

Legislative Analysis



CPL RENEWALS FOR ACTIVE-DUTY MILITARY

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Senate Bill 977 with House committee amendment

Sponsor: Sen. John Moolenaar

House Committee: Judiciary

Senate Committee: Judiciary

Analysis as Reported from House Committee (11-24-14)

BRIEF SUMMARY: The bill allows active-duty service persons stationed outside of Michigan to renew a Michigan-issued concealed pistol license by mail.

FISCAL IMPACT: The bill would not have a significant fiscal impact on state government and would have a nominal fiscal impact on county clerk offices equivalent to the postage costs of mailing official documents related to renewals of CPLs to active-duty military personnel deployed out of state. The bill would have no fiscal implications for the Department of Military and Veterans Affairs.

THE APPARENT PROBLEM:

A renewal application for a license to carry a concealed pistol is submitted and processed in the same manner as for an original license. Generally speaking, that means a CPL holder must submit the renewal application to the concealed weapons licensing board in the county in which the applicant lives by filing with the county clerk during normal business hours. The application must be signed under oath with the clerk administering the oath. In addition, the application must include certification of the completion of at least three hours review of the educational requirements for initial licensure and of completion of at least one hour of firing range time in the immediately preceding six months. Appropriate fees must also be remitted.

Since a CPL is good for five years, and a renewal application can be filed within six months of the expiration date of the current license, the renewal process is not overly burdensome for most. For those serving their country in the armed forces, however, an out-of-state or out-of-country deployment can make it difficult to comply with the in-person filing requirements.

Some feel that those whose military assignments do not allow for traveling back to Michigan to file a timely CPL renewal application in person should be able to renew their licenses by mail.

THE CONTENT OF THE BILL:

Senate Bill 977 amends the Handgun Licensing Act, Public Act 372 of 1927 (MCL 28.425I) to establish a process by which some military service personnel may renew a concealed pistol license by mail. The bill would apply to a member of the U.S. Armed

Forces, the U.S. Armed Forces Reserve, or the Michigan National Guard who is on orders to a duty station outside of Michigan.

Under the bill, the licensee could submit the renewal application by first-class mail, along with the following:

- The required fee.
- A notarized application.
- Licensee's address of record within Michigan.
- Licensee's orders to report to a duty station outside of Michigan.
- A letter requesting the application receipt, renewal license, or any other notices be mailed to the address of assignment or deployment (if so desired).

The receipt for submitting the renewal must be sent by the county clerk by first-class mail. If the county concealed weapons licensing board approves a renewal license, the county clerk must send the license by first-class mail in a sealed envelope, and must mail it to the applicant's out-of-state assignment or deployment address if that had been requested. The bill takes effect on January 1, 2015.

HOUSE COMMITTEE ACTION:

The bill was amended to add the effective date of January 1, 2015..

ARGUMENTS:

For:

Members of the military who are stationed overseas or in other states cannot always get back to Michigan during the six-month period before a concealed weapons license expire in order to submit a renewal application in person. Service personnel are not necessarily considered to be lawful residents of the state to which they are deployed and so must reapply to their home state. If the license expires, they are not able to carry a concealed pistol in any of the 41 states with reciprocity with Michigan, including the state to which they are deployed or assigned. The bill provides a remedy by allowing eligible service personnel to apply for a CPL renewal by mail. All other aspects of the CPL renewal process would apply.

POSITIONS:

A representative of the NRA-ILA testified in support of the bill. (11-13-14)

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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.