

ELIMINATE REQUIREMENT TO FILE IN COUNTY OF RESIDENCE FOR CONCEALED PISTOL LICENSE

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House Bill 4718 (H-3) as reported from committee

Sponsor: Rep. Gary R. Eisen

Committee: Military, Veterans and Homeland Security

Complete to 6-22-21

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

BRIEF SUMMARY: House Bill 4718 would amend 1927 PA 372, the handgun licensing law, to allow individuals to apply for a concealed pistol license (CPL) in any Michigan county.

FISCAL IMPACT: House Bill 4718 would not have a significant net fiscal impact on any unit of state or local government, although the potential exists for county clerks to experience increases or decreases in revenue from CPL application fees. (More information can be found under **Fiscal Information**, below.)

THE APPARENT PROBLEM:

According to committee testimony, the wait time to receive a CPL after filing an application can vary greatly from county to county, with some reports of waiting up to nine months. Additionally, for some individuals, the county clerk's office in a neighboring county may be closer than an office in the individual's county of residence, making it cumbersome to visit the office in the county of residence as is now required. Legislation has been offered to provide Michiganders with flexibility when obtaining a CPL.

THE CONTENT OF THE BILL:

Currently under the act, to obtain a CPL, an individual must apply to the county clerk in the county where he or she lives.

The bill would amend this provision to also allow individuals to file in any county in Michigan, unless that clerk does not accept CPL applications from individuals who reside outside that county.

Additionally, under the act, the county clerk is required to notify the licensee that his or her license is about to expire. The notification must be sent to the last known address of the licensee as shown on the records of the county clerk.

The bill would require the county clerk *that issued the license* to notify the licensee. The notification would have to be sent to the address of the licensee on file with the secretary of state. If there were no address on file with the secretary of state, the notice would be sent to the last known address as shown on the records of the county clerk.

MCL 28.425b and 28.425l

FISCAL INFORMATION:

By allowing individuals to apply for concealed pistol licenses through any county clerk (provided that the clerk accepts CPL applications from individuals outside the county), the bill may shift application volumes among the counties, as individuals may choose to utilize a county clerk outside of their county of residence. Under current law, county clerks retain \$26 of the application fee that license applicants remit. Since this fee is remitted to the clerk processing the application, clerks that experience shifts in application volumes would experience like shifts in application fee revenue. It is presently unclear whether the additional revenue from application fees would sufficiently offset expenditures in counties that see increased application volumes. Presumably, county clerks may choose not to accept CPL applications from individuals outside the county if expenses for CPL licensing for those individuals was not offset entirely by application fees.

ARGUMENTS:

For:

Supporters of the bill argue that several other tasks can be completed at any county across Michigan and are not restricted to the county of an individual's residence, including getting a driver's license, fingerprints, and even CPL training. This flexibility should also extend to obtaining a CPL so Michiganders can choose the option that best fits their needs.

Against:

No arguments against the bill were presented during committee testimony.

POSITIONS:

A representative of Michigan Open Carry testified in support of the bill. (6-8-21)

The Michigan Coalition for Responsible Gun Owners indicated support for the bill. (6-8-21)

The Michigan State Police indicated a neutral position on the bill. (6-8-21)

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