



Senate Fiscal Agency
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Senate Bill 572 (Substitute S-1 as reported)
Senate Bill 573 (Substitute S-1 as reported)
Sponsor: Senator Darwin L. Booher (S.B. 572)
 Senator Tom Casperson (S.B. 573)
Committee: Judiciary

CONTENT

Senate Bill 572 (S-1) would amend the handgun licensure law to allow a person who held a license to carry a concealed pistol, or who was exempt from licensure, to carry a portable electro-muscular disruption (EMD) device (commonly known as a "stun gun" or "taser") on any of the premises where a license holder is prohibited from carrying a concealed pistol or an EMD device (commonly referred to as no-carry zones).

(A person who violates the no-carry zone provision is responsible for a State civil infraction and may be fined up to \$500 for a first offense. A second violation is a misdemeanor punishable by a maximum fine of \$1,000. A third or subsequent violation is a felony punishable by up to four years' imprisonment and/or a maximum fine of \$5,000. The court must order a first offender's concealed pistol license suspended for six months, and must order a second or subsequent offender's license revoked.)

Senate Bill 573 (S-1) would amend the Code of Criminal Procedure to delete a reference to an EMD device in the sentencing guideline for a third or subsequent offense of carrying a concealed pistol or an EMD device in a no-carry zone (a Class F public safety felony with a statutory maximum sentence of four years' imprisonment).

The bills would take effect on July 1, 2014.

MCL 28.425o (S.B. 572)
777.11b (S.B. 573)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

Senate Bill 572 (S-1) would have an unspecified, but altogether minor fiscal impact on State and local government. In allowing license holders to carry electro-muscular disruptors in no-carry zones, as well as eliminating the State civil infraction for a first violation, the bill would reduce the amounts of civil infraction citations issued and the collected fines associated with them. Removing the misdemeanor category for a second offense would reduce local costs of incarceration, and removing the felony category for a third or subsequent violation would save the State \$35,000 per year per prisoner. Public libraries would no longer receive State civil infraction fines and criminal fines for these violations.

Senate Bill 573 (S-1) would save the State \$35,000 per year per prisoner by removing the third-offense Class F felony category for carrying an EMD device in a no-carry zone, to the extent that people are currently convicted of this offense.

Date Completed: 1-22-14

Fiscal Analyst: John Maxwell