

# HOUSE BILL No. 4530

April 21, 1999, Introduced by Reps. Green, Shackleton, Sanborn, Vear, Bradstreet, DeRossett, Koetje, Kukuk, Howell, Hart, DeVuyst, Kuipers, Voorhees, Woronchak, DeWeese, Rick Johnson, Ehardt, Birkholz, Gosselin, LaSata, Patterson, Mans, Pumford, Faunce, Caul, Basham, Richardville, Rocca, Sheltroun, Julian, Toy, Pappageorge, Neumann, Jelinek, Schermesser, Jansen, Middaugh, Bishop, Pestka, Stamas, Kowall, Vander Roest, Cameron Brown, Cassis, Frank, DeHart, Shulman, Bovin, Schauer, Scranton, Jellema, Raczkowski, Tabor, Mortimer and Mead and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act,"

by amending the title and sections 1, 8, 12, 12a, and 14

(MCL 28.421, 28.428, 28.432, 28.432a, and 28.434), the title as amended by 1990 PA 320 and section 1 as amended by 1992 PA 219, and by adding sections 1a, 2a, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 5m, and 5n; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

## 1 TITLE

2 An act to regulate and license the selling, purchasing, pos-  
3 sessed, and carrying of certain firearms and gas ejecting  
4 devices; to prohibit the buying, selling, or carrying of certain  
5 firearms and gas ejecting devices without a license OR OTHER  
6 AUTHORIZATION; to provide for the forfeiture of firearms  
7 ~~possessed in violation of this act~~ UNDER CERTAIN CIRCUMSTANCES;  
8 to provide immunity from civil liability under certain circum-  
9 stances; to prescribe the powers and duties of certain state and  
10 local agencies; TO PROHIBIT CERTAIN CONDUCT AGAINST INDIVIDUALS  
11 WHO APPLY FOR OR RECEIVE CONCEALED WEAPON PERMITS; TO PROHIBIT  
12 CERTAIN CONDUCT AGAINST INDIVIDUALS WHO ACT OR REFUSE TO ACT AS  
13 REFERENCES FOR INDIVIDUALS WHO APPLY FOR CONCEALED WEAPON PER-  
14 MITS; TO PRESCRIBE PENALTIES; TO PROVIDE REMEDIES; and to repeal  
15 all acts and parts of acts inconsistent with ~~the provisions of~~  
16 this act.

17 Sec. 1. As used in this act:

18 (a) "Firearm" means a weapon from which a dangerous projec-  
19 tile may be propelled by an explosive, or by gas or air. Firearm  
20 does not include a smooth bore rifle or handgun designed and man-  
21 ufactured exclusively for propelling by a spring, or by gas or  
22 air, BB's not exceeding .177 caliber.

23 (b) "Pistol" means a loaded or unloaded firearm that is 30  
24 inches or less in length, or a loaded or unloaded firearm that by  
25 its construction and appearance conceals it as a firearm.

26 (c) "Purchaser" means a person who receives a pistol from  
27 another person by purchase ~~,~~ OR gift. ~~, or loan.~~

1 (d) "Seller" means a person who sells ~~, furnishes, loans,~~  
2 or gives a pistol to another person.

3 SEC. 1A. IT IS THE INTENT OF THE LEGISLATURE TO CREATE A  
4 STANDARDIZED SYSTEM FOR ISSUING CONCEALED PISTOL LICENSES TO PRE-  
5 VENT CRIMINALS AND OTHER VIOLENT INDIVIDUALS FROM OBTAINING A  
6 LICENSE TO CARRY A CONCEALED PISTOL, TO ALLOW LAW ABIDING RESI-  
7 DENTS TO OBTAIN A LICENSE TO CARRY A CONCEALED PISTOL, AND TO  
8 PRESCRIBE THE RIGHTS AND RESPONSIBILITIES OF INDIVIDUALS WHO HAVE  
9 OBTAINED A LICENSE TO CARRY A CONCEALED PISTOL. IT IS ALSO THE  
10 INTENT OF THE LEGISLATURE TO GRANT AN APPLICANT THE RIGHT TO KNOW  
11 WHY HIS OR HER APPLICATION FOR A CONCEALED PISTOL LICENSE IS  
12 DENIED AND TO CREATE A PROCESS BY WHICH AN APPLICANT MAY APPEAL  
13 THAT DENIAL.

14 SEC. 2A. (1) AN INDIVIDUAL WHO IS LICENSED UNDER SECTION 5B  
15 TO CARRY A CONCEALED PISTOL IS NOT REQUIRED TO OBTAIN A LICENSE  
16 UNDER SECTION 2 TO PURCHASE, CARRY, OR TRANSPORT A PISTOL.

17 (2) IF AN INDIVIDUAL LICENSED UNDER SECTION 5B PURCHASES A  
18 PISTOL, THE SELLER SHALL COMPLETE A SALES RECORD IN TRIPLICATE ON  
19 A FORM PROVIDED BY THE DEPARTMENT OF STATE POLICE. THE RECORD  
20 SHALL INCLUDE THE INDIVIDUAL'S CONCEALED WEAPON LICENSE NUMBER.  
21 THE INDIVIDUAL PURCHASING THE PISTOL SHALL SIGN THE RECORD. THE  
22 SELLER SHALL RETAIN 1 COPY OF THE RECORD, PROVIDE 1 COPY TO THE  
23 INDIVIDUAL PURCHASING THE PISTOL, AND FORWARD THE ORIGINAL TO THE  
24 DEPARTMENT OF STATE POLICE WITHIN 10 DAYS FOLLOWING THE  
25 PURCHASE.

26 (3) THIS SECTION DOES NOT APPLY TO A PERSON OR ENTITY EXEMPT  
27 UNDER SECTION 2(7).

1 (4) AN INDIVIDUAL WHO MAKES A MATERIAL FALSE STATEMENT ON A  
2 SALES RECORD UNDER THIS SECTION IS GUILTY OF A FELONY PUNISHABLE  
3 BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF NOT MORE  
4 THAN \$2,500.00, OR BOTH.

5 (5) THE DEPARTMENT OF STATE POLICE MAY PROMULGATE RULES TO  
6 IMPLEMENT THIS SECTION.

7 SEC. 5. (1) COUNTY SHERIFFS, LOCAL LAW ENFORCEMENT AGEN-  
8 CIES, AND COUNTY CLERKS SHALL PROVIDE CONCEALED WEAPON APPLICA-  
9 TION KITS DURING NORMAL BUSINESS HOURS TO INDIVIDUALS WHO WISH TO  
10 APPLY FOR LICENSES TO CARRY CONCEALED PISTOLS. EACH KIT SHALL  
11 CONTAIN ALL OF THE FOLLOWING:

12 (A) A CONCEALED PISTOL LICENSE APPLICATION FORM PROVIDED BY  
13 THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE.

14 (B) THE FINGERPRINT CARDS REQUIRED UNDER SECTION 5B(10).

15 (C) WRITTEN INFORMATION REGARDING THE PROCEDURES INVOLVED IN  
16 OBTAINING A LICENSE TO CARRY A CONCEALED PISTOL, INCLUDING INFOR-  
17 MATION REGARDING THE RIGHT TO APPEAL THE DENIAL OF A LICENSE AND  
18 THE FORM REQUIRED FOR THAT APPEAL.

19 (D) WRITTEN INFORMATION IDENTIFYING ENTITIES THAT OFFER THE  
20 TRAINING REQUIRED UNDER SECTION 5B(7).

21 (2) A COUNTY SHERIFF, LOCAL LAW ENFORCEMENT AGENCY, OR  
22 COUNTY CLERK SHALL NOT DENY AN INDIVIDUAL THE RIGHT TO RECEIVE A  
23 CONCEALED PISTOL APPLICATION KIT UNDER THIS SECTION.

24 (3) AN INDIVIDUAL WHO IS DENIED AN APPLICATION KIT UNDER  
25 THIS SECTION AND OBTAINS AN ORDER OF MANDAMUS DIRECTING THE CON-  
26 CEALED WEAPON LICENSING BOARD TO PROVIDE HIM OR HER WITH THE

1 APPLICATION KIT SHALL BE AWARDED HIS OR HER ACTUAL AND REASONABLE  
2 COSTS AND ATTORNEY FEES FOR OBTAINING THE ORDER.

3 SEC. 5A. (1) EACH COUNTY SHALL HAVE A CONCEALED WEAPON  
4 LICENSING BOARD. THE CONCEALED WEAPON LICENSING BOARD OF EACH  
5 COUNTY SHALL HAVE THE FOLLOWING MEMBERS:

6 (A) THE COUNTY PROSECUTING ATTORNEY OR HIS OR HER DESIGNEE.

7 (B) THE COUNTY SHERIFF OR HIS OR HER DESIGNEE.

8 (C) THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE OR HIS OR  
9 HER DESIGNEE.

10 (2) THE COUNTY PROSECUTING ATTORNEY OR HIS OR HER AUTHORIZED  
11 DESIGNEE SHALL SERVE AS CHAIRPERSON OF THE BOARD. TWO MEMBERS OF  
12 THE CONCEALED WEAPON LICENSING BOARD CONSTITUTE A QUORUM OF THE  
13 CONCEALED WEAPON LICENSING BOARD. THE BUSINESS OF THE CONCEALED  
14 WEAPON LICENSING BOARD SHALL BE CONDUCTED BY A MAJORITY VOTE OF  
15 ALL OF THE MEMBERS OF THE CONCEALED WEAPON LICENSING BOARD.

16 (3) THE COUNTY CLERK SHALL SERVE AS THE CLERK OF THE CON-  
17 CEALED WEAPON LICENSING BOARD.

18 (4) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, THE CONCEALED  
19 WEAPON LICENSING BOARD HAS EXCLUSIVE AUTHORITY TO ISSUE OR DENY  
20 ISSUANCE OF A LICENSE TO CARRY A CONCEALED PISTOL TO AN  
21 APPLICANT. THE CONCEALED WEAPON LICENSING BOARD SHALL PERFORM  
22 OTHER DUTIES AS PROVIDED BY LAW.

23 (5) THE CONCEALED WEAPON LICENSING BOARD MAY INVESTIGATE THE  
24 APPLICANT FOR A LICENSE TO CARRY A CONCEALED PISTOL. THE INVES-  
25 TIGATION SHALL BE RESTRICTED TO DETERMINING ONLY WHETHER THE  
26 APPLICANT IS ELIGIBLE UNDER THIS ACT TO RECEIVE A LICENSE TO  
27 CARRY A CONCEALED PISTOL, AND THE INVESTIGATION REGARDING THE

1 ISSUANCE OF A LICENSE SHALL END AFTER THAT DETERMINATION IS  
2 MADE. THE CONCEALED WEAPON LICENSING BOARD MAY REQUIRE THE  
3 APPLICANT TO APPEAR BEFORE THE BOARD AT A MUTUALLY AGREED-UPON  
4 TIME FOR A CONFERENCE. THE APPLICANT'S FAILURE OR REFUSAL TO  
5 APPEAR WITHOUT VALID REASON BEFORE THE CONCEALED WEAPON LICENSING  
6 BOARD AS PROVIDED IN THIS SUBSECTION IS GROUNDS FOR THE BOARD TO  
7 DENY ISSUANCE OF A LICENSE TO CARRY A CONCEALED PISTOL TO THAT  
8 APPLICANT.

9 (6) IF THE CONCEALED WEAPON LICENSING BOARD DETERMINES THERE  
10 IS PROBABLE CAUSE TO BELIEVE SAFETY OF THE APPLICANT OR A MEMBER  
11 OF THE APPLICANT'S FAMILY IS ENDANGERED BY THE APPLICANT'S  
12 INABILITY TO IMMEDIATELY OBTAIN A LICENSE TO CARRY A CONCEALED  
13 PISTOL, THE CONCEALED WEAPON LICENSING BOARD MAY, PENDING ISSU-  
14 ANCE OF A PERMANENT LICENSE, ISSUE A TEMPORARY LICENSE TO THE  
15 INDIVIDUAL TO CARRY A CONCEALED PISTOL. A TEMPORARY LICENSE  
16 SHALL BE ON A FORM PROVIDED BY THE DEPARTMENT OF STATE POLICE. A  
17 TEMPORARY LICENSE SHALL BE UNRESTRICTED AND SHALL BE VALID FOR  
18 NOT MORE THAN 180 DAYS. A TEMPORARY LICENSE MAY BE RENEWED FOR 1  
19 ADDITIONAL PERIOD OF NOT MORE THAN 180 DAYS. A TEMPORARY LICENSE  
20 IS, FOR ALL OTHER PURPOSES OF THIS ACT, A LICENSE TO CARRY A CON-  
21 CEALED PISTOL.

22 (7) THE LEGISLATIVE SERVICE BUREAU SHALL COMPILE THE FIRE-  
23 ARMS LAWS OF THIS STATE, INCLUDING LAWS THAT APPLY TO CARRYING A  
24 CONCEALED PISTOL, AND SHALL PROVIDE COPIES OF THE COMPILATION TO  
25 EACH CONCEALED WEAPON LICENSING BOARD IN THIS STATE FOR DISTRIBU-  
26 TION UNDER THIS SUBSECTION. A CONCEALED WEAPON LICENSING BOARD  
27 SHALL DISTRIBUTE A COPY OF THE COMPILATION TO EACH INDIVIDUAL WHO

1 APPLIES FOR A LICENSE TO CARRY A CONCEALED PISTOL AT THE TIME THE  
2 APPLICATION IS SUBMITTED. THE CONCEALED WEAPON LICENSING BOARD  
3 SHALL REQUIRE THE APPLICANT TO SIGN A WRITTEN STATEMENT ACKNOWLEDG-  
4 EDGING THAT HE OR SHE HAS RECEIVED A COPY OF THE COMPILATION. AN  
5 INDIVIDUAL IS NOT ELIGIBLE TO RECEIVE A LICENSE TO CARRY A CON-  
6 CEALED PISTOL UNTIL HE OR SHE HAS SIGNED THE STATEMENT.

7 SEC. 5B. (1) AN INDIVIDUAL SHALL APPLY TO THE CONCEALED  
8 WEAPON LICENSING BOARD IN THE COUNTY IN WHICH THAT INDIVIDUAL  
9 RESIDES FOR A LICENSE TO CARRY A CONCEALED PISTOL. THE APPLICA-  
10 TION SHALL BE FILED WITH THE COUNTY CLERK AS CLERK OF THE CON-  
11 CEALED WEAPON LICENSING BOARD DURING THE COUNTY CLERK'S NORMAL  
12 BUSINESS HOURS. THE APPLICATION SHALL BE ON A FORM PROVIDED BY  
13 THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE AND SHALL ALLOW  
14 THE APPLICANT TO DESIGNATE WHETHER THE APPLICANT SEEKS A TEMPO-  
15 RARY LICENSE PENDING ISSUANCE OF A REGULAR LICENSE. THE APPLICA-  
16 TION SHALL BE SIGNED UNDER OATH BY THE APPLICANT. THE OATH SHALL  
17 BE ADMINISTERED BY THE COUNTY CLERK OR HIS OR HER  
18 REPRESENTATIVE. THE APPLICATION SHALL CONTAIN ALL OF THE FOLLOW-  
19 ING INFORMATION:

20 (A) THE APPLICANT'S NAME AND ADDRESS. IF THE APPLICANT  
21 RESIDES IN A CITY, VILLAGE, OR TOWNSHIP THAT HAS A POLICE DEPART-  
22 MENT, THE INFORMATION PROVIDED UNDER THIS SUBDIVISION SHALL  
23 INCLUDE A STATEMENT THAT THE CITY, VILLAGE, OR TOWNSHIP HAS A  
24 POLICE DEPARTMENT.

25 (B) A STATEMENT BY THE APPLICANT THAT THE APPLICANT MEETS  
26 THE CRITERIA FOR A LICENSE UNDER THIS ACT TO CARRY A CONCEALED  
27 PISTOL.

1 (C) A STATEMENT BY THE APPLICANT PROVIDING AUTHORITY TO THE  
2 CONCEALED WEAPON LICENSING BOARD TO ACCESS ANY RECORD PERTAINING  
3 TO THE QUALIFICATIONS OF AN APPLICANT FOR A CONCEALED PISTOL  
4 LICENSE UNDER THIS ACT.

5 (D) A STATEMENT BY THE APPLICANT REGARDING WHETHER HE OR SHE  
6 HAS A HISTORY OF MENTAL ILLNESS THAT WOULD DISQUALIFY HIM OR HER  
7 UNDER SUBSECTION (7)(H) TO (J) FROM RECEIVING A LICENSE TO CARRY  
8 A CONCEALED PISTOL, AND GRANTING AUTHORITY TO THE CONCEALED  
9 WEAPON LICENSING BOARD TO ACCESS THE MENTAL HEALTH RECORDS OF THE  
10 APPLICANT RELATING TO HIS OR HER MENTAL HEALTH HISTORY. THE  
11 APPLICANT MAY REQUEST THAT INFORMATION RECEIVED BY THE CONCEALED  
12 WEAPON LICENSING BOARD UNDER THIS SUBDIVISION BE REVIEWED IN A  
13 CLOSED SESSION. IF THE APPLICANT REQUESTS THAT THE SESSION BE  
14 CLOSED, THE CONCEALED WEAPON LICENSING BOARD SHALL CLOSE THE SES-  
15 SION ONLY FOR PURPOSES OF THIS SUBDIVISION. THE APPLICANT AND  
16 HIS OR HER REPRESENTATIVE HAVE THE RIGHT TO BE PRESENT IN THE  
17 CLOSED SESSION. INFORMATION RECEIVED BY THE CONCEALED WEAPON  
18 LICENSING BOARD UNDER THIS SUBDIVISION IS CONFIDENTIAL AND SHALL  
19 NOT BE DISCLOSED TO ANY PERSON EXCEPT FOR PURPOSES OF THIS ACT.

20 (E) A STATEMENT BY THE APPLICANT REGARDING WHETHER HE OR SHE  
21 HAS EVER BEEN CONVICTED IN THIS STATE OR ELSEWHERE FOR ANY CRIME  
22 INVOLVING DOMESTIC VIOLENCE.

23 (F) A STATEMENT BY THE APPLICANT WHETHER HE OR SHE IS DIS-  
24 HONORABLY DISCHARGED FROM THE UNITED STATES ARMED FORCES.

25 (G) IF THE APPLICANT SEEKS A TEMPORARY LICENSE PENDING ISSU-  
26 ANCE OF A REGULAR LICENSE, THE FACTS SUPPORTING THE ISSUANCE OF  
27 THAT TEMPORARY LICENSE.



1           (2) THE APPLICATION FORM SHALL CONTAIN A CONSPICUOUS WARNING  
2 THAT THE APPLICATION IS EXECUTED UNDER OATH AND THAT INTENTION-  
3 ALLY MAKING A MATERIAL FALSE STATEMENT ON THE APPLICATION IS A  
4 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A  
5 FINE OF NOT MORE THAN \$2,500.00, OR BOTH.

6           (3) AN INDIVIDUAL WHO INTENTIONALLY MAKES A MATERIAL FALSE  
7 STATEMENT ON AN APPLICATION UNDER SUBSECTION (1) IS GUILTY OF A  
8 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A  
9 FINE OF NOT MORE THAN \$2,500.00, OR BOTH.

10          (4) THE CONCEALED WEAPON LICENSING BOARD SHALL RETAIN A COPY  
11 OF EACH APPLICATION FOR A LICENSE TO CARRY A CONCEALED PISTOL AS  
12 AN OFFICIAL RECORD.

13          (5) EACH APPLICANT SHALL PAY A \$49.00 FEE. THE FEE SHALL BE  
14 PAID AT THE TIME THE APPLICATION IS SUBMITTED UNDER THIS  
15 SECTION. THE COUNTY TREASURER SHALL FORWARD \$39.00 OF THE FEE TO  
16 THE STATE TREASURER. THE STATE TREASURER SHALL DEPOSIT THE  
17 \$39.00 IN THE GENERAL FUND OF THIS STATE TO THE CREDIT OF THE  
18 DEPARTMENT OF STATE POLICE. THE COUNTY TREASURER SHALL DEPOSIT  
19 \$10.00 OF EACH FEE COLLECTED UNDER THIS SECTION IN THE GENERAL  
20 FUND OF THE COUNTY TO THE CREDIT OF THE COUNTY CLERK. FEES COL-  
21 LECTED UNDER THIS SECTION SHALL BE USED ONLY TO IMPLEMENT THIS  
22 ACT.

23          (6) THE COUNTY SHERIFF ON BEHALF OF THE CONCEALED WEAPON  
24 LICENSING BOARD SHALL VERIFY THE REQUIREMENTS OF  
25 SUBSECTION (7)(C), (D), (E), (G), (H), AND (I) THROUGH THE LAW  
26 ENFORCEMENT INFORMATION NETWORK AND REPORT HIS OR HER FINDING TO  
27 THE CONCEALED WEAPON LICENSING BOARD. IF THE APPLICANT RESIDES

1 IN A CITY, VILLAGE, OR TOWNSHIP THAT HAS A POLICE DEPARTMENT, THE  
2 CONCEALED WEAPON LICENSING BOARD SHALL CONTACT THAT CITY, VIL-  
3 LAGE, OR TOWNSHIP POLICE DEPARTMENT TO DETERMINE ONLY WHETHER  
4 THAT CITY, VILLAGE, OR TOWNSHIP POLICE DEPARTMENT HAS ANY INFOR-  
5 MATION RELEVANT TO THE INVESTIGATION OF WHETHER THE APPLICANT IS  
6 ELIGIBLE UNDER THIS ACT TO RECEIVE A LICENSE TO CARRY A CONCEALED  
7 PISTOL.

8 (7) THE CONCEALED WEAPON LICENSING BOARD SHALL ISSUE A  
9 LICENSE TO AN APPLICANT TO CARRY A CONCEALED PISTOL WITHIN THE  
10 PERIOD REQUIRED UNDER THIS ACT AFTER THE APPLICANT PROPERLY SUB-  
11 MITS AN APPLICATION UNDER SUBSECTION (1) AND THE CONCEALED WEAPON  
12 LICENSING BOARD DETERMINES THAT ALL OF THE FOLLOWING CIRCUM-  
13 STANCES EXIST:

14 (A) THE APPLICANT IS EITHER OF THE FOLLOWING:

15 (i) TWENTY-ONE YEARS OF AGE OR OLDER.

16 (ii) EIGHTEEN YEARS OF AGE OR OLDER BUT LESS THAN 21 YEARS  
17 OF AGE AND IS REQUIRED TO CARRY A CONCEALED PISTOL IN THE COURSE  
18 OF HIS OR HER EMPLOYMENT.

19 (B) THE APPLICANT IS A CITIZEN OF THE UNITED STATES OR IS A  
20 RESIDENT LEGAL ALIEN AS DEFINED IN SECTION 11 OF TITLE 18 OF THE  
21 UNITED STATES CODE, IS A RESIDENT OF THIS STATE, AND HAS RESIDED  
22 IN THIS STATE FOR AT LEAST 6 MONTHS.

23 (C) THE APPLICANT IS NOT THE SUBJECT OF AN ORDER OR DISPOSI-  
24 TION UNDER ANY OF THE FOLLOWING:

25 (i) SECTION 464A OF THE MENTAL HEALTH CODE, 1974 PA 258,  
26 MCL 330.1464A.

1       (ii) SECTION 444A OF THE REVISED PROBATE CODE, 1978 PA 642,  
2 MCL 700.444A.

3       (iii) SECTIONS 2950 AND 2950A OF THE REVISED JUDICATURE ACT  
4 OF 1961, 1961 PA 236, MCL 600.2950 AND 600.2950A.

5       (iv) SECTION 6B OF CHAPTER V OF THE CODE OF CRIMINAL PROCE-  
6 DURE, 1927 PA 175, MCL 765.6B, IF THE ORDER HAS A CONDITION  
7 IMPOSED PURSUANT TO SECTION 6B(3) OF CHAPTER V OF THE CODE OF  
8 CRIMINAL PROCEDURE, 1927 PA 175, MCL 765.6B.

9       (v) SECTION 16B OF CHAPTER IX OF THE CODE OF CRIMINAL PROCE-  
10 DURE, 1927 PA 175, MCL 769.16B.

11       (D) THE APPLICANT IS NOT PROHIBITED FROM POSSESSING, USING,  
12 TRANSPORTING, SELLING, PURCHASING, CARRYING, SHIPPING, RECEIVING,  
13 OR DISTRIBUTING A FIREARM UNDER SECTION 224F OF THE MICHIGAN  
14 PENAL CODE, 1931 PA 328, MCL 750.224F.

15       (E) THE APPLICANT HAS NEVER BEEN CONVICTED OF A FELONY IN  
16 THIS STATE OR ELSEWHERE, AND A FELONY CHARGE AGAINST THE APPLI-  
17 CANT IS NOT PENDING IN THIS STATE OR ELSEWHERE AT THE TIME HE OR  
18 SHE APPLIES FOR A LICENSE DESCRIBED IN THIS SECTION. AS USED IN  
19 THIS SUBDIVISION:

20       (i) "CONVICTED" MEANS A FINAL CONVICTION, THE PAYMENT OF A  
21 FINE, A PLEA OF GUILTY OR NOLO CONTENDERE IF ACCEPTED BY THE  
22 COURT, OR A FINDING OF GUILT FOR A CRIMINAL LAW VIOLATION OR A  
23 JUVENILE ADJUDICATION OR DISPOSITION BY THE JUVENILE DIVISION OF  
24 PROBATE COURT OR FAMILY DIVISION OF CIRCUIT COURT FOR A VIOLATION  
25 THAT IF COMMITTED BY AN ADULT WOULD BE A CRIME.

26       (ii) "FELONY" MEANS EITHER OF THE FOLLOWING:

1 (A) A VIOLATION OF LAW SPECIFICALLY DESIGNATED TO BE A  
2 FELONY.

3 (B) A VIOLATION OF LAW PUNISHABLE BY IMPRISONMENT FOR MORE  
4 THAN 1 YEAR.

5 (F) THE APPLICANT IS NOT DISHONORABLY DISCHARGED FROM THE  
6 UNITED STATES ARMED FORCES.

7 (G) THE APPLICANT HAS NOT BEEN CONVICTED OF OR CONFINED  
8 AFTER CONVICTION FOR A SPECIFIED CRIMINAL OFFENSE IN THE 8 YEARS  
9 PRECEDING THE APPLICATION. AS USED IN THIS SUBDIVISION,  
10 "SPECIFIED CRIMINAL OFFENSE" MEANS A VIOLATION OF ANY OF THE  
11 FOLLOWING:

12 (i) SECTION 29 OF 1964 PA 283, MCL 290.629 (HINDERING OR  
13 OBSTRUCTING WEIGHTS AND MEASURES ENFORCEMENT OFFICER).

14 (ii) SECTION 10 OF THE MOTOR FUELS QUALITY ACT, 1984 PA 44,  
15 MCL 290.650 (HINDERING, OBSTRUCTING, ASSAULTING, OR COMMITTING  
16 BODILY INJURY UPON DIRECTOR OR AUTHORIZED REPRESENTATIVE).

17 (iii) SECTION 80172 OF THE NATURAL RESOURCES AND ENVIRONMEN-  
18 TAL PROTECTION ACT, 1994 PA 451, MCL 324.80172 (OPERATION OF  
19 VESSEL AT AN IMMODERATE SPEED AND IN A CARELESS, RECKLESS, OR  
20 NEGLIGENT MANNER RESULTING IN CRIPPLING OR DEATH).

21 (iv) SECTION 5 OF 1978 PA 33, MCL 722.675 (DISSEMINATING,  
22 EXHIBITING, OR DISPLAYING SEXUALLY EXPLICIT MATERIALS TO  
23 MINORS).

24 (v) SECTION 81 OF THE MICHIGAN PENAL CODE, 1931 PA 328,  
25 MCL 750.81 (ASSAULT OR DOMESTIC ASSAULT).

26 (vi) SECTION 81A(1) OR (2) (AGGRAVATED ASSAULT OR AGGRAVATED  
27 DOMESTIC ASSAULT).

1           (vii) SECTION 157B(3)(B) OF THE MICHIGAN PENAL CODE, 1931  
2 PA 328, MCL 750.157B (SOLICITATION TO COMMIT A FELONY).

3           (viii) SECTION 215 OF THE MICHIGAN PENAL CODE, 1931 PA 328,  
4 MCL 750.215 (IMPERSONATING SHERIFF, CONSERVATION OFFICER, CORO-  
5 NER, CONSTABLE, OR POLICE OFFICER).

6           (ix) SECTION 411H(2)(A) OF THE MICHIGAN PENAL CODE, 1931  
7 PA 328, MCL 750.411H (STALKING).

8           (x) SECTION 1 OF 1952 PA 45, MCL 752.861 (CARELESS, RECK-  
9 LESS, OR NEGLIGENT USE OF FIREARM).

10          (xi) A VIOLATION OF A LAW OF THE UNITED STATES, ANOTHER  
11 STATE, OR A LOCAL UNIT OF GOVERNMENT OF ANOTHER STATE SUBSTAN-  
12 TIALY CORRESPONDING TO A VIOLATION DESCRIBED IN  
13 SUBPARAGRAPHS (i) TO (x).

14          (H) THE APPLICANT HAS NOT BEEN FOUND GUILTY BUT MENTALLY ILL  
15 OF ANY CRIME AND HAS NOT OFFERED A PLEA OF NOT GUILTY OF, OR BEEN  
16 ACQUITTED OF, ANY CRIME BY REASON OF INSANITY.

17          (I) THE APPLICANT HAS NEVER BEEN SUBJECT TO AN ORDER OF  
18 INVOLUNTARY COMMITMENT IN AN INPATIENT OR OUTPATIENT SETTING DUE  
19 TO MENTAL ILLNESS.

20          (J) THE APPLICANT IS NOT UNDER A COURT ORDER OF LEGAL INCA-  
21 PACITY IN THIS STATE OR ELSEWHERE.

22          (K) THE APPLICANT HAS KNOWLEDGE OR HAS HAD TRAINING IN THE  
23 SAFE USE AND HANDLING OF A PISTOL BY THE SUCCESSFUL COMPLETION OF  
24 A PISTOL SAFETY TRAINING COURSE OR CLASS THAT MEETS THE REQUIRE-  
25 MENTS OF SECTION 5J, AND THAT IS AVAILABLE TO THE GENERAL PUBLIC  
26 AND PRESENTED BY A LAW ENFORCEMENT AGENCY, JUNIOR OR COMMUNITY

1 COLLEGE, COLLEGE, OR PUBLIC OR PRIVATE INSTITUTION OR  
2 ORGANIZATION OR FIREARMS TRAINING SCHOOL.

3 (1) ISSUING A LICENSE TO THE APPLICANT TO CARRY A CONCEALED  
4 PISTOL IN THIS STATE IS NOT DETRIMENTAL TO THE SAFETY OF THE  
5 APPLICANT OR TO ANY OTHER INDIVIDUAL.

6 (8) BEFORE SUBMITTING AN APPLICATION UNDER THIS SECTION, THE  
7 INDIVIDUAL SHALL HAVE 2 SETS OF CLASSIFIABLE FINGERPRINTS TAKEN  
8 BY THE COUNTY SHERIFF.

9 (9) THE COUNTY SHERIFF SHALL TAKE THE FINGERPRINTS OF AN  
10 INDIVIDUAL WITHIN THE EXPIRATION OF 3 BUSINESS DAYS AFTER THE  
11 INDIVIDUAL REQUESTS HIS OR HER FINGERPRINTS TO BE TAKEN UNDER  
12 SUBSECTION (8).

13 (10) ONE SET OF FINGERPRINTS TAKEN UNDER SUBSECTION (8)  
14 SHALL BE TAKEN ON A FORM FURNISHED BY THE DEPARTMENT OF STATE  
15 POLICE AND PROVIDED TO THE APPLICANT UNDER SECTION 5. THAT SET  
16 OF FINGERPRINTS SHALL BE FORWARDED IMMEDIATELY BY THE COUNTY  
17 SHERIFF TO THE DEPARTMENT OF STATE POLICE. THE DEPARTMENT OF  
18 STATE POLICE SHALL COMPARE THAT SET OF FINGERPRINTS WITH FINGER-  
19 PRINTS ALREADY ON FILE WITH THE DEPARTMENT OF STATE POLICE. THE  
20 OTHER SET OF FINGERPRINTS TAKEN UNDER SUBSECTION (8) SHALL BE  
21 TAKEN ON A FORM FURNISHED BY THE FEDERAL BUREAU OF INVESTIGATION  
22 AND PROVIDED TO THE APPLICANT UNDER SECTION 5. THAT SET OF FIN-  
23 GERPRINTS SHALL BE FORWARDED IMMEDIATELY BY THE COUNTY SHERIFF TO  
24 THE FEDERAL BUREAU OF INVESTIGATION OR AN ENTITY DESIGNATED BY  
25 THE FEDERAL BUREAU OF INVESTIGATION TO RECEIVE THOSE  
26 FINGERPRINTS. THE REQUEST SHALL STATE THAT THE DEPARTMENT OF  
27 STATE POLICE IS TO BE PROVIDED WITH THE REPORT OF THE

1 COMPARISON. THE DEPARTMENT OF STATE POLICE SHALL WITHIN 10 DAYS  
2 AFTER RECEIVING THE REPORT PROVIDE A COPY OF BOTH COMPARISONS TO  
3 THE COUNTY SHERIFF WHO TOOK THE FINGERPRINTS AND TO THE CONCEALED  
4 WEAPON LICENSING BOARD OF THE COUNTY IN WHICH THE APPLICANT  
5 RESIDES. THE DEPARTMENT OF STATE POLICE SHALL DESTROY THE FIN-  
6 GERPRINTS IMMEDIATELY AFTER THE DEPARTMENT PROVIDES THE COMPARI-  
7 SON REPORT TO THE COUNTY SHERIFF WHO TOOK THE FINGERPRINTS AND  
8 THE CONCEALED WEAPON LICENSING BOARD. THE FEDERAL BUREAU OF  
9 INVESTIGATION SHALL RETURN THE FINGERPRINTS TO THE DEPARTMENT OF  
10 STATE POLICE. THE DEPARTMENT OF STATE POLICE SHALL DESTROY THE  
11 FINGERPRINTS UNLESS THE COMPARISON REPORT IS NOT RECEIVED  
12 WITHIN 30 DAYS AFTER THE APPLICATION IS COMPLETED BY THE  
13 APPLICANT. THE CONCEALED WEAPON LICENSING BOARD SHALL NOT ISSUE  
14 A CONCEALED WEAPON LICENSE UNDER THIS SECTION TO AN APPLICANT  
15 UNTIL THE CONCEALED WEAPON LICENSING BOARD HAS RECEIVED THE FIN-  
16 GERPRINT COMPARISON REPORTS REQUIRED UNDER THIS SUBSECTION. THE  
17 CONCEALED WEAPON LICENSING BOARD IS NOT REQUIRED TO ISSUE A CON-  
18 CEALED WEAPONS LICENSE TO AN APPLICANT IF THAT APPLICANT'S FIN-  
19 GERPRINTS ARE DETERMINED TO BE UNCLASSIFIABLE BY THE FEDERAL  
20 BUREAU OF INVESTIGATION.

21 (11) THE CONCEALED WEAPON LICENSING BOARD SHALL DENY A  
22 LICENSE TO AN APPLICANT TO CARRY A CONCEALED WEAPON IF THE APPLI-  
23 CANT IS NOT QUALIFIED UNDER SUBSECTION (7) TO RECEIVE THAT  
24 LICENSE.

25 (12) IF THE CONCEALED WEAPON LICENSING BOARD ISSUES A  
26 LICENSE TO AN INDIVIDUAL 18 YEARS OF AGE OR OLDER BUT LESS THAN  
27 21 YEARS OF AGE, THE LICENSE SHALL BE RESTRICTED TO ALLOW THE

1 INDIVIDUAL TO CARRY A CONCEALED WEAPON ONLY IN THE COURSE OF HIS  
2 OR HER EMPLOYMENT.

3 (13) A LICENSE TO CARRY A CONCEALED PISTOL THAT IS ISSUED  
4 BASED UPON AN APPLICATION THAT CONTAINS A MATERIAL FALSE STATE-  
5 MENT IS VOID FROM THE DATE THE LICENSE IS ISSUED.

6 (14) SUBJECT TO SUBSECTION (10), THE CONCEALED WEAPON  
7 LICENSING BOARD SHALL ISSUE OR DENY ISSUANCE OF A LICENSE WITHIN  
8 30 DAYS AFTER THE CONCEALED WEAPON LICENSING BOARD RECEIVES THE  
9 FINGERPRINT COMPARISON REPORT PROVIDED UNDER SUBSECTION (10). IF  
10 THE CONCEALED WEAPON LICENSING BOARD DENIES ISSUANCE OF A LICENSE  
11 TO CARRY A CONCEALED PISTOL, THE CONCEALED WEAPON LICENSING BOARD  
12 SHALL WITHIN 5 BUSINESS DAYS DO BOTH OF THE FOLLOWING:

13 (A) INFORM THE APPLICANT IN WRITING OF THE REASONS FOR THE  
14 DENIAL. INFORMATION UNDER THIS SUBDIVISION SHALL INCLUDE ALL OF  
15 THE FOLLOWING:

16 (i) A STATEMENT OF THE SPECIFIC AND ARTICULABLE FACTS SUP-  
17 PORTING THE DENIAL.

18 (ii) COPIES OF ANY WRITINGS, PHOTOGRAPHS, RECORDS, OR OTHER  
19 DOCUMENTARY EVIDENCE UPON WHICH THE DENIAL IS BASED.

20 (B) INFORM THE APPLICANT IN WRITING OF HIS OR HER RIGHT TO  
21 APPEAL THE DENIAL TO THE CIRCUIT COURT AS PROVIDED IN SECTION 5D.

22 (15) THE CONCEALED WEAPON LICENSING BOARD SHALL, AT THE TIME  
23 A LICENSE TO CARRY A CONCEALED PISTOL IS ISSUED UNDER THIS SEC-  
24 TION, PLACE A CONCEALED PISTOL LICENSEE DECAL ON THE DRIVER  
25 LICENSE OF THE LICENSEE IN THE MANNER PRESCRIBED BY THE SECRETARY  
26 OF STATE. A PERSON WHO REMOVES OR INTENTIONALLY DEFACES A  
27 CONCEALED PISTOL LICENSEE DECAL PLACED ON A DRIVER LICENSE UNDER



1 THIS SUBSECTION IS GUILTY OF A MISDEMEANOR PUNISHABLE BY  
2 IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A FINE OF NOT MORE THAN  
3 \$100.00, OR BOTH. AS USED IN THIS SUBSECTION, "CONCEALED PISTOL  
4 LICENSEE DECAL" MEANS A DECAL PROVIDED TO THE CONCEALED WEAPON  
5 LICENSING BOARD BY THE SECRETARY OF STATE UNDER SECTION 310A OF  
6 THE MICHIGAN VEHICLE CODE, 1939 PA 300, MCL 257.310A.

7 (16) IF THE FINGERPRINT COMPARISON REPORT IS NOT RECEIVED BY  
8 THE CONCEALED WEAPON LICENSING BOARD WITHIN 30 DAYS AFTER THE  
9 FINGERPRINTS ARE FORWARDED TO THE DEPARTMENT OF STATE POLICE, THE  
10 CONCEALED WEAPONS LICENSING BOARD SHALL ISSUE A TEMPORARY CON-  
11 CEALED PISTOL LICENSE. A TEMPORARY LICENSE ISSUED UNDER THIS  
12 SECTION IS VALID FOR 180 DAYS OR UNTIL THE CONCEALED WEAPONS  
13 LICENSING BOARD RECEIVES THE FINGERPRINT COMPARISON REPORT PRO-  
14 VIDED UNDER SUBSECTION (10) AND ISSUES OR DENIES ISSUANCE OF A  
15 CONCEALED PISTOL LICENSE AS OTHERWISE PROVIDED UNDER THIS ACT.  
16 UPON ISSUANCE OR THE DENIAL OF ISSUANCE OF THE CONCEALED PISTOL  
17 LICENSE TO AN APPLICANT WHO RECEIVED A TEMPORARY LICENSE UNDER  
18 THIS SECTION, THE APPLICANT SHALL IMMEDIATELY SURRENDER THE TEM-  
19 PORARY LICENSE TO THE CONCEALED WEAPONS LICENSING BOARD THAT  
20 ISSUED THAT TEMPORARY LICENSE.

21 SEC. 5C. (1) A LICENSE TO CARRY A CONCEALED PISTOL SHALL BE  
22 IN A FORM PRESCRIBED BY THE DEPARTMENT OF STATE POLICE. THE  
23 LICENSE SHALL CONTAIN ALL OF THE FOLLOWING:

24 (A) THE LICENSEE'S FULL NAME AND STREET ADDRESS.

25 (B) A PHYSICAL DESCRIPTION OF THE LICENSEE.

26 (C) A STATEMENT OF THE EFFECTIVE DATES OF THE LICENSE.

1 (D) A STATEMENT OF ANY RESTRICTIONS IMPOSED UNDER SECTION  
2 5B(12).

3 (2) A LICENSE TO CARRY A CONCEALED PISTOL ISSUED BY THE  
4 COUNTY CONCEALED WEAPON LICENSING BOARD AUTHORIZES THE LICENSEE  
5 TO DO ALL OF THE FOLLOWING:

6 (A) CARRY A PISTOL CONCEALED ON OR ABOUT HIS OR HER PERSON  
7 ANYWHERE IN THIS STATE AS PROVIDED BY LAW.

8 (B) CARRY A PISTOL IN A VEHICLE, WHETHER CONCEALED OR NOT  
9 CONCEALED, ANYWHERE IN THIS STATE AS PROVIDED BY LAW.

10 SEC. 5D. (1) IF THE CONCEALED WEAPON LICENSING BOARD DENIES  
11 ISSUANCE OF A LICENSE TO CARRY A CONCEALED PISTOL, OR FAILS TO  
12 ISSUE THAT LICENSE AS PROVIDED IN THIS ACT, OR ISSUES A  
13 RESTRICTED LICENSE, THE APPLICANT MAY APPEAL THE DENIAL, THE  
14 FAILURE TO ISSUE THE LICENSE, OR THE ISSUANCE OF A RESTRICTED  
15 LICENSE TO THE CIRCUIT COURT IN THE JUDICIAL CIRCUIT IN WHICH HE  
16 OR SHE RESIDES. THE APPEAL OF THE DENIAL, FAILURE TO ISSUE A  
17 LICENSE, OR ISSUANCE OF A RESTRICTED LICENSE SHALL BE DETERMINED  
18 BY A REVIEW OF THE RECORD FOR ERROR, EXCEPT THAT IF THE DECISION  
19 OF THE CONCEALED WEAPON LICENSING BOARD WAS BASED UPON GROUNDS  
20 SPECIFIED IN SECTION 5B(7)(1) THAT PORTION OF THE APPEAL SHALL BE  
21 BY HEARING DE NOVO. WITNESSES IN THE HEARING SHALL BE SWORN. A  
22 JURY SHALL NOT BE PROVIDED IN A HEARING UNDER THIS SECTION. A  
23 VERBATIM RECORD SHALL BE MADE.

24 (2) IF THE COURT DETERMINES THE DENIAL, FAILURE TO ISSUE A  
25 LICENSE, OR ISSUANCE OF A RESTRICTED LICENSE WAS CLEARLY ERRONE-  
26 OUS, THE COURT SHALL ORDER THE CONCEALED WEAPON LICENSING BOARD  
27 TO ISSUE A LICENSE AS REQUIRED BY THIS ACT.

1 (3) IF THE COURT DETERMINES THE DECISION OF THE CONCEALED  
2 WEAPON LICENSING BOARD TO DENY ISSUANCE OF A LICENSE TO AN APPLI-  
3 CANT WAS ARBITRARY AND CAPRICIOUS, THE COURT SHALL ORDER THE CON-  
4 CEALED WEAPON LICENSING BOARD TO PAY THE ACTUAL COSTS AND ACTUAL  
5 ATTORNEY FEES OF THE APPLICANT IN APPEALING THE DENIAL.

6 (4) IF THE COURT DETERMINES AN APPLICANT'S APPEAL WAS FRIVO-  
7 LOUS, THE COURT SHALL ORDER THE APPLICANT TO PAY THE ACTUAL COSTS  
8 AND ACTUAL ATTORNEY FEES OF THE CONCEALED WEAPON LICENSING BOARD  
9 IN RESPONDING TO THE APPEAL.

10 SEC. 5E. (1) THE DEPARTMENT OF STATE POLICE SHALL CREATE  
11 AND MAINTAIN A COMPUTERIZED DATABASE OF INDIVIDUALS WHO APPLY  
12 UNDER THIS ACT FOR A LICENSE TO CARRY A CONCEALED PISTOL. THE  
13 DATABASE SHALL CONTAIN ONLY THE FOLLOWING INFORMATION AS TO EACH  
14 APPLICANT:

15 (A) THE APPLICANT'S NAME, ADDRESS, AND COUNTY OF RESIDENCE.

16 (B) IF THE APPLICANT IS LICENSED TO CARRY A CONCEALED PISTOL  
17 IN THIS STATE, THE LICENSE NUMBER AND DATE OF EXPIRATION.

18 (C) A STATEMENT OF ANY RESTRICTIONS IMPOSED UNDER SECTION  
19 5B(12).

20 (D) EXCEPT AS PROVIDED IN SUBSECTION (2), IF THE APPLICANT  
21 WAS DENIED A LICENSE TO CARRY A CONCEALED PISTOL AFTER THE EFFEC-  
22 TIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBDIVISION, A  
23 STATEMENT OF THE REASONS FOR THAT DENIAL.

24 (E) A STATEMENT OF ALL CRIMINAL CHARGES PENDING AND CRIMINAL  
25 CONVICTIONS OBTAINED AGAINST THE APPLICANT DURING THE LICENSE  
26 PERIOD.

1 (F) A STATEMENT OF ALL DETERMINATIONS OF RESPONSIBILITY FOR  
2 CIVIL INFRACTIONS OF THIS ACT PENDING OR OBTAINED AGAINST THE  
3 APPLICANT DURING THE LICENSE PERIOD.

4 (2) IF AN INDIVIDUAL WHO WAS DENIED A LICENSE TO CARRY A  
5 CONCEALED PISTOL AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT  
6 THAT ADDED THIS SUBSECTION IS SUBSEQUENTLY ISSUED A LICENSE TO  
7 CARRY A CONCEALED PISTOL, THE DEPARTMENT OF STATE POLICE SHALL  
8 DELETE FROM THE COMPUTERIZED DATABASE THE PREVIOUS REASONS FOR  
9 THE DENIAL.

10 (3) THE DEPARTMENT OF STATE POLICE SHALL ENTER THE INFORMA-  
11 TION DESCRIBED IN SUBSECTION (1)(A) TO (C) INTO THE LAW ENFORCE-  
12 MENT INFORMATION NETWORK.

13 (4) INFORMATION IN THE DATABASE IS CONFIDENTIAL, IS NOT  
14 SUBJECT TO DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, 1976  
15 PA 442, MCL 15.231 TO 15.246, AND SHALL NOT BE DISCLOSED TO ANY  
16 PERSON EXCEPT FOR PURPOSES OF THIS ACT OR FOR LAW ENFORCEMENT  
17 PURPOSES.

18 (5) THE DEPARTMENT OF STATE POLICE SHALL FILE AN ANNUAL  
19 REPORT WITH THE SECRETARY OF THE SENATE AND THE CLERK OF THE  
20 HOUSE OF REPRESENTATIVES SETTING FORTH ALL OF THE FOLLOWING  
21 INFORMATION FOR EACH COUNTY CONCEALED WEAPON LICENSING BOARD:

22 (A) THE NUMBER OF CONCEALED PISTOL APPLICATIONS RECEIVED.

23 (B) THE NUMBER OF CONCEALED PISTOL LICENSES ISSUED.

24 (C) THE NUMBER OF CONCEALED PISTOL LICENSES DENIED.

25 (D) CATEGORIES FOR DENIAL UNDER SUBDIVISION (C).

26 (E) THE NUMBER OF CONCEALED PISTOL LICENSES REVOKED.

1 (F) CATEGORIES FOR REVOCATION UNDER SUBDIVISION (E).

2 (G) THE NUMBER OF APPLICATIONS PENDING AT THE TIME THE  
3 REPORT IS MADE.

4 (H) THE MEAN AND MEDIAN AMOUNT OF TIME AND THE LONGEST AND  
5 SHORTEST AMOUNT OF TIME USED BY THE FEDERAL BUREAU OF INVESTIGA-  
6 TION TO SUPPLY THE FINGERPRINT COMPARISON REPORT REQUIRED IN SEC-  
7 TION 5B(10). THE DEPARTMENT MAY USE A STATISTICALLY SIGNIFICANT  
8 SAMPLE TO COMPLY WITH THIS SUBDIVISION.

9 (I) THE NUMBER OF CHARGES OF STATE CIVIL INFRACTIONS OF THIS  
10 ACT OR CHARGES OF CRIMINAL VIOLATIONS, CATEGORIZED BY OFFENSE,  
11 FILED AGAINST INDIVIDUALS LICENSED TO CARRY A CONCEALED PISTOL  
12 THAT RESULTED IN A FINDING OF RESPONSIBILITY, OR A CRIMINAL  
13 CONVICTION. THE REPORT SHALL INDICATE THE NUMBER OF CRIMES IN  
14 EACH CATEGORY OF CRIMINAL OFFENSE THAT INVOLVED THE BRANDISHING  
15 OR USE OF A PISTOL, THE NUMBER THAT INVOLVED THE CARRYING OF A  
16 PISTOL BY THE LICENSE HOLDER DURING THE COMMISSION OF THE CRIME,  
17 AND THE NUMBER IN WHICH NO PISTOL WAS CARRIED BY THE LICENSE  
18 HOLDER DURING THE COMMISSION OF THE CRIME.

19 (J) THE NUMBER OF PENDING CRIMINAL CHARGES, CATEGORIZED BY  
20 OFFENSE, AGAINST INDIVIDUALS LICENSED TO CARRY A CONCEALED  
21 PISTOL.

22 (K) THE NUMBER OF CRIMINAL CASES DISMISSED, CATEGORIZED BY  
23 OFFENSE, AGAINST INDIVIDUALS LICENSED TO CARRY A CONCEALED  
24 PISTOL.

25 (L) THE NUMBER OF CASES FILED AGAINST INDIVIDUALS LICENSED  
26 TO CARRY A CONCEALED PISTOL FOR CRIMINAL VIOLATIONS THAT RESULTED

1 IN A FINDING OF NOT RESPONSIBLE OR NOT GUILTY, CATEGORIZED BY  
2 OFFENSE.

3 (M) FOR THE PURPOSES OF SUBDIVISIONS (I), (J), (K), AND (L),  
4 THE DEPARTMENT OF STATE POLICE SHALL USE THE DATA PROVIDED UNDER  
5 SECTION 5M.

6 (N) ACTUAL COSTS INCURRED PER PERMIT FOR EACH COUNTY.

7 SEC. 5F. (1) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT  
8 TO CARRY A CONCEALED PISTOL SHALL HAVE HIS OR HER LICENSE TO  
9 CARRY THAT PISTOL IN HIS OR HER POSSESSION AT ALL TIMES HE OR SHE  
10 IS CARRYING A CONCEALED PISTOL.

11 (2) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT TO CARRY A  
12 CONCEALED PISTOL SHALL SHOW BOTH OF THE FOLLOWING TO A PEACE  
13 OFFICER UPON REQUEST BY THAT PEACE OFFICER:

14 (A) HIS OR HER LICENSE TO CARRY A CONCEALED PISTOL.

15 (B) HIS OR HER DRIVER LICENSE OR MICHIGAN PERSONAL IDENTIFI-  
16 CATION CARD.

17 (3) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS RESPONSIBLE  
18 FOR A STATE CIVIL INFRACTION. IF AN INDIVIDUAL IS FOUND RESPON-  
19 SIBLE FOR A CIVIL INFRACTION UNDER THIS SECTION, THE COURT SHALL  
20 NOTIFY THE CONCEALED WEAPON LICENSING BOARD THAT ISSUED THE  
21 LICENSE OF THAT DETERMINATION.

22 (4) A PISTOL CARRIED IN VIOLATION OF THIS SECTION IS SUBJECT  
23 TO SEIZURE BY A PEACE OFFICER WITHOUT PROCESS. IF A PEACE OFFI-  
24 CER SEIZES A PISTOL UNDER THIS SUBSECTION, THE INDIVIDUAL HAS 45  
25 DAYS IN WHICH TO DISPLAY HIS OR HER LICENSE OR DOCUMENTATION TO  
26 AN AUTHORIZED EMPLOYEE OF THE LAW ENFORCEMENT ENTITY THAT EMPLOYS  
27 THE PEACE OFFICER. IF THE INDIVIDUAL DISPLAYS HIS OR HER LICENSE

1 OR DOCUMENTATION TO AN AUTHORIZED EMPLOYEE OF THE LAW ENFORCEMENT  
2 ENTITY THAT EMPLOYS THE PEACE OFFICER BEFORE THE EXPIRATION OF  
3 THE 45-DAY PERIOD, THE AUTHORIZED EMPLOYEE OF THAT LAW ENFORCE-  
4 MENT ENTITY SHALL RETURN THE PISTOL TO THE INDIVIDUAL. IF THE  
5 INDIVIDUAL DOES NOT DISPLAY HIS OR HER LICENSE OR DOCUMENTATION  
6 BEFORE THE EXPIRATION OF THE 45-DAY PERIOD, THE PISTOL IS SUBJECT  
7 TO FORFEITURE AS PROVIDED IN SECTION 5G. THIS SUBSECTION DOES  
8 NOT APPLY IF BOTH OF THE FOLLOWING CIRCUMSTANCES EXIST:

9 (A) THE INDIVIDUAL HAS HIS OR HER DRIVER LICENSE OR MICHIGAN  
10 PERSONAL IDENTIFICATION CARD IN HIS OR HER POSSESSION WHEN THE  
11 VIOLATION OCCURS.

12 (B) THE PEACE OFFICER VERIFIES THROUGH THE LAW ENFORCEMENT  
13 INFORMATION NETWORK THAT THE INDIVIDUAL IS LICENSED UNDER THIS  
14 ACT TO CARRY A CONCEALED PISTOL.

15 SEC. 5G. A PISTOL CARRIED IN VIOLATION OF THIS ACT IS  
16 SUBJECT TO SEIZURE AND FORFEITURE IN THE SAME MANNER THAT PROP-  
17 erty IS SUBJECT TO SEIZURE AND FORFEITURE UNDER SECTIONS 4701 TO  
18 4709 OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236,  
19 MCL 600.4701 TO 600.4709. THIS SECTION DOES NOT APPLY IF THE  
20 VIOLATION IS A STATE CIVIL INFRACTION UNDER SECTION 5F, UNLESS  
21 THE INDIVIDUAL FAILS TO PRESENT HIS OR HER LICENSE WITHIN THE  
22 45-DAY PERIOD DESCRIBED IN THAT SECTION.

23 SEC. 5H. (1) AN INDIVIDUAL WHO IS LICENSED TO CARRY A CON-  
24 CEALED PISTOL ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT  
25 ADDED THIS SECTION MAY CARRY A CONCEALED PISTOL UNDER THAT  
26 LICENSE UNTIL THE LICENSE EXPIRES OR THE INDIVIDUAL'S AUTHORITY

1 TO CARRY A CONCEALED PISTOL UNDER THAT LICENSE IS OTHERWISE  
2 TERMINATED, WHICHEVER OCCURS FIRST.

3 (2) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT TO CARRY A  
4 CONCEALED PISTOL ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT  
5 ADDED THIS SECTION MAY APPLY FOR A RENEWAL LICENSE UPON THE EXPI-  
6 RATION OF THAT LICENSE AS PROVIDED IN SECTION 5I.

7 SEC. 5I. (1) A PERSON OR ENTITY THAT PROVIDES INSTRUCTION  
8 OR TRAINING TO ANOTHER PERSON UNDER SECTION 5B IS IMMUNE FROM  
9 CIVIL LIABILITY FOR DAMAGES TO ANY PERSON OR PROPERTY CAUSED BY  
10 THE PERSON WHO WAS TRAINED.

11 (2) THIS SECTION DOES NOT APPLY IF THE PERSON OR ENTITY PRO-  
12 VIDING THE INSTRUCTION OR TRAINING WAS GROSSLY NEGLIGENT.

13 (3) THIS SECTION IS IN ADDITION TO AND NOT IN LIEU OF IMMU-  
14 NITY OTHERWISE PROVIDED BY LAW.

15 SEC. 5J. (1) A PISTOL TRAINING OR SAFETY PROGRAM DESCRIBED  
16 IN SECTION 5B(7)(K) MEETS THE REQUIREMENTS FOR KNOWLEDGE OR  
17 TRAINING IN THE SAFE USE AND HANDLING OF A PISTOL ONLY IF ALL OF  
18 THE FOLLOWING CONDITIONS ARE MET:

19 (A) THE PROGRAM IS CERTIFIED BY THIS STATE OR A NATIONAL OR  
20 STATE FIREARMS TRAINING ORGANIZATION AND PROVIDES INSTRUCTION IN,  
21 BUT IS NOT LIMITED TO PROVIDING INSTRUCTION IN, ALL OF THE  
22 FOLLOWING:

23 (i) THE SAFE STORAGE, USE, AND HANDLING OF A PISTOL INCLUD-  
24 ING, BUT NOT LIMITED TO, SAFE STORAGE, USE, AND HANDLING TO PRO-  
25 TECT CHILD SAFETY.

26 (ii) AMMUNITION KNOWLEDGE, AND THE FUNDAMENTALS OF HANDGUN  
27 SHOOTING.



- 1           (iii) HANDGUN SHOOTING POSITIONS.
- 2           (iv) FIREARMS AND THE LAW, INCLUDING CIVIL LIABILITY
- 3 ISSUES.
- 4           (v) AVOIDING CRIMINAL ATTACK AND CONTROLLING A VIOLENT
- 5 CONFRONTATION.
- 6           (vi) ALL LAWS THAT APPLY TO CARRYING A CONCEALED PISTOL IN
- 7 THIS STATE.
- 8           (vii) AT LEAST 8 HOURS OF INSTRUCTION, INCLUDING 3 HOURS OF
- 9 FIRING RANGE TIME.

10           (B) THE PROGRAM PROVIDES A CERTIFICATE OF COMPLETION THAT

11 STATES THE PROGRAM COMPLIES WITH THE REQUIREMENTS OF THIS SECTION

12 AND THAT IS SIGNED BY THE COURSE INSTRUCTOR.

13           (C) THE INSTRUCTOR OF THE COURSE IS CERTIFIED BY THIS STATE

14 OR A NATIONAL ORGANIZATION TO TEACH THE 8-HOUR PISTOL SAFETY

15 TRAINING COURSE DESCRIBED IN THIS SECTION.

16           (2) A PERSON SHALL NOT DO EITHER OF THE FOLLOWING:

17           (A) GRANT A CERTIFICATE OF COMPLETION DESCRIBED UNDER SUB-

18 SECTION (1)(B) TO AN INDIVIDUAL KNOWING THE INDIVIDUAL DID NOT

19 SATISFACTORILY COMPLETE THE COURSE.

20           (B) PRESENT A CERTIFICATE OF COMPLETION DESCRIBED UNDER SUB-

21 SECTION (1)(B) TO A CONCEALED WEAPON LICENSING BOARD KNOWING THAT

22 THE INDIVIDUAL DID NOT SATISFACTORILY COMPLETE THE COURSE.

23           (3) A PERSON WHO VIOLATES SUBSECTION (2) IS GUILTY OF A

24 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A

25 FINE OF NOT MORE THAN \$2,500.00, OR BOTH.

1           SEC. 5K. (1) ACCEPTANCE OF A LICENSE ISSUED UNDER THIS ACT  
2 TO CARRY A CONCEALED PISTOL CONSTITUTES IMPLIED CONSENT TO SUBMIT  
3 TO A CHEMICAL ANALYSIS UNDER THIS SECTION.

4           (2) AN INDIVIDUAL SHALL NOT CARRY A CONCEALED PISTOL WHILE  
5 HE OR SHE IS UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR A CON-  
6 TROLLED SUBSTANCE OR WHILE HAVING A BODILY ALCOHOL CONTENT PRO-  
7 HIBITED UNDER THIS SECTION. A PERSON WHO VIOLATES THIS SECTION  
8 IS RESPONSIBLE FOR A STATE CIVIL INFRACTION OR GUILTY OF A CRIME  
9 AS FOLLOWS:

10           (A) IF THE PERSON WAS UNDER THE INFLUENCE OF INTOXICATING  
11 LIQUOR OR A CONTROLLED SUBSTANCE OR A COMBINATION OF INTOXICATING  
12 LIQUOR AND A CONTROLLED SUBSTANCE, OR HAD A BODILY ALCOHOL CON-  
13 TENT OF .10 OR MORE GRAMS PER 100 MILLILITERS OF BLOOD, PER 210  
14 LITERS OF BREATH, OR PER 67 MILLILITERS OF URINE, THE INDIVIDUAL  
15 IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT  
16 MORE THAN 93 DAYS OR \$100.00, OR BOTH. THE COURT SHALL ORDER THE  
17 CONCEALED WEAPON LICENSING BOARD THAT ISSUED THE INDIVIDUAL A  
18 LICENSE TO CARRY A CONCEALED WEAPON TO REVOKE THE LICENSE FOR NOT  
19 LESS THAN 1 YEAR OR MORE THAN 3 YEARS. THE CONCEALED WEAPON  
20 LICENSING BOARD SHALL REVOKE THE LICENSE AS ORDERED BY THE  
21 COURT.

22           (B) IF THE PERSON HAD A BODILY ALCOHOL CONTENT OF .08 OR  
23 MORE BUT LESS THAN .10 GRAMS PER 100 MILLILITERS OF BLOOD, PER  
24 210 LITERS OF BREATH, OR PER 67 MILLILITERS OF URINE, THE INDI-  
25 VIDUAL IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR  
26 NOT MORE THAN 93 DAYS OR \$100.00, OR BOTH. THE COURT MAY ORDER  
27 THE CONCEALED WEAPON LICENSING BOARD THAT ISSUED THE INDIVIDUAL A

1 LICENSE TO CARRY A CONCEALED WEAPON TO REVOKE THE LICENSE FOR NOT  
2 MORE THAN 3 YEARS. THE CONCEALED WEAPON LICENSING BOARD SHALL  
3 REVOKE THE LICENSE AS ORDERED BY THE COURT.

4 (C) IF THE PERSON HAD A BODILY ALCOHOL CONTENT OF .02 OR  
5 MORE BUT LESS THAN .08 GRAMS PER 100 MILLILITERS OF BLOOD, PER  
6 210 LITERS OF BREATH, OR PER 67 MILLILITERS OF URINE, THE INDI-  
7 VIDUAL IS RESPONSIBLE FOR A STATE CIVIL INFRACTION AND MAY BE  
8 FINED NOT MORE THAN \$100.00. THE COURT MAY ORDER THE CONCEALED  
9 WEAPON LICENSING BOARD THAT ISSUED THE INDIVIDUAL THE LICENSE TO  
10 REVOKE THE LICENSE FOR 1 YEAR. THE CONCEALED WEAPON LICENSING  
11 BOARD SHALL REVOKE THE LICENSE AS ORDERED BY THE COURT. THE  
12 COURT SHALL NOTIFY THE CONCEALED WEAPON LICENSING BOARD THAT  
13 ISSUED THE INDIVIDUAL A LICENSE TO CARRY A CONCEALED WEAPON THAT  
14 THE INDIVIDUAL IS FOUND RESPONSIBLE FOR A SUBSEQUENT VIOLATION OF  
15 THIS SUBDIVISION.

16 (3) THIS SECTION DOES NOT PROHIBIT AN INDIVIDUAL LICENSED  
17 UNDER THIS ACT TO CARRY A CONCEALED PISTOL WHO HAS ANY BODILY  
18 ALCOHOL CONTENT FROM TRANSPORTING THAT PISTOL IN THE LOCKED TRUNK  
19 OF HIS OR HER MOTOR VEHICLE OR, IF THE VEHICLE DOES NOT HAVE A  
20 TRUNK, FROM TRANSPORTING THAT PISTOL UNLOADED IN A LOCKED COM-  
21 PARTMENT OR CONTAINER THAT IS SEPARATED FROM THE AMMUNITION FOR  
22 THAT PISTOL.

23 (4) A PEACE OFFICER WHO HAS PROBABLE CAUSE TO BELIEVE AN  
24 INDIVIDUAL IS CARRYING A CONCEALED PISTOL IN VIOLATION OF THIS  
25 SECTION MAY REQUIRE THE INDIVIDUAL TO SUBMIT TO A CHEMICAL ANALY-  
26 SIS OF HIS OR HER BREATH, BLOOD, OR URINE.

1 (5) BEFORE AN INDIVIDUAL IS REQUIRED TO SUBMIT TO A CHEMICAL  
2 ANALYSIS UNDER SUBSECTION (4), THE PEACE OFFICER SHALL INFORM THE  
3 INDIVIDUAL OF ALL OF THE FOLLOWING:

4 (A) THE INDIVIDUAL MAY REFUSE TO SUBMIT TO THE CHEMICAL  
5 ANALYSIS, BUT IF HE OR SHE CHOOSES TO DO SO, ALL OF THE FOLLOWING  
6 APPLY:

7 (i) THE OFFICER MAY OBTAIN A COURT ORDER REQUIRING THE INDI-  
8 VIDUAL TO SUBMIT TO A CHEMICAL ANALYSIS.

9 (ii) THE REFUSAL MAY RESULT IN HIS OR HER LICENSE TO CARRY A  
10 CONCEALED PISTOL BEING SUSPENDED OR REVOKED.

11 (B) IF THE INDIVIDUAL SUBMITS TO THE CHEMICAL ANALYSIS, HE  
12 OR SHE MAY OBTAIN A CHEMICAL ANALYSIS DESCRIBED IN SUBSECTION (4)  
13 FROM A PERSON OF HIS OR HER OWN CHOOSING.

14 (6) THE COLLECTION AND TESTING OF BREATH, BLOOD, AND URINE  
15 SPECIMENS UNDER THIS SECTION SHALL BE CONDUCTED IN THE SAME  
16 MANNER THAT BREATH, BLOOD, AND URINE SPECIMENS ARE COLLECTED AND  
17 TESTED FOR ALCOHOL- AND CONTROLLED-SUBSTANCE-RELATED DRIVING VIO-  
18 LATIONS UNDER THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1  
19 TO 257.923.

20 (7) IF A PERSON REFUSES TO TAKE A CHEMICAL TEST AUTHORIZED  
21 UNDER THIS SECTION, THE PEACE OFFICER SHALL PROMPTLY REPORT THE  
22 REFUSAL IN WRITING TO THE CONCEALED WEAPON LICENSING BOARD THAT  
23 ISSUED THE LICENSE TO THE INDIVIDUAL TO CARRY A CONCEALED  
24 PISTOL.

25 (8) IF A PERSON TAKES A CHEMICAL TEST AUTHORIZED UNDER THIS  
26 SECTION AND THE TEST RESULTS INDICATE THAT THE INDIVIDUAL HAD ANY  
27 BODILY ALCOHOL CONTENT WHILE CARRYING A CONCEALED PISTOL, THE

1 PEACE OFFICER SHALL PROMPTLY REPORT THE VIOLATION IN WRITING TO  
2 THE CONCEALED WEAPON LICENSING BOARD THAT ISSUED THE LICENSE TO  
3 THE INDIVIDUAL TO CARRY A CONCEALED PISTOL.

4 (9) AS USED IN THIS SECTION:

5 (A) "CONTROLLED SUBSTANCE" MEANS THAT TERM AS DEFINED IN  
6 SECTION 7104 OF THE PUBLIC HEALTH CODE, 1978 PA 368,  
7 MCL 333.7401.

8 (B) "INTOXICATING LIQUOR" MEANS ALCOHOLIC LIQUOR AS DEFINED  
9 IN SECTION 105 OF THE MICHIGAN LIQUOR CONTROL CODE OF 1998, 1998  
10 PA 58, MCL 436.1105.

11 SEC. 51. (1) A LICENSE TO CARRY A CONCEALED PISTOL IS VALID  
12 FOR 5 YEARS, AND MAY BE RENEWED IN THE SAME MANNER AS THE ORIGI-  
13 NAL LICENSE WAS RECEIVED, EXCEPT AS FOLLOWS:

14 (A) THE RENEWAL FEE IS \$35.00. THE FEE SHALL BE PAYABLE TO  
15 THE COUNTY. THE COUNTY TREASURER SHALL DEPOSIT THE FEE IN THE  
16 GENERAL FUND OF THE COUNTY.

17 (B) FOR AN INDIVIDUAL LICENSED ON OR AFTER JANUARY 1, 2000,  
18 THE EDUCATIONAL REQUIREMENTS OF SECTION 5B(7)(K) ARE WAIVED  
19 EXCEPT THAT THE APPLICANT SHALL PRESENT A STATEMENT SIGNED BY THE  
20 APPLICANT CERTIFYING THAT HE OR SHE HAS COMPLETED NOT LESS THAN 3  
21 HOURS OF REVIEW OF THE TRAINING DESCRIBED UNDER SECTION 5B(7)(K)  
22 SINCE RECEIVING HIS OR HER LICENSE, AND THAT TRAINING INCLUDED  
23 FIRING RANGE TIME IN THE 6 MONTHS IMMEDIATELY PRECEDING HIS OR  
24 HER RENEWAL APPLICATION. FOR AN INDIVIDUAL LICENSED BEFORE  
25 SEPTEMBER 30, 1999 APPLYING FOR THE FIRST TIME UNDER THIS SECTION  
26 TO RENEW HIS OR HER LICENSE TO CARRY A CONCEALED WEAPON, THE  
27 EDUCATIONAL REQUIREMENTS OF SECTION 5B(7)(K) ARE NOT WAIVED.

1 (2) AN INDIVIDUAL LICENSED TO CARRY A CONCEALED PISTOL UNDER  
2 THIS ACT ON SEPTEMBER 30, 1999 IS ELIGIBLE FOR A RENEWAL LICENSE  
3 AT THE FEE PROVIDED FOR UNDER THIS SECTION. THIS SUBSECTION  
4 APPLIES REGARDLESS OF WHETHER THE LICENSE ISSUED BEFORE SEPTEMBER  
5 30, 1999 WAS RESTRICTED.

6 SEC. 5M. A PROSECUTING ATTORNEY SHALL PROMPTLY NOTIFY THE  
7 COUNTY CONCEALED WEAPON LICENSING BOARD THAT ISSUED THE LICENSE  
8 OF A CRIMINAL CHARGE AGAINST A LICENSE HOLDER FOR A FELONY OR  
9 SPECIFIED CRIMINAL OFFENSE, AS DEFINED IN THIS ACT. THE PROSE-  
10 CUTING ATTORNEY SHALL PROMPTLY NOTIFY THE COUNTY CONCEALED WEAPON  
11 LICENSING BOARD THAT ISSUED THE LICENSE OF THE DISPOSITION OF THE  
12 CRIMINAL CHARGE. IF A LICENSE HOLDER IS CONVICTED OF A CRIME,  
13 THE PROSECUTING ATTORNEY'S NOTIFICATION SHALL INDICATE IF THE  
14 CRIME INVOLVED THE BRANDISHING OR USE OF A PISTOL, IF A PISTOL  
15 WAS CARRIED BY THE LICENSE HOLDER DURING THE COMMISSION OF THE  
16 CRIME, OR IF NO PISTOL WAS CARRIED BY THE LICENSE HOLDER DURING  
17 THE COMMISSION OF THE CRIME. THE STATE POLICE SHALL PROVIDE A  
18 FORM FOR REPORTING PURPOSES. EACH YEAR BY A DATE DETERMINED BY  
19 THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE, THE CHAIRPERSON  
20 OF THE COUNTY CONCEALED WEAPON LICENSING BOARD SHALL COMPILE AND  
21 PROVIDE A REPORT TO THE DEPARTMENT OF STATE POLICE IN A FORMAT  
22 DETERMINED BY THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE CON-  
23 TAINING THE INFORMATION PROVIDED TO THE CONCEALED WEAPON LICENS-  
24 ING BOARD UNDER THIS SECTION, SECTION 5F(3), OR SECTION 5K(7) OR  
25 (8).

26 SEC. 5N. AN EMPLOYER SHALL NOT PROHIBIT AN EMPLOYEE FROM  
27 DOING EITHER OF THE FOLLOWING:

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1 (A) APPLYING FOR OR RECEIVING A LICENSE TO CARRY A CONCEALED  
2 PISTOL UNDER THIS ACT.

3 (B) CARRYING A CONCEALED PISTOL IN COMPLIANCE WITH A LICENSE  
4 ISSUED UNDER THIS ACT. THIS SUBDIVISION DOES NOT PROHIBIT AN  
5 EMPLOYER FROM PROHIBITING AN EMPLOYEE FROM CARRYING A CONCEALED  
6 PISTOL IN THE COURSE OF HIS OR HER EMPLOYMENT WITH THAT EMPLOYER.

7 Sec. 8. (1) The CONCEALED WEAPON licensing board ~~herein~~  
8 ~~created by section 6~~ THAT ISSUED A LICENSE TO AN APPLICANT TO  
9 CARRY A CONCEALED PISTOL may revoke ~~any~~ THAT license ~~issued by~~  
10 ~~it upon receiving a certificate of any magistrate showing that~~  
11 ~~such licensee has been convicted of violating any of the provi-~~  
12 ~~sions of this act, or has been convicted of a felony. Such~~  
13 ~~license may also be revoked whenever in the judgment of said~~  
14 ~~board the reason for granting such license shall have ceased to~~  
15 ~~exist, or whenever said board shall for any reasonable cause~~  
16 ~~determine said licensee to be an unfit person to carry a pistol~~  
17 ~~concealed upon his person. No such~~ IF THE BOARD DETERMINES THAT  
18 THE INDIVIDUAL COMMITTED ANY VIOLATION OF THIS ACT OTHER THAN A  
19 VIOLATION OF SECTION 5F(3) OR IF THE BOARD DETERMINES THAT THE  
20 INDIVIDUAL IS NOT ELIGIBLE UNDER THIS ACT TO RECEIVE A LICENSE TO  
21 CARRY A CONCEALED PISTOL. IF THE BOARD DETERMINES THE INDIVIDUAL  
22 HAS BEEN FOUND RESPONSIBLE FOR 3 OR MORE STATE CIVIL INFRACTION  
23 VIOLATIONS OF THIS ACT DURING THE LICENSE PERIOD, THE BOARD SHALL  
24 CONDUCT A HEARING AND MAY SUSPEND THE INDIVIDUAL'S LICENSE FOR  
25 NOT MORE THAN 1 YEAR.

26 (2) ~~A~~ EXCEPT AS PROVIDED IN SUBSECTION (3), A license  
27 shall NOT be revoked UNDER THIS SECTION except upon written

1 complaint and ~~then only after~~ AN OPPORTUNITY FOR a hearing ~~by~~  
2 ~~said~~ BEFORE THE board. ~~, of which~~ THE BOARD SHALL GIVE THE  
3 INDIVIDUAL at least ~~7~~ 10 days' notice ~~shall be given to the~~  
4 ~~licensee either~~ OF A HEARING UNDER THIS SECTION. THE NOTICE  
5 SHALL BE by personal service or by ~~registered~~ CERTIFIED mail  
6 DELIVERED to ~~his~~ THE INDIVIDUAL'S last known address.

7 (3) IF THE CONCEALED WEAPON LICENSING BOARD IS NOTIFIED  
8 UNDER SECTION 5M THAT AN INDIVIDUAL LICENSED TO CARRY A CONCEALED  
9 WEAPON IS CHARGED WITH A FELONY OR SPECIFIED CRIMINAL OFFENSE AS  
10 DEFINED IN THIS ACT, THE CONCEALED WEAPON LICENSING BOARD SHALL  
11 IMMEDIATELY SUSPEND THE INDIVIDUAL'S LICENSE UNTIL THERE IS A  
12 FINAL DISPOSITION OF THE CHARGE FOR THAT OFFENSE AND SEND NOTICE  
13 OF THAT SUSPENSION TO THE INDIVIDUAL'S LAST KNOWN ADDRESS AS  
14 INDICATED IN THE RECORDS OF THE CONCEALED WEAPON LICENSING  
15 BOARD. THE NOTICE SHALL INFORM THE INDIVIDUAL THAT HE OR SHE IS  
16 ENTITLED TO A PROMPT HEARING ON THE SUSPENSION, AND THE CONCEALED  
17 WEAPON LICENSING BOARD SHALL CONDUCT A PROMPT HEARING IF  
18 REQUESTED IN WRITING BY THE INDIVIDUAL. THE REQUIREMENTS OF SUB-  
19 SECTION (2) DO NOT APPLY TO THIS SUBSECTION.

20 (4) The clerk of ~~said~~ THE CONCEALED WEAPON licensing board  
21 is ~~hereby~~ authorized to administer an oath to any ~~person~~  
22 INDIVIDUAL testifying before ~~such~~ THE board at ~~any such~~ A  
23 hearing UNDER THIS SECTION.

24 Sec. 12. Sections 2 and 9 do not apply to ~~a duly~~  
25 ~~authorized~~ ANY OF THE FOLLOWING:



1 (A) A police or correctional agency of the United States or  
2 of ~~the~~ THIS state or any subdivision ~~thereof, nor to the~~ OF  
3 THIS STATE.

4 (B) THE UNITED STATES army, air force, navy, or marine  
5 corps. ~~of the United States, nor to organizations~~

6 (C) AN ORGANIZATION authorized by law to purchase or receive  
7 weapons from the United States or from this state. ~~, nor to the~~

8 (D) THE national guard, armed forces reserves, or other duly  
9 authorized military ~~organizations, or to members of the above~~  
10 ~~agencies or organizations for weapons used for the purposes of or~~  
11 ~~incidental to such agencies or organizations, nor to a person~~  
12 ORGANIZATION.

13 (E) A MEMBER OF AN ENTITY OR ORGANIZATION DESCRIBED IN  
14 SUBDIVISIONS (A) TO (D) FOR A PISTOL WHILE ENGAGED IN THE COURSE  
15 OF HIS OR HER DUTIES WITH THAT ENTITY OR WHILE GOING TO OR  
16 RETURNING FROM THOSE DUTIES.

17 (F) A UNITED STATES CITIZEN holding a license to carry a  
18 pistol concealed upon his OR HER person issued by another state.  
19 ~~, nor to the~~

20 (G) THE regular and ordinary transportation of ~~pistols~~ A  
21 PISTOL as merchandise by AN authorized ~~agents~~ AGENT of ~~any~~ A  
22 person licensed to manufacture firearms OR A LICENSED DEALER.

23 Sec. 12a. ~~Section 6 does~~ THE REQUIREMENTS OF THIS ACT FOR  
24 OBTAINING A LICENSE TO CARRY A CONCEALED PISTOL DO not apply to  
25 ANY OF THE FOLLOWING:

26 (a) A peace officer of a duly authorized police agency of  
27 the United States or of this state or a political subdivision of

1 this state, who is regularly employed and paid by the United  
2 States or this state or a subdivision of this state, except ~~that~~  
3 ~~section 6 does apply to~~ a township constable.

4 (b) A constable who is trained and certified ~~pursuant to~~  
5 ~~Act No. 203 of the Public Acts of 1965, as amended, being sec-~~  
6 ~~tions 28.601 to 28.616 of the Michigan Compiled Laws, who is~~  
7 UNDER THE COMMISSION ON LAW ENFORCEMENT STANDARDS ACT, 1965  
8 PA 203, MCL 28.601 TO 28.616, WHILE engaged in his or her offi-  
9 cial duties or going to or coming from his or her official  
10 duties, and who is regularly employed and paid by a political  
11 subdivision of this state.

12 (c) A person regularly employed by the department of correc-  
13 tions and authorized in writing by the director of the department  
14 of corrections to carry a concealed ~~weapon concealed~~ PISTOL  
15 during the performance of his or her duties or while going to or  
16 returning from his or her duties.

17 (d) A member of the UNITED STATES army, air force, navy, or  
18 marine corps ~~of the United States~~ while carrying a ~~weapon~~  
19 CONCEALED PISTOL in THE line of duty.

20 (e) A member of the national guard, armed forces reserves,  
21 or other duly authorized military organization while on duty or  
22 drill or while going to or returning from his or her place of  
23 assembly or practice or while carrying a ~~weapon used~~ CONCEALED  
24 PISTOL for purposes of ~~a~~ THAT military organization.

25 (f) A ~~person~~ RESIDENT OF ANOTHER STATE WHO IS licensed BY  
26 ANOTHER STATE to carry a CONCEALED pistol. ~~concealed upon his or~~  
27 ~~her person issued by another state.~~

1 (g) The regular and ordinary transportation of a pistol as  
2 merchandise by an authorized agent of a person licensed to manu-  
3 facture firearms.

4 (h) A person while carrying a pistol unloaded in a wrapper  
5 or container in the trunk of his or her vehicle OR, IF THE VEHI-  
6 CLE DOES NOT HAVE A TRUNK, FROM TRANSPORTING THAT PISTOL UNLOADED  
7 IN A LOCKED COMPARTMENT OR CONTAINER THAT IS SEPARATED FROM THE  
8 AMMUNITION FOR THAT PISTOL from the place of purchase to his or  
9 her home or place of business or to a place of repair or back to  
10 his or her home or place of business, or in moving goods from 1  
11 place of abode or business to another place of abode or  
12 business.

13 Sec. 14. (1) ~~All pistols, weapons or devices~~ EXCEPT AS  
14 PROVIDED IN SUBSECTION (2), A PISTOL, WEAPON, OR DEVICE carried  
15 or possessed ~~contrary to~~ IN VIOLATION OF this act ~~are hereby~~  
16 ~~declared~~ IS forfeited to the state ~~,~~ and shall be turned over  
17 to the ~~commissioner~~ DIRECTOR of the ~~Michigan~~ DEPARTMENT OF  
18 state police or his OR HER designated representative, for ~~such~~  
19 disposition as ~~said commissioner may prescribe~~ THE DIRECTOR OF  
20 THE DEPARTMENT OF STATE POLICE PRESCRIBES.

21 (2) A CONCEALED PISTOL CARRIED IN VIOLATION OF THIS ACT BY  
22 AN INDIVIDUAL LICENSED UNDER SECTION 5B TO CARRY A CONCEALED  
23 PISTOL IS SUBJECT TO SEIZURE AND FORFEITURE UNDER SECTION 5G.

24 Enacting section 1. Sections 3, 6, 9d, and 12c of 1927  
25 PA 372, MCL 28.423, 28.426, 28.429d, and 28.432c, are repealed.

26 Enacting section 2. This amendatory act takes effect  
27 September 30, 1999.