



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



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

Senate Bill 49 (as introduced 1-16-13)  
Sponsor: Senator Tom Casperson  
Committee: Judiciary

Date Completed: 1-22-13

### **CONTENT**

**The bill would amend the handgun licensure law to specify that certain records regarding the purchase, transport, or carrying of a pistol would be confidential, would not be subject to disclosure under the Freedom of Information Act (FOIA), and could not be disclosed to any person except for purposes of the licensure law or law enforcement.**

#### Pistol Licenses

Except as otherwise provided under the handgun licensure law, a person may not purchase, carry, possess, or transport a pistol in Michigan without first obtaining a license for the pistol. Applications for licensure must be signed under oath on forms provided by the Director of the Michigan Department of State Police (MSP). Three copies must be delivered to the applicant by the licensing authority.

If an individual purchases or otherwise acquires a pistol, the seller must fill out license forms and the purchaser must sign the forms. The seller may retain a copy and the purchaser must receive two copies. The purchaser must give one copy to the licensing authority.

Within 10 days after receiving the license copy, the licensing authority must electronically enter information from the form into the MSP's pistol entry database, or provide that information to the MSP in another manner. Within 48 hours after providing the information to the MSP, the licensing authority must forward the copy of the license to the MSP.

The bill specifies that information received under those provisions would be confidential, would not be subject to disclosure under FOIA, and could not be disclosed except for purposes of the licensure law or for law enforcement purposes.

#### Exemptions from Licensure

The licensure law lists certain individuals who are not required to obtain a license to purchase, carry, possess, use, or transport a pistol. If one of those individuals purchases or otherwise acquires a pistol, the seller must complete a record in triplicate on a form provided by the MSP. The record must include certain information about the individual. The seller may retain one copy of the record. The purchaser must receive two copies and forward one to the police department of the city, village, or township where he or she lives or, if the person does not live in a city, village, or township having a police department, to the county sheriff.

Within 10 days after receiving the record copy, the police department or county sheriff must enter the information electronically into the MSP's pistol entry database or provide that information to the MSP in another manner. Within 48 hours after providing the information to the MSP, the police department or county sheriff must forward the copy of the record to the MSP.

The bill specifies that information received under those provisions would be confidential, would not be subject to disclosure under FOIA, and could not be disclosed except for purposes of the licensure law or for law enforcement purposes.

MCL 28.422 & 28.422a

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

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

Fiscal Analyst: Bruce Baker

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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.