



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 53 (as introduced 1-28-15)
Sponsor: Senator Rick Jones
Committee: Judiciary

Date Completed: 1-29-15

CONTENT

The bill would amend the handgun licensure law to exclude a retired Federal law enforcement officer who held a concealed pistol license from provisions prohibiting a licensee from carrying a concealed pistol on certain premises.

The law prohibits a person who is licensed to carry a concealed pistol, or who is exempt from licensure, from carrying a concealed pistol on the premises (excluding the parking areas) of any of the following (commonly called weapon-free or no-carry zones):

- A school or school property, except for a student's parent or legal guardian while in a vehicle on school property, if he or she is dropping off or picking up the student.
- A public or private child care center or day care center, child caring institution, or child placing agency.
- A sports arena or stadium.
- A licensed bar or tavern whose primary source of income is the sale of liquor by the glass for on-premises consumption.
- Any property or facility owned or operated by a church, synagogue, mosque, temple, or other place of worship, unless its presiding official or officials permit the carrying of a concealed pistol on the property or facility.
- An entertainment facility with a seating capacity of 2,500 or more that the person knows or should know has such a seating capacity or that has a sign stating that capacity.
- A hospital.
- A dormitory or classroom of a community college, college, or university.

A violation is a State civil infraction punishable by a maximum fine of \$500, and a mandatory six-month suspension of the individual's license to carry a concealed pistol. A second violation is a misdemeanor punishable by a maximum fine of \$1,000, and revocation of the individual's license to carry a concealed pistol. A third or subsequent violation is a felony punishable by up to four years' imprisonment and/or a maximum fine of \$5,000, and license revocation.

The law lists individuals to whom the prohibition described above does not apply, including a licensed individual who is a retired police officer or retired law enforcement officer. Under the bill, the prohibition also would not apply to an individual who was licensed under the law and was a retired Federal law enforcement officer.

Currently, the concealed weapon licensing board may require a letter from a law enforcement agency stating that a retired police officer or law enforcement officer retired

in good standing. The bill would extend this to a retired Federal law enforcement officer, and would allow the board to require a letter or other documentation.

The law defines "retired police officer" or "retired law enforcement officer" an individual who was a police officer or law enforcement officer who was certified under the Commission on Law Enforcement Standards Act and retired in good standing from his or her employment as a police officer or law enforcement officer. The bill would define "retired federal law enforcement officer" as an individual who was an officer or agent employed by a law enforcement agency of the U.S. government whose primary responsibility was enforcing laws of the United States, who was required to carry a firearm in the course of his or her duties as a law enforcement officer, and who retired in good standing from his or her employment as a Federal law enforcement officer.

MCL 28.421 & 28.425o

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: John Maxwell

S1516\53sa

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.