **DEPARTMENT OF STATE POLICE**  
7 shall do all of the following:

8 (a) Approve a pamphlet on basic pistol safety for distribution  
9 to entities authorized to issue licenses under section 2.

10 (b) Approve basic pistol safety questionnaires for  
11 distribution to entities authorized to issue licenses under section  
12 2. The ~~board~~ **DEPARTMENT OF STATE POLICE** shall approve a  
13 questionnaire under this subdivision only if both of the following  
14 circumstances exist:

15 (i) The questionnaire only addresses material covered in the  
16 pamphlet approved ~~pursuant to~~ **UNDER** subdivision (a).

17 (ii) The questionnaire reasonably examines the knowledge of  
18 pistol safety of individuals who are required to answer  
19 questionnaires.

20 ~~—— (c) Upon the expiration of 90 days after the effective date of~~  
21 ~~the amendatory act that added this section, provide the department~~  
22 ~~of state police with master copies of the basic pistol safety~~  
23 ~~pamphlet and basic pistol safety questionnaires for printing by the~~  
24 ~~department of state police and for distribution by the department~~  
25 ~~of state police to entities authorized to issue licenses under~~  
26 ~~section 2.~~

27 Sec. 9b. The department of state police shall print the basic

1 pistol safety pamphlet and basic pistol safety questionnaires  
2 approved by the ~~basic pistol safety review board~~ **DEPARTMENT OF**  
3 **STATE POLICE**, and shall distribute the pamphlet and the  
4 questionnaires free of charge to entities authorized to issue  
5 licenses under section 2. ~~The department of state police shall~~  
6 ~~distribute copies of the basic pistol safety pamphlet and the~~  
7 ~~questionnaires within 90 days after the department of state police~~  
8 ~~receives the master copies from the basic pistol safety review~~  
9 ~~board.~~

10           Enacting section 1. This amendatory act does not take effect  
11 unless Senate Bill No. 505 of the 94th Legislature is enacted into  
12 law.