

Legislative Analysis



PHOTO FOR CPL: ALLOW SOS TO FORWARD TO MSP

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4203 as introduced
Sponsor: Rep. Beau Matthew LaFave

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4204 as introduced
Sponsor: Rep. Triston Cole

Committee: Judiciary
Complete to 2-27-17

SUMMARY:

The bills authorize the Secretary of State (SOS) to forward to the Michigan Department of State Police (MSP) the digitized photograph taken for a person's state driver license or official state personal identification card, as provided for in a provision in the Handgun Licensing Law.

House Bill 4203 amends Public Act 222 of 1972, which provides for an official state personal identification card, and House Bill 4204 amends the Michigan Vehicle Code to apply to the driver license.

Currently, the SOS may only use the photographs as specifically authorized in statute. The bills simply expand the circumstances under which the SOS may forward a person's driver license or state ID photograph to another agency to include the MSP when that agency is fulfilling its duties in investigating applicants for a concealed pistol license; those duties include providing an eligible applicant's photograph to the county clerk for inclusion on the applicant's concealed pistol license.

The bills each take effect 90 days after enactment.

MCL 28.292 (HB 4203)
MCL 257.307 (HB 4204)

BACKGROUND INFORMATION:

Under provisions of Public Act 3 of 2015, the Michigan State Police handles all investigatory duties to determine an applicant's eligibility for a concealed pistol license (CPL); the license is issued by the clerk of the county in which the CPL applicant resides. These duties were previously performed by county gun boards. Among other things, Public Act 3 amended the Handgun Licensing Law to require the SOS to make a digitized photograph taken of an applicant for a driver license or official state personal identification card available to the MSP. The MSP is then required to provide the photograph to the county clerk for use on the person's concealed pistol license. If the person does not have a

driver license or state ID card, the person may submit a passport-quality photograph to be used on the license.

However, provisions in the Michigan Vehicle Code and Public Act 222 of 1972 (which pertains to the official state personal ID card) do not currently authorize the SOS to forward the photographs to the MSP for that purpose.

FISCAL IMPACT:

The bills will have no fiscal impact to state or local governments.

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