

# SENATE BILL No. 516

September 24, 2015, Introduced by Senator JONES and referred to the Committee on Judiciary.

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:

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

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

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

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

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

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

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

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

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

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

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

27           (L) "RETIRED CORRECTIONS OFFICER OF THE DEPARTMENT OF

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

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

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

17 (O) ~~(j)~~—"Retired police officer" or "retired law enforcement  
18 officer" means an individual who was a police officer or law  
19 enforcement officer who was certified as described under section 9a  
20 of the commission on law enforcement standards act, 1965 PA 203,  
21 MCL 28.609a, and retired in good standing from his or her  
22 employment as a police officer or law enforcement officer. A police  
23 officer or law enforcement officer retired in good standing if he  
24 or she receives a pension or other retirement benefit for his or  
25 her service as a police officer or law enforcement officer or  
26 actively maintained a Michigan commission on law enforcement  
27 standards or equivalent state certification for 10 or more

1 consecutive years.

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

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

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

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

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

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

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

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

26 Sec. 5b. (1) Until November 30, 2015, to obtain a license to  
27 carry a concealed pistol, an individual shall apply to the

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

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

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

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

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

1 closed session. Beginning December 1, 2015, a statement by the  
2 applicant authorizing the department of state police to access any  
3 record needed to perform the verification in subsection (6).

4 (d) A statement by the applicant regarding whether he or she  
5 has a history of mental illness that would disqualify him or her  
6 under subsection (7)(j) to (l) from receiving a license to carry a  
7 concealed pistol.

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

11 (i) Any felony.

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

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

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

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

26 (i) Until November 30, 2015, a passport-quality photograph of  
27 the applicant provided by the applicant at the time of application.



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

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

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

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

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

25 (5) Until November 30, 2015, each applicant shall pay a  
26 nonrefundable application and licensing fee of \$105.00 by any  
27 method of payment accepted by that county for payments of other

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

26 (6) Until November 30, 2015, the county sheriff on behalf of  
27 the concealed weapon licensing board shall verify the requirements

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

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

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

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

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

2 (b) The applicant is a citizen of the United States or is an  
3 alien lawfully admitted into the United States, is a legal resident  
4 of this state, and has resided in this state for not less than the  
5 6 months immediately preceding the date of application. Until  
6 November 30, 2015, the concealed weapon licensing board may waive  
7 the 6-month residency requirement for a temporary license under  
8 section 5a(8) if the concealed weapon licensing board determines  
9 that there is probable cause to believe that the safety of the  
10 applicant or the safety of a member of the applicant's family is  
11 endangered by the applicant's inability to immediately obtain a  
12 license to carry a concealed pistol. Until November 30, 2015, if  
13 the applicant holds a valid concealed pistol license issued by  
14 another state at the time the applicant's residency in this state  
15 is established, the concealed weapon licensing board may waive the  
16 6-month waiting period and the applicant may apply for a concealed  
17 pistol license at the time the applicant's residency in this state  
18 is established. Until November 30, 2015, the concealed weapon  
19 licensing board shall immediately issue a temporary license to that  
20 applicant. Until November 30, 2015, the temporary license is valid  
21 until the concealed weapon licensing board decides whether to grant  
22 or deny the application. Beginning December 1, 2015, the county  
23 clerk shall waive the 6-month residency requirement for an  
24 emergency license under section 5a(4) if the applicant is a  
25 petitioner for a personal protection order issued under section  
26 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236,  
27 MCL 600.2950 and 600.2950a, or if the county sheriff determines

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

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

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

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

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

24 (c) The applicant has knowledge and has had training in the  
25 safe use and handling of a pistol by the successful completion of a  
26 pistol safety training course or class that meets the requirements  
27 of section 5j.

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

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

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

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

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

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

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

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

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

25 (h) The applicant has not been convicted of a misdemeanor  
26 violation of any of the following in the 8 years immediately  
27 preceding the date of application and a charge for a misdemeanor

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

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

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

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

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

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

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

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

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

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

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



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

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

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

27 (xii) A violation of a law of the United States, another

1 state, or a local unit of government of this state or another state  
2 substantially corresponding to a violation described in  
3 subparagraphs (i) to (xi).

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

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

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

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

27 (iv) Part 74 of the public health code, 1978 PA 368, MCL

1 333.7401 to 333.7461 (controlled substance violation).

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

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

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

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

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

27 (l) The applicant has filed a statement under subsection

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

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

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

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

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

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

1 receipt under this subsection shall contain all of the following:

2 (a) The name of the applicant.

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

4 (c) The amount paid.

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

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

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

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

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

26 (11) Until November 30, 2015, the concealed weapon licensing  
27 board shall deny a license to an applicant to carry a concealed

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

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

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



1 licensing board or the county clerk, as appropriate, shall within 5  
2 business days do all of the following:

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

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

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

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

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

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

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

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

21 (15) If an individual licensed under this act to carry a  
22 concealed pistol moves to a different county within this state, his  
23 or her license remains valid until it expires or is otherwise  
24 suspended or revoked under this act. Beginning December 1, 2015, an  
25 individual may notify a county clerk that he or she has moved to a  
26 different address within this state for the purpose of receiving  
27 the notice under section 5/(1). A license to carry a concealed

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

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

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

27 (18) This section does not prohibit the county clerk from

1 making public and distributing to the public at no cost lists of  
2 individuals who are certified as qualified instructors as  
3 prescribed under section 5j.

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

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

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

1 (22) As used in this section:

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

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

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

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

17 (iv) For an individual who is a corrections officer of a  
18 county sheriff's department, his or her employee identification.

19 **(v) FOR AN INDIVIDUAL WHO IS A RETIRED CORRECTIONS OFFICER OF**  
20 **A COUNTY SHERIFF'S DEPARTMENT, A LETTER FROM THE COUNTY SHERIFF'S**  
21 **OFFICE STATING THAT THE RETIRED CORRECTIONS OFFICER RETIRED IN GOOD**  
22 **STANDING.**

23 (vi) ~~(v)~~ For an individual who is a motor carrier officer or  
24 capitol security officer of the department of state police, his or  
25 her employee identification.

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

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

4           (ix) ~~(viii)~~—For an individual who is a parole, ~~or~~ probation,  
5 OR CORRECTIONS officer, OR ABSCONDER RECOVERY UNIT MEMBER, of the  
6 department of corrections, his or her employee identification AND  
7 PROOF THAT THE INDIVIDUAL HAS BEEN AUTHORIZED TO CARRY A CONCEALED  
8 PISTOL UNDER SECTION 12A(1) (C) .

9           (x) FOR AN INDIVIDUAL WHO IS A RETIRED PAROLE, PROBATION, OR  
10 CORRECTIONS OFFICER, OR RETIRED ABSCONDER RECOVERY UNIT MEMBER, OF  
11 THE DEPARTMENT OF CORRECTIONS, A LETTER FROM THE DEPARTMENT OF  
12 CORRECTIONS STATING THAT THE RETIRED PAROLE, PROBATION, OR  
13 CORRECTIONS OFFICER, OR RETIRED ABSCONDER RECOVERY UNIT MEMBER,  
14 RETIRED IN GOOD STANDING AND PROOF THAT THE INDIVIDUAL HAS BEEN  
15 AUTHORIZED TO CARRY A CONCEALED PISTOL UNDER SECTION 12A(1) (C) .

16           (xi) FOR AN INDIVIDUAL WHO IS A PROBATION OFFICER OF ANY COURT  
17 IN THIS STATE, HIS OR HER EMPLOYEE IDENTIFICATION.

18           (xii) FOR AN INDIVIDUAL WHO IS A RETIRED PROBATION OFFICER OF  
19 ANY COURT IN THIS STATE, A LETTER FROM THE COURT STATING THAT THE  
20 RETIRED PROBATION OFFICER RETIRED IN GOOD STANDING.

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

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

27           (xv) ~~(xi)~~—For a retired federal law enforcement officer, the

1 identification required under the law enforcement officers safety  
2 act or a letter from a law enforcement agency stating that the  
3 retired federal law enforcement officer retired in good standing.

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

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

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

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

27 (f) "Treatment" means care or any therapeutic service,

1 including, but not limited to, the administration of a drug, and  
2 any other service for the treatment of a mental illness.

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

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

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



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

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

1 police shall immediately enter that suspension, revocation, or  
2 reinstatement into the law enforcement information network. The  
3 requirements of subsection (2) do not apply to this subsection.

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

15 (6) Except as otherwise provided in subsections (3) and (7),  
16 if a license is suspended under this section and that license was  
17 surrendered by the licensee, upon expiration of the suspension  
18 period, the applicant may apply for a renewal license in the same  
19 manner as provided under section 5/. The county clerk or department  
20 of state police, as applicable, shall issue the applicant a receipt  
21 for his or her application at the time the application is  
22 submitted. The receipt shall contain all of the 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 (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 (8) If the court orders a county clerk to suspend, revoke, or  
17 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 (9) A suspension or revocation order or amended order issued  
24 under this section is immediately effective. However, an individual  
25 is not criminally liable for violating the order or amended order  
26 unless he or she has received notice of the order or amended order.

27 (10) If an individual is carrying a pistol in violation of a

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

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

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

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

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

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

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

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

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

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

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

27           (i) The regular and ordinary transportation of a pistol as

1 merchandise by an authorized agent of a person licensed to  
2 manufacture firearms.

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

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

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

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