

## **NO-CARRY ZONES: EXEMPT FIREFIGHTERS AND MEDICAL FIRST RESPONDERS**

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**House Bill 4842 (proposed substitute H-1)**  
**Sponsor: Rep. Jim Tedder**  
**Committee: Judiciary**  
**Complete to 12-4-17**

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

### **SUMMARY:**

House Bill 4842 would expand the list of those who may carry a concealed pistol in a “no-carry” zone to include a firefighter or a medical first responder, define “firefighter” and “medical first responder,” and specify the acceptable proof required to have the concealed pistol license indicate that the licensee qualifies for the exemption.

Currently, even if a person holds a concealed pistol license issued by Michigan or by his or her other state of residence, he or she cannot carry the pistol concealed into certain places—such as a day care center, church, stadium, or bar—referred to as *no-carry zones*, unless specifically allowed by statute. If a person provides acceptable proof that he or she qualifies for the exemption, the county clerk is required to include an indication on the license that the individual is exempt from the prohibition against carrying a concealed pistol on any of the restricted premises.

The bill would amend Public Act 372 of 1927, the handgun licensing law, to specifically authorize a firefighter or medical first responder who currently holds a concealed pistol license to carry a pistol concealed in a no-carry zone.

The acceptable proof for a firefighter would be proof that he or she has passed the examination required under Section 9 of the Firefighters Training Act. For a medical first responder, the acceptable proof would be proof that he or she is licensed by the Department of Health and Human Services under Section 20950 of the Public Health Code.

Under the bill, the term “firefighter” would be defined as it is in the Firefighters Training Council Act, which is a member, including volunteer members and members paid on call, of an organized fire department who is responsible for, or is in a capacity that includes responsibility for, the extinguishment of fires, the directing of the extinguishment of fires, the prevention and detection of fires, and the enforcement of the general fire laws of this state. The term does not include a person whose job description, duties, or responsibilities do not include direct involvement in fire suppression.

“Medical first responder” would be defined to mean that term as defined in the Public Health Code, which is an individual who has met the educational requirements of a department approved medical first responder course and who is licensed to provide medical first response life support as part of a medical first response service or as a driver of an ambulance that provides basic life support services only.

Further, the bill would delete a reference to former Section 228 of the Michigan Penal Code. That section was repealed by a 2008 act, but a provision enacted in 2012 was subsequently compiled as Section 228.

[Note: The Firefighters Training Act includes several exemptions from the examination requirements. For example, certain persons employed or under appointment as a firefighter on October 1, 1988 are not subject to the examination requirements. In addition, the examination requirements are waived for a firefighter certified in another state if that training meets certain national standards, and they may be waived for a veteran of the armed forces who completed firefighter training while in the service if certain conditions are met. Individuals who are exempted from taking the examination, or for whom the examination requirements were waived, would not be able to present the required acceptable proof to qualify for the no-carry exemption.]

MCL 28.425b and 28.425o

**FISCAL IMPACT:**

This bill would have no fiscal impact on the Department of State Police or local law enforcement agencies.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.