

SENATE BILL No. 977

June 11, 2014, Introduced by Senators MOOLENAAR, EMMONS, BOOHER, GREEN, MEEKHOF, HILDENBRAND, PAVLOV, MARLEAU, JONES, ROBERTSON, COLBECK, HUNE and PAPPAGEORGE and referred to the Committee on Judiciary.

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices 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 section 5/ (MCL 28.425/), as amended by 2012 PA 32.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5/. (1) ~~A license to carry a concealed pistol issued on or~~
2 ~~after July 1, 2003 but before July 1, 2006 is valid for 5 years.~~
3 ~~— (2) An initial~~ A license to carry a concealed pistol, issued
4 ~~or renewed on or after July 1, 2006, other than a license described~~

1 ~~in subsection (1),~~ **INCLUDING A RENEWAL LICENSE**, is valid until the
2 applicant's date of birth that falls not less than 4 years or more
3 than 5 years after the license is issued or renewed, as applicable.
4 Except as provided in ~~subsections (8) and (9),~~ **THIS SECTION**, a
5 renewal of a license under section 5b shall ~~, except as provided in~~
6 ~~this section,~~ be issued in the same manner as an original license
7 issued under section 5b.

8 (2) ~~(3)~~ Subject to subsections **(7) AND (8)**, ~~and (9),~~ an
9 application to renew a license to carry a concealed pistol may be
10 submitted not more than 6 months before the expiration of the
11 current license. **A MEMBER OF THE UNITED STATES ARMED FORCES, THE**
12 **UNITED STATES ARMED FORCES RESERVE, OR THE MICHIGAN NATIONAL GUARD**
13 **WHO IS ON ORDERS TO A DUTY STATION OUTSIDE OF THIS STATE MAY SUBMIT**
14 **HIS OR HER APPLICATION TO RENEW A LICENSE TO CARRY A CONCEALED**
15 **PISTOL BY FIRST-CLASS MAIL, CONTAINING THE REQUIRED FEE, A**
16 **NOTARIZED APPLICATION, THE LICENSEE'S ADDRESS OF RECORD WITHIN THE**
17 **STATE, THE LICENSEE'S ORDERS TO REPORT TO A DUTY STATION OUTSIDE OF**
18 **THIS STATE, AND IF THE LICENSEE DESIRES TO HAVE HIS OR HER**
19 **APPLICATION RECEIPT, RENEWAL LICENSE, OR ANY OTHER NOTICES MAILED**
20 **TO HIS OR HER ADDRESS OF ASSIGNMENT OR DEPLOYMENT, A LETTER**
21 **REQUESTING THAT ACTION INCLUDING THE ADDRESS OF ASSIGNMENT OR**
22 **DEPLOYMENT. IF THE CONCEALED WEAPON LICENSING BOARD APPROVES A**
23 **RENEWAL LICENSE UNDER THIS SECTION, THE COUNTY CLERK SHALL SEND THE**
24 **LICENSE TO THE LICENSEE BY FIRST-CLASS MAIL IN A SEALED ENVELOPE.**
25 **IF THE LICENSEE IS A MEMBER OF THE UNITED STATES ARMED FORCES, THE**
26 **UNITED STATES ARMED FORCES RESERVE, OR THE MICHIGAN NATIONAL GUARD**
27 **WHO IS ON ORDERS TO A DUTY STATION OUTSIDE OF THIS STATE AND**

1 REQUESTS THAT HIS OR HER LICENSE BE SENT TO THE ADDRESS OF
2 ASSIGNMENT OR DEPLOYMENT, THE COUNTY CLERK SHALL MAIL THE LICENSE
3 TO THE LICENSEE AT THE ADDRESS OF ASSIGNMENT OR DEPLOYMENT PROVIDED
4 IN THE RENEWAL APPLICATION. If the concealed weapon licensing board
5 approves the renewal, the effective date of the renewal license is
6 the date of expiration of the current license or the date of
7 approval of the renewal, whichever is later, and the date of
8 expiration is the applicant's date of birth which is not less than
9 4 years or more than 5 years from the effective date of the
10 license.

11 (3) ~~(4)~~—The concealed weapon licensing board shall issue or
12 deny issuance of a renewal license within 60 days after the
13 application for renewal is properly submitted. The county clerk
14 shall issue the applicant a receipt for his or her renewal
15 application at the time the application is submitted. IF THE
16 RENEWAL APPLICATION IS SUBMITTED BY A MEMBER OF THE UNITED STATES
17 ARMED FORCES, THE UNITED STATES ARMED FORCES RESERVE, OR THE
18 MICHIGAN NATIONAL GUARD WHO IS ON ORDERS TO A DUTY STATION OUTSIDE
19 OF THIS STATE, THE COUNTY CLERK SHALL MAIL THE RECEIPT TO THE
20 LICENSEE BY FIRST-CLASS MAIL. The receipt shall contain all of the
21 following:

- 22 (a) The name of the applicant.
23 (b) The date and time the receipt is issued.
24 (c) The amount paid.
25 (d) A statement that the receipt is for a license renewal.
26 (e) A statement of whether the applicant qualifies for an
27 extension under subsection ~~(5)~~-(4).

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

2 (g) An impression of the county seal.

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

12 (5) ~~(6)~~—A person carrying a concealed pistol after the
13 expiration date of his or her license pursuant to an extension
14 under subsection ~~(5)~~—~~(4)~~ shall keep the receipt issued by the
15 county clerk under subsection ~~(4)~~—~~(3)~~ and his or her expired
16 license in his or her possession at all times that he or she is
17 carrying the pistol. For the purposes of this act, the receipt is
18 considered to be part of the license to carry a concealed pistol
19 until a renewal license is issued or denied. Failing to have the
20 receipt and expired license in possession while carrying a
21 concealed pistol or failing to display the receipt to a peace
22 officer upon request is a violation of this act.

23 (6) ~~(7)~~—The educational requirements under section 5b(7)(c)
24 are waived for an applicant who is a retired police officer or
25 retired law enforcement officer.

26 (7) ~~(8)~~—The educational requirements under section 5b(7)(c)
27 for an applicant who is applying for a renewal of a license under

1 this act are waived except that the applicant shall certify that he
2 or she has completed at least 3 hours' review of the training
3 described under section 5b(7)(c) and has had at least 1 hour of
4 firing range time in the 6 months immediately preceding the
5 subsequent application.

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

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

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