

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 516

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,"

by amending sections 1, 5b, 8, and 12a (MCL 28.421, 28.425b, 28.428, and 28.432a), section 1 as amended by 2015 PA 25, section 5b as amended by 2015 PA 16, section 8 as amended by 2015 PA 3, and section 12a as amended by 2006 PA 559.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) As used in this act:

2 **(A) "CORRECTIONS OFFICER OF THE DEPARTMENT OF CORRECTIONS"**
3 **MEANS A STATE CORRECTIONAL OFFICER AS THAT TERM IS DEFINED IN**
4 **SECTION 2 OF THE CORRECTIONAL OFFICERS' TRAINING ACT OF 1982, 1982**
5 **PA 415, MCL 791.502.**

6 **(B) ~~(a)~~**"Felony" means, except as otherwise provided in this
7 subdivision, that term as defined in section 1 of chapter I of the
8 code of criminal procedure, 1927 PA 175, MCL 761.1, or a violation
9 of a law of the United States or another state that is designated
10 as a felony or that is punishable by death or by imprisonment for
11 more than 1 year. Felony does not include a violation of a penal
12 law of this state that is expressly designated as a misdemeanor.

13 **(C) ~~(b)~~**"Firearm" means any weapon which will, is designed to,
14 or may readily be converted to expel a projectile by action of an
15 explosive.

16 **(D) ~~(e)~~**"Firearms records" means any form, information, or
17 record required for submission to a government agency under
18 sections 2, 2a, 2b, and 5b, or any form, permit, or license issued
19 by a government agency under this act.

20 **(E) "LOCAL CORRECTIONS OFFICER" MEANS THAT TERM AS DEFINED IN**
21 **SECTION 2 OF THE LOCAL CORRECTIONS OFFICERS TRAINING ACT, 2003 PA**
22 **125, MCL 791.532.**

23 **(F) ~~(d)~~**"Misdemeanor" means a violation of a penal law of this
24 state or violation of a local ordinance substantially corresponding
25 to a violation of a penal law of this state that is not a felony or
26 a violation of an order, rule, or regulation of a state agency that
27 is punishable by imprisonment or a fine that is not a civil fine,

1 or both.

2 (G) "PAROLE OR PROBATION OFFICER OF THE DEPARTMENT OF
3 CORRECTIONS" MEANS ANY INDIVIDUAL EMPLOYED BY THE DEPARTMENT OF
4 CORRECTIONS TO SUPERVISE FELONY PROBATIONERS OR PAROLEES OR THAT
5 INDIVIDUAL'S IMMEDIATE SUPERVISOR.

6 (H) ~~(e)~~—"Peace officer" means, except as otherwise provided in
7 this act, an individual who is employed as a law enforcement
8 officer, as that term is defined under section 2 of the commission
9 on law enforcement standards act, 1965 PA 203, MCL 28.602, by this
10 state or another state, a political subdivision of this state or
11 another state, or the United States, and who is required to carry a
12 firearm in the course of his or her duties as a law enforcement
13 officer.

14 (I) ~~(f)~~—"Pistol" means a loaded or unloaded firearm that is 26
15 inches or less in length, or a loaded or unloaded firearm that by
16 its construction and appearance conceals it as a firearm.

17 (J) ~~(g)~~—"Purchaser" means a person who receives a pistol from
18 another person by purchase or gift.

19 (K) ~~(h)~~—"Reserve peace officer", "auxiliary officer", or
20 "reserve officer" means, except as otherwise provided in this act,
21 an individual authorized on a voluntary or irregular basis by a
22 duly authorized police agency of this state or a political
23 subdivision of this state to act as a law enforcement officer, who
24 is responsible for the preservation of the peace, the prevention
25 and detection of crime, and the enforcement of the general criminal
26 laws of this state, and who is otherwise eligible to possess a
27 firearm under this act.

1 **(I) "RETIRED CORRECTIONS OFFICER OF THE DEPARTMENT OF**
2 **CORRECTIONS" MEANS AN INDIVIDUAL WHO WAS A CORRECTIONS OFFICER OF**
3 **THE DEPARTMENT OF CORRECTIONS AND WHO RETIRED IN GOOD STANDING FROM**
4 **HIS OR HER EMPLOYMENT AS A CORRECTIONS OFFICER OF THE DEPARTMENT OF**
5 **CORRECTIONS.**

6 **(M) ~~(i)~~**—"Retired federal law enforcement officer" means an
7 individual who was an officer or agent employed by a law
8 enforcement agency of the United States government whose primary
9 responsibility was enforcing laws of the United States, who was
10 required to carry a firearm in the course of his or her duties as a
11 law enforcement officer, and who retired in good standing from his
12 or her employment as a federal law enforcement officer.

13 **(N) "RETIRED PAROLE OR PROBATION OFFICER OF THE DEPARTMENT OF**
14 **CORRECTIONS" MEANS AN INDIVIDUAL WHO WAS A PAROLE OR PROBATION**
15 **OFFICER OF THE DEPARTMENT OF CORRECTIONS AND WHO RETIRED IN GOOD**
16 **STANDING FROM HIS OR HER EMPLOYMENT AS A PAROLE OR PROBATION**
17 **OFFICER OF THE DEPARTMENT OF CORRECTIONS.**

18 **(O) ~~(j)~~**—"Retired police officer" or "retired law enforcement
19 officer" means an individual who was a police officer or law
20 enforcement officer who was certified as described under section 9a
21 of the commission on law enforcement standards act, 1965 PA 203,
22 MCL 28.609a, and retired in good standing from his or her
23 employment as a police officer or law enforcement officer. A police
24 officer or law enforcement officer retired in good standing if he
25 or she receives a pension or other retirement benefit for his or
26 her service as a police officer or law enforcement officer or
27 actively maintained a Michigan commission on law enforcement

1 standards or equivalent state certification for 10 or more
2 consecutive years.

3 (P) ~~(k)~~—"Seller" means a person who sells or gives a pistol to
4 another person.

5 (Q) ~~(l)~~—"State court judge" means a judge of the district
6 court, circuit court, probate court, or court of appeals or justice
7 of the supreme court of this state who is serving either by
8 election or appointment.

9 (R) ~~(m)~~—"State court retired judge" means a judge or justice
10 described in subdivision ~~(l)~~ (Q) who is retired, or a retired judge
11 of the recorders court.

12 (2) A person may lawfully own, possess, carry, or transport as
13 a pistol a firearm greater than 26 inches in length if all of the
14 following conditions apply:

15 (a) The person registered the firearm as a pistol under
16 section 2 or 2a before January 1, 2013.

17 (b) The person who registered the firearm as described in
18 subdivision (a) has maintained registration of the firearm since
19 January 1, 2013 without lapse.

20 (c) The person possesses a copy of the license or record
21 issued to him or her under section 2 or 2a.

22 (3) A person who satisfies all of the conditions listed under
23 subsection (2) nevertheless may elect to have the firearm not be
24 considered to be a pistol. A person who makes the election under
25 this subsection shall notify the department of state police of the
26 election in a manner prescribed by that department.

27 Sec. 5b. (1) Until November 30, 2015, to obtain a license to

1 carry a concealed pistol, an individual shall apply to the
2 concealed weapon licensing board in the county in which that
3 individual resides. Beginning December 1, 2015, to obtain a license
4 to carry a concealed pistol, an individual shall apply to the
5 county clerk in the county in which the individual resides. The
6 applicant shall file the application with the county clerk in the
7 county in which the applicant resides during the county clerk's
8 normal business hours. The application shall be on a form provided
9 by the director of the department of state police. Until November
10 30, 2015, the application shall allow the applicant to designate
11 whether the applicant seeks a temporary license. Beginning December
12 1, 2015, the application shall allow the applicant to designate
13 whether the applicant seeks an emergency license. The application
14 shall be signed under oath by the applicant. The oath shall be
15 administered by the county clerk or his or her representative.
16 Beginning December 1, 2015, not more than 1 application may be
17 submitted under this subsection in any calendar year. Beginning
18 December 1, 2015, an application under this subsection is not
19 considered complete until an applicant submits all of the required
20 information and fees and has fingerprints taken under subsection
21 (9). Beginning December 1, 2015, an application under this
22 subsection is considered withdrawn if an applicant does not have
23 fingerprints taken under subsection (9) within 45 days of the date
24 an application is filed under this subsection. Beginning December
25 1, 2015, a completed application under this section expires 1 year
26 from the date of application. Beginning December 1, 2015, the
27 county clerk shall issue the applicant a receipt for his or her

1 application at the time the application is submitted containing the
2 name of the applicant, the applicant's state-issued driver license
3 or personal identification card number, the date and time the
4 receipt is issued, the amount paid, the name of the county in which
5 the receipt is issued, an impression of the county seal, and the
6 statement, "This receipt was issued for the purpose of applying for
7 a concealed pistol license and for obtaining fingerprints related
8 to that application. This receipt does not authorize an individual
9 to carry a concealed pistol in this state.". The application shall
10 contain all of the following:

11 (a) The applicant's legal name, date of birth, the address of
12 his or her primary residence, and, beginning December 1, 2015, his
13 or her state-issued driver license or personal identification card
14 number. Until November 30, 2015, if the applicant resides in a
15 city, village, or township that has a police department, the name
16 of the police department.

17 (b) A statement by the applicant that the applicant meets the
18 criteria for a license under this act to carry a concealed pistol.

19 (c) Until November 30, 2015, a statement by the applicant
20 authorizing the concealed weapon licensing board to access any
21 record, including any medical record, pertaining to the applicant's
22 qualifications for a license to carry a concealed pistol under this
23 act. The applicant may request that information received by the
24 concealed weapon licensing board under this subdivision be reviewed
25 in a closed session. If the applicant requests that the session be
26 closed, the concealed weapon licensing board shall close the
27 session only for purposes of this subdivision. The applicant and

1 his or her representative have the right to be present in the
2 closed session. Beginning December 1, 2015, a statement by the
3 applicant authorizing the department of state police to access any
4 record needed to perform the verification in subsection (6).

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)(j) to (l) from receiving a license to carry a
8 concealed pistol.

9 (e) A statement by the applicant regarding whether he or she
10 has ever been convicted in this state or elsewhere for any of the
11 following:

12 (i) Any felony.

13 (ii) A misdemeanor listed under subsection (7)(h) if the
14 applicant was convicted of that misdemeanor in the 8 years
15 immediately preceding the date of the application, or a misdemeanor
16 listed under subsection (7)(i) if the applicant was convicted of
17 that misdemeanor in the 3 years immediately preceding the date of
18 the application.

19 (f) A statement by the applicant whether he or she has been
20 dishonorably discharged from the United States armed forces.

21 (g) Until November 30, 2015, if the applicant seeks a
22 temporary license, the facts supporting the issuance of that
23 temporary license.

24 (h) Until November 30, 2015, the names, residential addresses,
25 and telephone numbers of 2 individuals who are references for the
26 applicant.

27 (i) Until November 30, 2015, a passport-quality photograph of

1 the applicant provided by the applicant at the time of application.
2 Beginning December 1, 2015, if an applicant does not have a
3 digitized photograph on file with the secretary of state, a
4 passport-quality photograph of the applicant provided by the
5 applicant at the time of application.

6 (j) A certificate stating that the applicant has completed the
7 training course prescribed by this act.

8 (2) The county clerk shall not require the applicant to submit
9 any additional forms, documents, letters, or other evidence of
10 eligibility for obtaining a license to carry a concealed pistol
11 except as set forth in subsection (1) or as otherwise provided for
12 in this act. The application form shall contain a conspicuous
13 warning that the application is executed under oath and that
14 intentionally making a material false statement on the application
15 is a felony punishable by imprisonment for not more than 4 years or
16 a fine of not more than \$2,500.00, or both.

17 (3) An individual who intentionally makes a material false
18 statement on an application under subsection (1) is guilty of a
19 felony punishable by imprisonment for not more than 4 years or a
20 fine of not more than \$2,500.00, or both.

21 (4) The county clerk shall retain a copy of each application
22 for a license to carry a concealed pistol as an official record.
23 One year after the expiration of a concealed pistol license, the
24 county clerk may destroy the record and maintain only a name index
25 of the record.

26 (5) Until November 30, 2015, each applicant shall pay a
27 nonrefundable application and licensing fee of \$105.00 by any

1 method of payment accepted by that county for payments of other
2 fees and penalties. Beginning December 1, 2015, each applicant
3 shall pay an application and licensing fee of \$100.00 by any method
4 of payment accepted by that county for payments of other fees and
5 penalties. Except as provided in subsection (9), no other charge,
6 fee, cost, or assessment, including any local charge, fee, cost, or
7 assessment, is required of the applicant except as specifically
8 authorized in this act. The application and licensing fee shall be
9 payable to the county. Until November 30, 2015, the county
10 treasurer shall deposit \$15.00 of each application and licensing
11 fee collected under this section in the general fund of the county
12 and credit that deposit to the credit of the county sheriff and
13 deposit \$26.00 of each fee collected under this section in the
14 concealed pistol licensing fund of that county created in section
15 5x. Beginning December 1, 2015, the county treasurer shall deposit
16 \$26.00 of each application and licensing fee collected under this
17 section in the concealed pistol licensing fund of that county
18 created in section 5x. The county treasurer shall forward the
19 balance remaining to the state treasurer. The state treasurer shall
20 deposit the balance of the fee in the general fund to the credit of
21 the department of state police. The department of state police
22 shall use the money received under this act to process the
23 fingerprints and to reimburse the Federal Bureau of Investigation
24 for the costs associated with processing fingerprints submitted
25 under this act. The balance of the money received under this act
26 shall be credited to the department of state police.

27 (6) Until November 30, 2015, the county sheriff on behalf of

1 the concealed weapon licensing board shall verify the requirements
2 of subsection (7)(d), (e), (f), (h), (i), (j), (k), (l), and (m)
3 through the law enforcement information network and report his or
4 her finding to the concealed weapon licensing board. Beginning
5 December 1, 2015, the department of state police shall verify the
6 requirements of subsection (7)(d), (e), (f), (h), (i), (j), (k),
7 and (m) through the law enforcement information network and the
8 national instant criminal background check system and shall report
9 to the county clerk all statutory disqualifications, if any, under
10 this act that apply to an applicant. Until November 30, 2015, if
11 the applicant resides in a city, village, or township that has a
12 police department, the concealed weapon licensing board shall
13 contact that city, village, or township police department to
14 determine only whether that city, village, or township police
15 department has any information relevant to the investigation of
16 whether the applicant is eligible under this act to receive a
17 license to carry a concealed pistol. Until November 30, 2015, the
18 concealed weapon licensing board may require a person claiming
19 active duty status with the United States armed forces under this
20 section to provide proof of 1 or both of the following:

21 (a) The person's home of record.

22 (b) Permanent active duty assignment in this state.

23 (7) Until November 30, 2015, the concealed weapon licensing
24 board and, beginning December 1, 2015, the county clerk shall issue
25 and shall send by first-class mail a license to an applicant to
26 carry a concealed pistol within the period required under this act
27 if the concealed weapon licensing board or county clerk determines

1 that all of the following circumstances exist:

2 (a) The applicant is 21 years of age or older.

3 (b) The applicant is a citizen of the United States or is an
4 alien lawfully admitted into the United States, is a legal resident
5 of this state, and has resided in this state for not less than the
6 6 months immediately preceding the date of application. Until
7 November 30, 2015, the concealed weapon licensing board may waive
8 the 6-month residency requirement for a temporary license under
9 section 5a(8) if the concealed weapon licensing board determines
10 that there is probable cause to believe that the safety of the
11 applicant or the safety of a member of the applicant's family is
12 endangered by the applicant's inability to immediately obtain a
13 license to carry a concealed pistol. Until November 30, 2015, if
14 the applicant holds a valid concealed pistol license issued by
15 another state at the time the applicant's residency in this state
16 is established, the concealed weapon licensing board may waive the
17 6-month waiting period and the applicant may apply for a concealed
18 pistol license at the time the applicant's residency in this state
19 is established. Until November 30, 2015, the concealed weapon
20 licensing board shall immediately issue a temporary license to that
21 applicant. Until November 30, 2015, the temporary license is valid
22 until the concealed weapon licensing board decides whether to grant
23 or deny the application. Beginning December 1, 2015, the county
24 clerk shall waive the 6-month residency requirement for an
25 emergency license under section 5a(4) if the applicant is a
26 petitioner for a personal protection order issued under section
27 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236,

1 MCL 600.2950 and 600.2950a, or if the county sheriff determines
2 that there is clear and convincing evidence to believe that the
3 safety of the applicant or the safety of a member of the
4 applicant's family or household is endangered by the applicant's
5 inability to immediately obtain a license to carry a concealed
6 pistol. Beginning December 1, 2015, if the applicant holds a valid
7 concealed pistol license issued by another state at the time the
8 applicant's residency in this state is established, the county
9 clerk shall waive the 6-month waiting period and the applicant may
10 apply for a concealed pistol license at the time the applicant's
11 residency in this state is established. For the purposes of this
12 section, a person is considered a legal resident of this state if
13 any of the following apply:

14 (i) The person has a valid, lawfully obtained driver license
15 issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to
16 257.923, or official state personal identification card issued
17 under 1972 PA 222, MCL 28.291 to 28.300.

18 (ii) The person is lawfully registered to vote in this state.

19 (iii) The person is on active duty status with the United
20 States armed forces and is stationed outside of this state, but the
21 person's home of record is in this state.

22 (iv) The person is on active duty status with the United
23 States armed forces and is permanently stationed in this state, but
24 the person's home of record is in another state.

25 (c) The applicant has knowledge and has had training in the
26 safe use and handling of a pistol by the successful completion of a
27 pistol safety training course or class that meets the requirements

1 of section 5j.

2 (d) The applicant is not the subject of an order or
3 disposition under any of the following:

4 (i) Section 464a of the mental health code, 1974 PA 258, MCL
5 330.1464a.

6 (ii) Section 5107 of the estates and protected individuals
7 code, 1998 PA 386, MCL 700.5107.

8 (iii) Sections 2950 and 2950a of the revised judicature act of
9 1961, 1961 PA 236, MCL 600.2950 and 600.2950a.

10 (iv) Section 6b of chapter V of the code of criminal
11 procedure, 1927 PA 175, MCL 765.6b, if the order has a condition
12 imposed under section 6b(3) of chapter V of the code of criminal
13 procedure, 1927 PA 175, MCL 765.6b.

14 (v) Section 16b of chapter IX of the code of criminal
15 procedure, 1927 PA 175, MCL 769.16b.

16 (e) The applicant is not prohibited from possessing, using,
17 transporting, selling, purchasing, carrying, shipping, receiving,
18 or distributing a firearm under section 224f of the Michigan penal
19 code, 1931 PA 328, MCL 750.224f.

20 (f) The applicant has never been convicted of a felony in this
21 state or elsewhere, and a felony charge against the applicant is
22 not pending in this state or elsewhere at the time he or she
23 applies for a license described in this section.

24 (g) The applicant has not been dishonorably discharged from
25 the United States armed forces.

26 (h) The applicant has not been convicted of a misdemeanor
27 violation of any of the following in the 8 years immediately

1 preceding the date of application and a charge for a misdemeanor
2 violation of any of the following is not pending against the
3 applicant in this state or elsewhere at the time he or she applies
4 for a license described in this section:

5 (i) Section 617a (failing to stop when involved in a personal
6 injury accident), section 625 as punishable under subsection (9)(b)
7 of that section (operating while intoxicated, second offense),
8 section 625m as punishable under subsection (4) of that section
9 (operating a commercial vehicle with alcohol content, second
10 offense), section 626 (reckless driving), or a violation of section
11 904(1) (operating while license suspended or revoked, second or
12 subsequent offense) of the Michigan vehicle code, 1949 PA 300, MCL
13 257.617a, 257.625, 257.625m, 257.626, and 257.904.

14 (ii) Section 185(7) of the aeronautics code of the state of
15 Michigan, 1945 PA 327, MCL 259.185 (operating aircraft while under
16 the influence of intoxicating liquor or a controlled substance with
17 prior conviction).

18 (iii) Section 29 of the weights and measures act, 1964 PA 283,
19 MCL 290.629 (hindering or obstructing certain persons performing
20 official weights and measures duties).

21 (iv) Section 10 of the motor fuels quality act, 1984 PA 44,
22 MCL 290.650 (hindering, obstructing, assaulting, or committing
23 bodily injury upon director or authorized representative).

24 (v) Section 80176 as punishable under section 80177(1)(b)
25 (operating vessel under the influence of intoxicating liquor or a
26 controlled substance, second offense), section 81134 as punishable
27 under subsection (8)(b) of that section (operating ORV under the

1 influence of intoxicating liquor or a controlled substance, second
2 or subsequent offense), or section 82127 as punishable under
3 section 82128(1)(b) (operating snowmobile under the influence of
4 intoxicating liquor or a controlled substance, second offense) of
5 the natural resources and environmental protection act, 1994 PA
6 451, MCL 324.80176, 324.80177, 324.81134, 324.82127, and 324.82128.

7 (vi) Section 7403 of the public health code, 1978 PA 368, MCL
8 333.7403 (possession of controlled substance, controlled substance
9 analogue, or prescription form).

10 (vii) Section 353 of the railroad code of 1993, 1993 PA 354,
11 MCL 462.353, punishable under subsection (4) of that section
12 (operating locomotive under the influence of intoxicating liquor or
13 a controlled substance, or while visibly impaired, second offense).

14 (viii) Section 7 of 1978 PA 33, MCL 722.677 (displaying
15 sexually explicit matter to minors).

16 (ix) Section 81 (assault or domestic assault), section 81a(1)
17 or (2) (aggravated assault or aggravated domestic assault), section
18 115 (breaking and entering or entering without breaking), section
19 136b(7) (fourth degree child abuse), section 145n (vulnerable adult
20 abuse), section 157b(3)(b) (solicitation to commit a felony),
21 section 215 (impersonating peace officer or medical examiner),
22 section 223 (illegal sale of a firearm or ammunition), section 224d
23 (illegal use or sale of a self-defense spray), section 226a (sale
24 or possession of a switchblade), section 227c (improper
25 transportation of a loaded firearm), section 229 (accepting a
26 pistol in pawn), section 232 (failure to register the purchase of a
27 firearm or a firearm component), section 232a (improperly obtaining

1 a pistol, making a false statement on an application to purchase a
2 pistol, or using false identification to purchase a pistol),
3 section 233 (intentionally aiming a firearm without malice),
4 section 234 (intentionally discharging a firearm aimed without
5 malice), section 234d (possessing a firearm on prohibited
6 premises), section 234e (brandishing a firearm in public), section
7 234f (possession of a firearm by an individual less than 18 years
8 of age), section 235 (intentionally discharging a firearm aimed
9 without malice causing injury), section 235a (parent of a minor who
10 possessed a firearm in a weapon free school zone), section 236
11 (setting a spring gun or other device), section 237 (possessing a
12 firearm while under the influence of intoxicating liquor or a
13 controlled substance), section 237a (weapon free school zone
14 violation), section 335a (indecent exposure), section 411h
15 (stalking), or section 520e (fourth degree criminal sexual conduct)
16 of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,
17 750.115, 750.136b, 750.145n, 750.157b, 750.215, 750.223, 750.224d,
18 750.226a, 750.227c, 750.229, 750.232, 750.232a, 750.233, 750.234,
19 750.234d, 750.234e, 750.234f, 750.235, 750.235a, 750.236, 750.237,
20 750.237a, 750.335a, 750.411h, and 750.520e.

21 (x) Former section 228 of the Michigan penal code, 1931 PA
22 328.

23 (xi) Section 1 (reckless, careless, or negligent use of a
24 firearm resulting in injury or death), section 2 (careless,
25 reckless, or negligent use of a firearm resulting in property
26 damage), or section 3a (reckless discharge of a firearm) of 1952 PA
27 45, MCL 752.861, 752.862, and 752.863a.

1 (xii) A violation of a law of the United States, another
2 state, or a local unit of government of this state or another state
3 substantially corresponding to a violation described in
4 subparagraphs (i) to (xi).

5 (i) The applicant has not been convicted of a misdemeanor
6 violation of any of the following in the 3 years immediately
7 preceding the date of application unless the misdemeanor violation
8 is listed under subdivision (h) and a charge for a misdemeanor
9 violation of any of the following is not pending against the
10 applicant in this state or elsewhere at the time he or she applies
11 for a license described in this section:

12 (i) Section 625 (operating under the influence), section 625a
13 (refusal of commercial vehicle operator to submit to a chemical
14 test), section 625k (ignition interlock device reporting
15 violation), section 625l (circumventing an ignition interlock
16 device), or section 625m punishable under subsection (3) of that
17 section (operating a commercial vehicle with alcohol content) of
18 the Michigan vehicle code, 1949 PA 300, MCL 257.625, 257.625a,
19 257.625k, 257.625l, and 257.625m.

20 (ii) Section 185 of the aeronautics code of the state of
21 Michigan, 1945 PA 327, MCL 259.185 (operating aircraft under the
22 influence).

23 (iii) Section 81134 (operating ORV under the influence or
24 operating ORV while visibly impaired), or section 82127 (operating
25 a snowmobile under the influence) of the natural resources and
26 environmental protection act, 1994 PA 451, MCL 324.81134 and
27 324.82127.

1 (iv) Part 74 of the public health code, 1978 PA 368, MCL
2 333.7401 to 333.7461 (controlled substance violation).

3 (v) Section 353 of the railroad code of 1993, 1993 PA 354, MCL
4 462.353, punishable under subsection (3) of that section (operating
5 locomotive under the influence).

6 (vi) Section 167 (disorderly person), section 174
7 (embezzlement), section 218 (false pretenses with intent to
8 defraud), section 356 (larceny), section 356d (second degree retail
9 fraud), section 359 (larceny from a vacant building or structure),
10 section 362 (larceny by conversion), section 362a (larceny -
11 defrauding lessor), section 377a (malicious destruction of
12 property), section 380 (malicious destruction of real property),
13 section 535 (receiving or concealing stolen property), or section
14 540e (malicious use of telecommunications service or device) of the
15 Michigan penal code, 1931 PA 328, MCL 750.167, 750.174, 750.218,
16 750.356, 750.356d, 750.359, 750.362, 750.362a, 750.377a, 750.380,
17 750.535, and 750.540e.

18 (vii) A violation of a law of the United States, another
19 state, or a local unit of government of this state or another state
20 substantially corresponding to a violation described in
21 subparagraphs (i) to (vi).

22 (j) The applicant has not been found guilty but mentally ill
23 of any crime and has not offered a plea of not guilty of, or been
24 acquitted of, any crime by reason of insanity.

25 (k) The applicant is not currently and has never been subject
26 to an order of involuntary commitment in an inpatient or outpatient
27 setting due to mental illness.

1 (l) The applicant has filed a statement under subsection
2 (1)(d) that the applicant does not have a diagnosis of mental
3 illness that includes an assessment that the individual presents a
4 danger to himself or herself or to another at the time the
5 application is made, regardless of whether he or she is receiving
6 treatment for that illness.

7 (m) The applicant is not under a court order of legal
8 incapacity in this state or elsewhere.

9 (n) The applicant has a valid state-issued driver license or
10 personal identification card.

11 (8) Upon entry of a court order or conviction of 1 of the
12 enumerated prohibitions for using, transporting, selling,
13 purchasing, carrying, shipping, receiving, or distributing a
14 firearm in this section the department of state police shall
15 immediately enter the order or conviction into the law enforcement
16 information network. For purposes of this act, information of the
17 court order or conviction shall not be removed from the law
18 enforcement information network, but may be moved to a separate
19 file intended for the use of the county concealed weapon licensing
20 boards, department of state police, the courts, and other
21 government entities as necessary and exclusively to determine
22 eligibility to be licensed under this act.

23 (9) An individual, after submitting an application and paying
24 the fee prescribed under subsection (5), shall request that
25 classifiable fingerprints be taken by the county clerk, department
26 of state police, county sheriff, a local police agency, or other
27 entity, if the county clerk, department of state police, county

1 sheriff, local police agency, or other entity provides
2 fingerprinting capability for the purposes of this act. Beginning
3 December 1, 2015, an individual who has had classifiable
4 fingerprints taken under section 5a(4) does not need additional
5 fingerprints taken under this subsection. If the individual
6 requests that classifiable fingerprints be taken by the county
7 clerk, department of state police, county sheriff, a local police
8 agency, or other entity, the individual shall also pay a fee of
9 \$15.00 by any method of payment accepted for payments of other fees
10 and penalties. A county clerk shall deposit any fee it accepts
11 under this subsection in the concealed pistol licensing fund of
12 that county created in section 5x. The county clerk, department of
13 state police, county sheriff, local police agency, or other entity
14 shall take the fingerprints within 5 business days after the
15 request. County clerks, the department of state police, county
16 sheriffs, local police agencies, and other entities shall provide
17 reasonable access to fingerprinting services during normal business
18 hours as is necessary to comply with the requirements of this act
19 if the county clerk, department of state police, county sheriff,
20 local police agency, or other entity provides fingerprinting
21 capability for the purposes of this act. Beginning December 1,
22 2015, the entity providing fingerprinting services shall issue the
23 applicant a receipt at the time his or her fingerprints are taken.
24 Beginning December 1, 2015, the county clerk, department of state
25 police, county sheriff, local police agency, or other entity shall
26 not provide a receipt under this subsection unless the individual
27 requesting the fingerprints provides an application receipt

1 received under subsection (1). Beginning December 1, 2015, a
2 receipt under this subsection shall contain all of the following:

3 (a) The name of the applicant.

4 (b) The date and time the receipt is issued.

5 (c) The amount paid.

6 (d) The name of the entity providing the fingerprint services.

7 (e) The applicant's state-issued driver license or personal
8 identification card number.

9 (f) The statement "This receipt was issued for the purpose of
10 applying for a concealed pistol license. As provided in section 5b
11 of 1927 PA 372, MCL 28.425b, if a license or notice of statutory
12 disqualification is not issued within 45 days after the date this
13 receipt was issued, this receipt shall serve as a concealed pistol
14 license for the individual named in the receipt when carried with
15 an official state-issued driver license or personal identification
16 card. The receipt is valid as a license until a license or notice
17 of statutory disqualification is issued by the county clerk. This
18 receipt does not exempt the individual named in the receipt from
19 complying with all applicable laws for the purchase of firearms.".

20 (10) The fingerprints shall be taken, under subsection (9), in
21 a manner prescribed by the department of state police. The
22 fingerprints taken by a county clerk, county sheriff, local police
23 agency, or other entity shall be immediately forwarded to the
24 department of state police for comparison with fingerprints already
25 on file with the department of state police. The department of
26 state police shall immediately forward the fingerprints to the
27 Federal Bureau of Investigation. Until November 30, 2015, within 10

1 days after receiving a report of the fingerprints from the Federal
2 Bureau of Investigation, the department of state police shall
3 provide a copy to the submitting sheriff's department or local
4 police agency as appropriate and the clerk of the appropriate
5 concealed weapon licensing board. Beginning December 1, 2015,
6 within 5 business days of completing the verification under
7 subsection (6), the department shall send the county clerk a list
8 of an applicant's statutory disqualifications under this act. Until
9 November 30, 2015, and except as provided in subsection (14), the
10 concealed weapon licensing board shall not issue a concealed pistol
11 license until it receives the fingerprint comparison report
12 prescribed in this subsection. Beginning December 1, 2015, and
13 except as provided in section 5a(4), the county clerk shall not
14 issue a concealed pistol license until he or she receives the
15 report of statutory disqualifications prescribed in this
16 subsection. Beginning December 1, 2015, if an individual's
17 fingerprints are not classifiable, the department of state police
18 shall, at no charge, take the individual's fingerprints again or
19 provide for the comparisons under this subsection to be conducted
20 through alternative means. Until November 30, 2015, the concealed
21 weapon licensing board may deny a license if an individual's
22 fingerprints are not classifiable by the Federal Bureau of
23 Investigation. Beginning December 1, 2015, the county clerk shall
24 not issue a notice of statutory disqualification because an
25 individual's fingerprints are not classifiable by the Federal
26 Bureau of Investigation.

27 (11) Until November 30, 2015, the concealed weapon licensing

1 board shall deny a license to an applicant to carry a concealed
2 pistol if the applicant is not qualified under subsection (7) to
3 receive that license. Beginning December 1, 2015, the county clerk
4 shall send by first-class mail a notice of statutory
5 disqualification for a license under this act to an applicant if
6 the applicant is not qualified under subsection (7) to receive that
7 license.

8 (12) A license to carry a concealed pistol that is issued
9 based upon an application that contains a material false statement
10 is void from the date the license is issued.

11 (13) Until November 30, 2015, and subject to subsections (10)
12 and (14), the concealed weapon licensing board shall issue or deny
13 issuance of a license within 45 days after the concealed weapon
14 licensing board receives the fingerprint comparison report provided
15 under subsection (10). Beginning December 1, 2015, and subject to
16 subsection (10), the department of state police shall complete the
17 verification required under subsection (6) and the county clerk
18 shall issue a license or a notice of statutory disqualification
19 within 45 days after the date the applicant has classifiable
20 fingerprints taken under subsection (9). Beginning December 1,
21 2015, the county clerk shall include an indication on the license
22 if an individual is exempt from the prohibitions against carrying a
23 concealed pistol on premises described in section 50 if the
24 applicant provides acceptable proof that he or she qualifies for
25 that exemption. Until November 30, 2015, if the concealed weapon
26 licensing board denies issuance of a license to carry a concealed
27 pistol, or beginning December 1, 2015, if the county clerk issues a

1 notice of statutory disqualification, the concealed weapon
2 licensing board or the county clerk, as appropriate, shall within 5
3 business days do all of the following:

4 (a) Inform the applicant in writing of the reasons for the
5 denial or disqualification. Information under this subdivision
6 shall include all of the following:

7 (i) Until November 30, 2015, a statement of the specific and
8 articulable facts supporting the denial. Beginning December 1,
9 2015, a statement of each statutory disqualification identified.

10 (ii) Until November 30, 2015, copies of any writings,
11 photographs, records, or other documentary evidence upon which the
12 denial is based. Beginning December 1, 2015, the source of the
13 record for each statutory disqualification identified.

14 (iii) Beginning December 1, 2015, the contact information for
15 the source of the record for each statutory disqualification
16 identified.

17 (b) Inform the applicant in writing of his or her right to
18 appeal the denial or notice of statutory disqualification to the
19 circuit court as provided in section 5d.

20 (c) Beginning December 1, 2015, inform the applicant that he
21 or she should contact the source of the record for any statutory
22 disqualification to correct any errors in the record resulting in
23 the statutory disqualification.

24 (14) Until November 30, 2015, if the fingerprint comparison
25 report is not received by the concealed weapon licensing board
26 within 60 days after the fingerprint report is forwarded to the
27 department of state police by the Federal Bureau of Investigation,

1 the concealed weapon licensing board shall issue a temporary
2 license to carry a concealed pistol to the applicant if the
3 applicant is otherwise qualified for a license. Until November 30,
4 2015, a temporary license issued under this section is valid for
5 180 days or until the concealed weapon licensing board receives the
6 fingerprint comparison report provided under subsection (10) and
7 issues or denies issuance of a license to carry a concealed pistol
8 as otherwise provided under this act. Until November 30, 2015, upon
9 issuance or the denial of issuance of the license to carry a
10 concealed pistol to an applicant who received a temporary license
11 under this section, the applicant shall immediately surrender the
12 temporary license to the concealed weapon licensing board that
13 issued that temporary license. Beginning December 1, 2015, if a
14 license or notice of statutory disqualification is not issued under
15 subsection (13) within 45 days after the date the applicant has
16 classifiable fingerprints taken under subsection (9), the receipt
17 issued under subsection (9) shall serve as a concealed pistol
18 license for purposes of this act when carried with a state-issued
19 driver license or personal identification card and is valid until a
20 license or notice of statutory disqualification is issued by the
21 county clerk.

22 (15) If an individual licensed under this act to carry a
23 concealed pistol moves to a different county within this state, his
24 or her license remains valid until it expires or is otherwise
25 suspended or revoked under this act. Beginning December 1, 2015, an
26 individual may notify a county clerk that he or she has moved to a
27 different address within this state for the purpose of receiving

1 the notice under section 5/(1). A license to carry a concealed
2 pistol that is lost, stolen, or defaced may be replaced by the
3 issuing county clerk for a replacement fee of \$10.00. A county
4 clerk shall deposit a replacement fee under this subsection in the
5 concealed pistol licensing fund of that county created in section
6 5x.

7 (16) If a license issued under this act is suspended or
8 revoked, the license is forfeited and the individual shall return
9 the license to the county clerk forthwith by mail or in person.
10 Beginning December 1, 2015, the county clerk shall retain a
11 suspended or revoked license as an official record 1 year after the
12 expiration of the license, unless the license is reinstated or a
13 new license is issued. Beginning December 1, 2015, the county clerk
14 shall notify the department of state police if a license is
15 suspended or revoked. Beginning December 1, 2015, the department of
16 state police shall enter that suspension or revocation into the law
17 enforcement information network. An individual who fails to return
18 a license as required under this subsection after he or she was
19 notified that his or her license was suspended or revoked is guilty
20 of a misdemeanor punishable by imprisonment for not more than 93
21 days or a fine of not more than \$500.00, or both.

22 (17) An applicant or an individual licensed under this act to
23 carry a concealed pistol may be furnished a copy of his or her
24 application under this section upon request and the payment of a
25 reasonable fee not to exceed \$1.00. The county clerk shall deposit
26 any fee collected under this subsection in the concealed pistol
27 licensing fund of that county created in section 5x.

1 (18) This section does not prohibit the county clerk from
2 making public and distributing to the public at no cost lists of
3 individuals who are certified as qualified instructors as
4 prescribed under section 5j.

5 (19) Beginning December 1, 2015, a county clerk issuing an
6 initial license or renewal license under this act shall mail the
7 license to the licensee by first-class mail in a sealed envelope.
8 Beginning December 1, 2015, upon payment of the fee under
9 subsection (15), a county clerk shall issue a replacement license
10 in person at the time of application for a replacement license
11 unless the applicant requests that it be delivered by first-class
12 mail.

13 (20) A county clerk, county sheriff, county prosecuting
14 attorney, police department, or the department of state police is
15 not liable for civil damages as a result of the issuance of a
16 license under this act to an individual who later commits a crime
17 or a negligent act.

18 (21) Beginning December 1, 2015, an individual licensed under
19 this act to carry a concealed pistol may voluntarily surrender that
20 license without explanation. Beginning December 1, 2015, a county
21 clerk shall retain a surrendered license as an official record for
22 1 year after the license is surrendered. Beginning December 1,
23 2015, if an individual voluntarily surrenders a license under this
24 subsection, the county clerk shall notify the department of state
25 police. Beginning December 1, 2015, the department of state police
26 shall enter into the law enforcement information network that the
27 license was voluntarily surrendered and the date the license was

1 voluntarily surrendered.

2 (22) As used in this section:

3 (a) "Acceptable proof" means any of the following:

4 (i) For a retired police officer or retired law enforcement
5 officer, the officer's retired identification or a letter from a
6 law enforcement agency stating that the retired police officer or
7 law enforcement officer retired in good standing.

8 (ii) For an individual who is employed or contracted by an
9 entity described under section 50(1) to provide security services,
10 a letter from that entity stating that the employee is required by
11 his or her employer or the terms of a contract to carry a concealed
12 firearm on the premises of the employing or contracting entity and
13 his or her employee identification.

14 (iii) For an individual who is licensed as a private
15 investigator or private detective under the professional
16 investigator licensure act, 1965 PA 285, MCL 338.821 to 338.851,
17 his or her license.

18 (iv) For an individual who is a corrections officer of a
19 county sheriff's department, his or her employee identification **AND**
20 **A LETTER STATING THAT THE INDIVIDUAL HAS RECEIVED COUNTY SHERIFF**
21 **APPROVED WEAPONS TRAINING.**

22 (v) **FOR AN INDIVIDUAL WHO IS A RETIRED CORRECTIONS OFFICER OF**
23 **A COUNTY SHERIFF'S DEPARTMENT, A LETTER FROM THE COUNTY SHERIFF'S**
24 **OFFICE STATING THAT THE RETIRED CORRECTIONS OFFICER RETIRED IN GOOD**
25 **STANDING AND THAT THE INDIVIDUAL HAS RECEIVED COUNTY SHERIFF**
26 **APPROVED WEAPONS TRAINING.**

27 (vi) ~~(v)~~—For an individual who is a motor carrier officer or

1 capitol security officer of the department of state police, his or
2 her employee identification.

3 (vii) ~~(vi)~~—For an individual who is a member of a sheriff's
4 posse, his or her identification.

5 (viii) ~~(vii)~~—For an individual who is an auxiliary officer or
6 reserve officer of a police or sheriff's department, his or her
7 employee identification.

8 (ix) ~~(viii)~~—For an individual who is a parole, ~~or~~ probation,
9 **OR CORRECTIONS officer, OR ABSCONDER RECOVERY UNIT MEMBER,** of the
10 department of corrections, his or her employee identification **AND**
11 **PROOF THAT THE INDIVIDUAL OBTAINED A MICHIGAN DEPARTMENT OF**
12 **CORRECTIONS WEAPONS PERMIT.**

13 (x) **FOR AN INDIVIDUAL WHO IS A RETIRED PAROLE, PROBATION, OR**
14 **CORRECTIONS OFFICER, OR RETIRED ABSCONDER RECOVERY UNIT MEMBER, OF**
15 **THE DEPARTMENT OF CORRECTIONS, A LETTER FROM THE DEPARTMENT OF**
16 **CORRECTIONS STATING THAT THE RETIRED PAROLE, PROBATION, OR**
17 **CORRECTIONS OFFICER, OR RETIRED ABSCONDER RECOVERY UNIT MEMBER,**
18 **RETIRED IN GOOD STANDING AND PROOF THAT THE INDIVIDUAL OBTAINED A**
19 **MICHIGAN DEPARTMENT OF CORRECTIONS WEAPONS PERMIT.**

20 (xi) ~~(ix)~~—For a state court judge or state court retired
21 judge, a letter from the judicial tenure commission stating that
22 the state court judge or state court retired judge is in good
23 standing.

24 (xii) ~~(x)~~—For an individual who is a court officer, his or her
25 employee identification.

26 (xiii) ~~(xi)~~—For a retired federal law enforcement officer, the
27 identification required under the law enforcement officers safety

1 act or a letter from a law enforcement agency stating that the
2 retired federal law enforcement officer retired in good standing.

3 (b) "Convicted" means a final conviction, the payment of a
4 fine, a plea of guilty or nolo contendere if accepted by the court,
5 or a finding of guilt for a criminal law violation or a juvenile
6 adjudication or disposition by the juvenile division of probate
7 court or family division of circuit court for a violation that if
8 committed by an adult would be a crime.

9 (c) "Felony" means, except as otherwise provided in this
10 subdivision, that term as defined in section 1 of chapter I of the
11 code of criminal procedure, 1927 PA 175, MCL 761.1, or a violation
12 of a law of the United States or another state that is designated
13 as a felony or that is punishable by death or by imprisonment for
14 more than 1 year. Felony does not include a violation of a penal
15 law of this state that is expressly designated as a misdemeanor.

16 (d) "Mental illness" means a substantial disorder of thought
17 or mood that significantly impairs judgment, behavior, capacity to
18 recognize reality, or ability to cope with the ordinary demands of
19 life, and includes, but is not limited to, clinical depression.

20 (e) "Misdemeanor" means a violation of a penal law of this
21 state or violation of a local ordinance substantially corresponding
22 to a violation of a penal law of this state that is not a felony or
23 a violation of an order, rule, or regulation of a state agency that
24 is punishable by imprisonment or a fine that is not a civil fine,
25 or both.

26 (f) "Treatment" means care or any therapeutic service,
27 including, but not limited to, the administration of a drug, and

1 any other service for the treatment of a mental illness.

2 Sec. 8. (1) The county clerk in the county in which a license
3 was issued to an individual to carry a concealed pistol shall
4 suspend, revoke, or reinstate a license as required under this act
5 if ordered by a court or if the county clerk is notified of a
6 change in the licensee's eligibility to carry a concealed pistol
7 under this act.

8 ~~(2) Except as provided in subsections (3) or (4), a license~~
9 ~~shall not be suspended or revoked under this section except upon~~
10 ~~written complaint and an opportunity to request the county clerk to~~
11 ~~conduct a review of that suspension or revocation.~~

12 (2) ~~(3)~~ **IF A COUNTY CLERK IS NOTIFIED BY A LAW ENFORCEMENT**
13 **AGENCY, PROSECUTING OFFICIAL, OR COURT THAT** an individual licensed
14 to carry a concealed pistol is charged with a felony or misdemeanor
15 as defined in this act, the ~~court~~ **COUNTY CLERK** shall immediately
16 ~~order the county clerk in the county in which the license to carry~~
17 ~~a concealed pistol was issued to~~ suspend the individual's license
18 until there is a final disposition of the charge for that offense.
19 ~~The court shall notify the county clerk of each statutory provision~~
20 ~~with which the individual has been charged.~~ The county clerk shall
21 send notice by first-class mail in a sealed envelope of that
22 suspension to the individual's last known address as indicated in
23 the records of the county clerk. The notice shall include the
24 statutory reason for the suspension, the source of the record
25 supporting that suspension, the length of the suspension, and whom
26 to contact for reinstating the license on expiration of the
27 suspension, correcting errors in the record, or appealing the

1 suspension. ~~The requirements of subsection (2) do not apply to this~~
2 ~~subsection.~~ If a ~~court~~ ordered a license **COUNTY CLERK** suspended **A**
3 **LICENSE** under this subsection and the individual is acquitted of
4 the charge or the charge is dismissed, the ~~court~~ **INDIVIDUAL** shall
5 notify the county clerk who shall automatically reinstate the
6 license if the license is not expired and the individual is
7 otherwise qualified to receive a license to carry a concealed
8 pistol, as verified by the department of state police. A county
9 clerk shall not charge a fee for the reinstatement of a license
10 under this subsection.

11 (3) ~~(4)~~ The department of state police shall notify the county
12 clerk in the county in which a license was issued to an individual
13 to carry a concealed pistol if the department of state police
14 determines that there has been a change in the individual's
15 eligibility under this act to receive a license to carry a
16 concealed pistol. The county clerk shall suspend, revoke, or
17 reinstate the license as required under this act and immediately
18 send notice of the suspension, revocation, or reinstatement under
19 this subsection by first-class mail in a sealed envelope to the
20 individual's last known address as indicated on the records of the
21 county clerk. The notice shall include the statutory reason for the
22 suspension, revocation, or reinstatement, the source of the record
23 supporting the suspension, revocation, or reinstatement, the length
24 of the suspension or revocation, and whom to contact for correcting
25 errors in the record, appealing the suspension or revocation, and
26 reapplying for that individual's license. The department of state
27 police shall immediately enter that suspension, revocation, or

1 reinstatement into the law enforcement information network. The
2 ~~requirements of subsection (2) do not apply to this subsection.~~

3 (4) ~~(5)~~—If a suspension is imposed under this section, the
4 suspension shall be for a period stated in years, months, or days,
5 or until the final disposition of the charge, and shall state the
6 date the suspension will end, if applicable. The licensee shall
7 promptly surrender his or her license to the county clerk after
8 being notified that his or her license has been revoked or
9 suspended. An individual who fails to surrender a license as
10 required under this subsection after he or she was notified that
11 his or her license was suspended or revoked is guilty of a
12 misdemeanor punishable by imprisonment for not more than 93 days or
13 a fine of not more than \$500.00, or both.

14 (5) ~~(6)~~—Except as otherwise provided in subsections ~~(3)~~—(2)
15 and ~~(7)~~,—(6), if a license is suspended under this section and that
16 license was surrendered by the licensee, upon expiration of the
17 suspension period, the applicant may apply for a renewal license in
18 the same manner as provided under section 5/. The county clerk or
19 department of state police, as applicable, shall issue the
20 applicant a receipt for his or her application at the time the
21 application is submitted. The receipt shall contain all of the
22 following:

- 23 (a) The name of the applicant.
24 (b) The date and time the receipt is issued.
25 (c) The amount paid.
26 (d) The applicant's state-issued driver license or personal
27 identification card number.

1 (e) The statement, "This receipt was issued for the purpose of
2 applying for a renewal of a concealed pistol license following a
3 period of suspension or revocation. This receipt does not authorize
4 an individual to carry a concealed pistol in this state."

5 (f) The name of the county in which the receipt is issued, if
6 applicable.

7 (g) An impression of the county seal, if applicable.

8 (6) ~~(7)~~—If a license is suspended because of an order under
9 section 5b(7) (d) *(iii)* and that license was surrendered by the
10 licensee, upon expiration of the order and notification to the
11 county clerk, the county clerk shall automatically reinstate the
12 license if the license is not expired and the department of state
13 police has completed the verification required under section 5b(6).
14 The county clerk shall not charge a fee for the reinstatement of a
15 license under this subsection.

16 (7) ~~(8)~~—If the court orders a county clerk to suspend, revoke,
17 or reinstate a license under this section or amends a suspension,
18 revocation, or reinstatement order, the county clerk shall
19 immediately notify the department of state police in a manner
20 prescribed by the department of state police. The department of
21 state police shall enter the order or amended order into the law
22 enforcement information network.

23 (8) ~~(9)~~—A suspension or revocation order or amended order
24 issued under this section is immediately effective. However, an
25 individual is not criminally liable for violating the order or
26 amended order unless he or she has received notice of the order or
27 amended order.

1 (9) ~~(10)~~—If an individual is carrying a pistol in violation of
2 a suspension or revocation order or amended order issued under this
3 section but has not previously received notice of the order or
4 amended order, the individual shall be informed of the order or
5 amended order and be given an opportunity to properly store the
6 pistol or otherwise comply with the order or amended order before
7 an arrest is made for carrying the pistol in violation of this act.

8 (10) ~~(11)~~—If a law enforcement agency or officer notifies an
9 individual of a suspension or revocation order or amended order
10 issued under this section who has not previously received notice of
11 the order or amended order, the law enforcement agency or officer
12 shall enter a statement into the law enforcement information
13 network that the individual has received notice of the order or
14 amended order under this section.

15 Sec. 12a. ~~(1)~~—The requirements of this act for obtaining a
16 license to carry a concealed pistol do not apply to any of the
17 following:

18 (a) A peace officer of a duly authorized police agency of the
19 United States or of this state or a political subdivision of this
20 state, who is regularly employed and paid by the United States or
21 this state or a subdivision of this state, except a township
22 constable.

23 (b) A constable who is trained and certified under the
24 commission on law enforcement standards act, 1965 PA 203, MCL
25 28.601 to 28.616, while engaged in his or her official duties or
26 going to or coming from his or her official duties, and who is
27 regularly employed and paid by a political subdivision of this

1 state.

2 (c) ~~A person~~ **AN INDIVIDUAL** regularly employed by the
3 department of corrections and authorized in writing by the director
4 of the department of corrections to carry a concealed pistol during
5 the performance of his or her duties or while going to or returning
6 from his or her duties.

7 (d) ~~A person~~ **AN INDIVIDUAL** regularly employed as a local
8 corrections officer by a county sheriff, who is trained in the use
9 of force and is authorized in writing by the county sheriff to
10 carry a concealed pistol during the performance of his or her
11 duties.

12 (e) ~~A person~~ **AN INDIVIDUAL** regularly employed in a city jail
13 or lockup who has custody of ~~persons~~ **INDIVIDUALS** detained or
14 incarcerated in the jail or lockup, is trained in the use of force,
15 and is authorized in writing by the chief of police or the county
16 sheriff to carry a concealed pistol during the performance of his
17 or her duties.

18 (f) A member of the United States ~~army, air force, navy, or~~
19 ~~marine corps~~ **ARMY, AIR FORCE, NAVY, OR MARINE CORPS** while carrying
20 a concealed pistol in the line of duty.

21 (g) A member of the ~~national guard,~~ **NATIONAL GUARD**, armed
22 forces reserves, or other duly authorized military organization
23 while on duty or drill or while going to or returning from his or
24 her place of assembly or practice or while carrying a concealed
25 pistol for purposes of that military organization.

26 (h) A resident of another state who is licensed by that state
27 to carry a concealed pistol.

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

4 (j) ~~A person~~ **AN INDIVIDUAL** while carrying a pistol unloaded in
5 a wrapper or container in the trunk of his or her vehicle or, if
6 the vehicle does not have a trunk, from transporting that pistol
7 unloaded in a locked compartment or container that is separated
8 from the ammunition for that pistol from the place of purchase to
9 his or her home or place of business or to a place of repair or
10 back to his or her home or place of business, or in moving goods
11 from 1 place of abode or business to another place of abode or
12 business.

13 (k) A peace officer or law enforcement officer from Canada.

14 ~~—— (2) As used in this act, "local corrections officer" means~~
15 ~~that term as defined in section 2 of the local corrections officers~~
16 ~~training act, 2003 PA 125, MCL 791.532.~~

17 Enacting section 1. This amendatory act takes effect December
18 1, 2015.

19 Enacting section 2. This amendatory act does not take effect
20 unless House Bill No. 4159 of the 98th Legislature is enacted into
21 law.