

# SENATE BILL No. 213

February 20, 2013, Introduced by Senator GREEN and referred to the Committee on Natural Resources, Environment and Great Lakes.

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, 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5j, 5k, 5l, 5m, 5o, and 8 (MCL 28.421, 28.424, 28.425, 28.425a, 28.425b, 28.425c, 28.425d, 28.425e, 28.425f, 28.425j, 28.425k, 28.425l, 28.425m, 28.425o, and 28.428), section 1 as amended by 2012 PA 243, section 4 as added by 1992 PA 219, sections 5, 5a, 5e, and 5m as added by 2000 PA 381, sections 5b and 8 as amended by 2008 PA 406,

sections 5c and 5d as amended by 2002 PA 719, sections 5f, 5k, and 5o as amended by 2012 PA 123, section 5j as amended by 2004 PA 254, and section 5l as amended by 2012 PA 32, and by adding section 5x; and to repeal acts and parts of acts.

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

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

2           (a) "Felony" means that term as defined in section 1 of  
3 chapter I of the code of criminal procedure, 1927 PA 175, MCL  
4 761.1, or a violation of a law of the United States or another  
5 state that is designated as a felony or that is punishable by death  
6 or by imprisonment for more than 1 year.

7           (b) "Firearm" means a weapon from which a dangerous projectile  
8 may be propelled by an explosive, or by gas or air. Firearm does  
9 not include a smooth bore rifle or handgun designed and  
10 manufactured exclusively for propelling by a spring, or by gas or  
11 air, BBs not exceeding .177 caliber.

12           (C) "LICENSING AUTHORITY" MEANS, FOR PURPOSES OF ISSUING A  
13 LICENSE TO CARRY A CONCEALED PISTOL ONLY, 1 OF THE FOLLOWING:

14           (i) THROUGH DECEMBER 31, 2013, THE CONCEALED WEAPON LICENSING  
15 BOARD IN THE COUNTY IN WHICH THE APPLICANT RESIDES HAVING THE  
16 AUTHORITY UNDER THIS ACT TO ISSUE TO THE APPLICANT A LICENSE TO  
17 CARRY A CONCEALED PISTOL.

18           (ii) BEGINNING JANUARY 1, 2014, THE DEPARTMENT OF STATE POLICE.

19           (D) ~~(e)~~"Misdemeanor" means a violation of a penal law of this  
20 state or violation of a local ordinance substantially corresponding  
21 to a violation of a penal law of this state that is not a felony or  
22 a violation of an order, rule, or regulation of a state agency that

1 is punishable by imprisonment or a fine that is not a civil fine,  
2 or both.

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

11 (F) ~~(e)~~—"Pistol" means a loaded or unloaded firearm that is 26  
12 inches or less in length, or a loaded or unloaded firearm that by  
13 its construction and appearance conceals it as a firearm.

14 (G) ~~(f)~~—"Purchaser" means a person who receives a pistol from  
15 another person by purchase or gift.

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

25 (I) ~~(h)~~—"Retired police officer" or "retired law enforcement  
26 officer" means an individual who was a police officer or law  
27 enforcement officer who was certified as described under section 9a

1 of the commission on ~~the~~ law enforcement standards act, 1965 PA  
2 203, MCL 28.609a, and retired in good standing from his or her  
3 employment as a police officer or law enforcement officer. **A POLICE  
4 OFFICER OR LAW ENFORCEMENT OFFICER RETIRED IN GOOD STANDING IF HE  
5 OR SHE RECEIVES A PENSION OR OTHER RETIREMENT BENEFIT FOR HIS OR  
6 HER SERVICE AS A POLICE OFFICER OR LAW ENFORCEMENT OFFICER OR HAS  
7 ACTIVELY MAINTAINED A MICHIGAN COMMISSION ON LAW ENFORCEMENT  
8 STANDARDS OR EQUIVALENT STATE CERTIFICATION FOR 20 OR MORE  
9 CONSECUTIVE YEARS.**

10 (J) ~~(i)~~ "Seller" means a person who sells or gives a pistol to  
11 another person.

12 (K) ~~(j)~~ "State court judge" means a judge of the district  
13 court, circuit court, probate court, or court of appeals or justice  
14 of the supreme court of this state who is serving either by  
15 election or appointment.

16 (L) ~~(k)~~ "State court retired judge" means a judge or justice  
17 described in subdivision ~~(j)~~ (K) who is retired, or a retired judge  
18 of the recorders court.

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

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

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

27 (c) The person possesses a copy of the license or record

1 issued to him or her under section 2 or 2a.

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

7 Sec. 4. (1) A person who is prohibited from possessing, using,  
8 transporting, selling, purchasing, carrying, shipping, receiving,  
9 or distributing a firearm under section 224f(2) of the Michigan  
10 penal code, ~~Act No. 328 of the Public Acts of 1931, being section~~  
11 ~~750.224f of the Michigan Compiled Laws, 1931 PA 328, MCL 750.224F,~~  
12 may apply to the ~~concealed weapons licensing board in the county in~~  
13 ~~which he or she resides~~ **LICENSING AUTHORITY** for restoration of  
14 those rights.

15 (2) Not more than 1 application may be submitted under  
16 subsection (1) in any calendar year. The ~~concealed weapons~~  
17 ~~licensing board~~ **LICENSING AUTHORITY** may charge a fee of not more  
18 than \$10.00 for the actual and necessary expenses of each  
19 application.

20 (3) The ~~concealed weapons licensing board~~ **AUTHORITY** shall, by  
21 written order, ~~of the board,~~ restore the rights of a person to  
22 possess, use, transport, sell, purchase, carry, ship, receive, or  
23 distribute a firearm if the ~~board~~ **LICENSING AUTHORITY** determines,  
24 by clear and convincing evidence, that all of the following  
25 circumstances exist:

26 (a) The person properly submitted an application for  
27 restoration of those rights as provided under this section.

1 (b) The expiration of 5 years after all of the following  
2 circumstances:

3 (i) The person has paid all fines imposed for the violation  
4 resulting in the prohibition.

5 (ii) The person has served all terms of imprisonment imposed  
6 for the violation resulting in the prohibition.

7 (iii) The person has successfully completed all conditions of  
8 probation or parole imposed for the violation resulting in the  
9 prohibition.

10 (c) The person's record and reputation are such that the  
11 person is not likely to act in a manner dangerous to the safety of  
12 other persons.

13 (4) If the ~~concealed weapons licensing board pursuant to~~  
14 **LICENSING AUTHORITY UNDER** subsection (3) refuses to restore a right  
15 under this section, the person may petition the circuit court for  
16 review of that decision.

17 Sec. 5. (1) County sheriffs, local police agencies, and county  
18 clerks shall provide concealed pistol application kits during  
19 normal business hours and free of charge to individuals who wish to  
20 apply for licenses to carry concealed pistols. Each kit shall only  
21 contain all of the following:

22 (a) A concealed pistol license application form provided by  
23 the director of the department of state police.

24 (b) The fingerprint cards ~~required~~ under section  
25 ~~5b(11)~~-**5B(10)**, **IF REQUIRED**.

26 (c) Written information regarding the procedures involved in  
27 obtaining a license to carry a concealed pistol, including

1 information regarding the right to appeal the denial of a license  
2 and the form required for that appeal.

3 (d) Written information identifying entities that offer the  
4 training required under section 5b(7)(c).

5 (2) A county sheriff, local police agency, or county clerk  
6 shall not deny an individual the right to receive a concealed  
7 pistol application kit under this section.

8 (3) An individual who is denied an application kit under this  
9 section and obtains an order of mandamus directing the ~~concealed~~  
10 ~~weapon licensing board~~ **LICENSING AUTHORITY** to provide him or her  
11 with the application kit shall be awarded his or her actual and  
12 reasonable costs and attorney fees for obtaining the order.

13 (4) The department of state police shall provide the  
14 application kits required under this section to county sheriffs,  
15 local law enforcement agencies, and county clerks in sufficient  
16 quantities to meet demand. The department of state police shall not  
17 charge a fee for the kits.

18 Sec. 5a. (1) ~~Each~~ **THROUGH DECEMBER 31, 2013, EACH** county shall  
19 have a concealed weapon licensing board. The concealed weapon  
20 licensing board of each county shall have the following members:

21 (a) The county prosecuting attorney or his or her designee.  
22 However, if the county prosecuting attorney decides that he or she  
23 does not want to be a member of the concealed weapon licensing  
24 board, he or she shall notify the county board of commissioners in  
25 writing that he or she does not want to be a member of the  
26 concealed weapon licensing board for the balance of his or her term  
27 in office. The county board of commissioners shall then appoint a

1 replacement for the prosecuting attorney who is a firearms  
2 instructor who has the qualifications prescribed in section  
3 ~~5j(1)(e)~~. **5J(1)(D)**. The person who replaces the prosecuting  
4 attorney shall serve on the concealed weapon licensing board in  
5 place of the prosecuting attorney for the remaining term of the  
6 county prosecuting attorney unless removed for cause by the county  
7 board of commissioners. If a vacancy occurs on the concealed weapon  
8 licensing board of the person appointed ~~pursuant to~~ **UNDER** this  
9 section during the term of office of the county prosecuting  
10 attorney, the county board of commissioners shall appoint a  
11 replacement person who is a firearms instructor who has the  
12 qualifications prescribed in section ~~5j(1)(e)~~. **5J(1)(D)**.

13 (b) The county sheriff or his or her designee.

14 (c) The director of the department of state police or his or  
15 her designee.

16 (2) If a prosecuting attorney chooses not to be a member of  
17 the concealed weapon licensing board, all of the following apply:

18 (a) The prosecuting attorney shall be notified of all  
19 applications received by the concealed weapon licensing board.

20 (b) The prosecuting attorney shall be given an opportunity to  
21 object to granting a license to carry a concealed pistol and  
22 present evidence bearing directly on an applicant's suitability to  
23 carry a concealed pistol safely.

24 (c) The prosecuting attorney shall disclose to the concealed  
25 weapon licensing board any information of which he or she has  
26 actual knowledge that bears directly on an applicant's suitability  
27 to carry a concealed pistol safely.



1           (3) The county prosecuting attorney or his or her designee  
 2 shall serve as chairperson of the board unless the prosecuting  
 3 attorney does not want to be a member of the concealed weapon  
 4 licensing board, in which case the concealed weapon licensing board  
 5 shall elect its chairperson. Two members of the concealed weapon  
 6 licensing board constitute a quorum of the concealed weapon  
 7 licensing board. The business of the concealed weapon licensing  
 8 board shall be conducted by a majority vote of all of the members  
 9 of the concealed weapon licensing board.

10           (4) The county clerk shall serve as the clerk of the ~~concealed~~  
 11 ~~weapon licensing board~~. **LICENSING AUTHORITY IN THAT COUNTY AND SHALL**  
 12 **BE RESPONSIBLE FOR STORING AND MAINTAINING ALL RECORDS RELATED TO**  
 13 **THE ISSUANCE OR DENIAL OF A LICENSE IN THAT COUNTY.**

14           (5) Except as otherwise provided in this act, the ~~concealed~~  
 15 ~~weapon licensing board~~ **LICENSING AUTHORITY** has exclusive authority  
 16 to issue, deny, revoke, or suspend a license to carry a concealed  
 17 pistol. The ~~concealed weapon licensing board~~ **LICENSING AUTHORITY**  
 18 shall perform other duties as provided by law.

19           (6) The concealed weapon licensing board may convene not more  
 20 than 3 panels to assist the board in evaluating applicants. The  
 21 panels shall be composed of representatives as prescribed in  
 22 subsection (1). The panels do not have the authority to issue,  
 23 deny, revoke, or suspend a license. **THE AUTHORITY OF ANY PANEL**  
 24 **CONVENED UNDER THIS SUBSECTION EXPIRES NOT LATER THAN 12 MIDNIGHT**  
 25 **DECEMBER 31, 2013.**

26           (7) The ~~concealed weapon licensing board~~ **LICENSING AUTHORITY**  
 27 may investigate the applicant for a license to carry a concealed

1 pistol. The investigation shall be restricted to determining only  
2 whether the applicant is eligible under this act to receive a  
3 license to carry a concealed pistol, and the investigation  
4 regarding the issuance of a license shall end after that  
5 determination is made. The ~~concealed weapon licensing board~~  
6 **LICENSING AUTHORITY** may require the applicant to appear before the  
7 ~~board at a mutually agreed upon time for a conference~~ **LICENSING**  
8 **AUTHORITY FOR A CONFERENCE ONLY IF THE LICENSING AUTHORITY HAS**  
9 **REASON TO BELIEVE THAT THE APPLICANT MAY NOT BE QUALIFIED UNDER**  
10 **THIS ACT TO RECEIVE A LICENSE TO CARRY A CONCEALED PISTOL. THE**  
11 **CLERK OF THE LICENSING AUTHORITY SHALL SEND THE NOTIFICATION TO**  
12 **APPEAR AT A CONFERENCE IN A SEALED ENVELOPE DELIVERED BY FIRST-**  
13 **CLASS MAIL SENT TO THE APPLICANT'S ADDRESS AS SHOWN BY THE RECORDS**  
14 **OF THE LICENSING AUTHORITY. THE NOTIFICATION SHALL INCLUDE A**  
15 **SPECIFIC STATUTORY CITATION FOR EACH DISQUALIFICATION TO BE**  
16 **ADDRESSED. THE CONFERENCE SHALL BE HELD AT A DATE AND TIME THAT IS**  
17 **MUTUALLY AGREEABLE TO BOTH THE LICENSING AUTHORITY AND THE**  
18 **APPLICANT.** The applicant's failure or refusal to appear without  
19 valid reason before the ~~concealed weapon licensing board~~ **LICENSING**  
20 **AUTHORITY** as provided in this subsection is grounds for the ~~board~~  
21 **LICENSING AUTHORITY** to deny issuance of a license to carry a  
22 concealed pistol to that applicant.

23 (8) If the ~~concealed weapon licensing board~~ **LICENSING**  
24 **AUTHORITY** determines there is probable cause to believe the safety  
25 of the applicant or the safety of a member of the applicant's  
26 family is endangered by the applicant's inability to immediately  
27 obtain a license to carry a concealed pistol, the ~~concealed weapon~~

1 ~~licensing board~~ **LICENSING AUTHORITY** may, pending issuance of a  
2 license, issue a temporary license to the individual to carry a  
3 concealed pistol. A temporary license shall be on a form provided  
4 by the department of state police. A temporary license shall be  
5 unrestricted and shall be valid for not more than 180 days. A  
6 temporary license may be renewed for 1 additional period of not  
7 more than 180 days. A temporary license is, for all other purposes  
8 of this act, a license to carry a concealed pistol.

9 (9) The legislative service bureau shall compile the firearms  
10 laws of this state, including laws that apply to carrying a  
11 concealed pistol, and shall provide copies of the compilation **IN AN**  
12 **ELECTRONIC FORMAT** to ~~each concealed weapon licensing board in this~~  
13 ~~state for distribution under this subsection. A concealed weapon~~  
14 ~~licensing board~~ **THE DEPARTMENT OF STATE POLICE. THE DEPARTMENT OF**  
15 **STATE POLICE SHALL PROVIDE A COPY OF THE COMPILED LAWS TO EACH**  
16 **CLERK OF A LICENSING AUTHORITY IN THIS STATE TOGETHER WITH**  
17 **INFORMATION REGARDING THE RIGHTS AND RESPONSIBILITIES OF**  
18 **APPLICANTS, LICENSE HOLDERS, AND LICENSING AUTHORITIES UNDER THIS**  
19 **ACT. THE DEPARTMENT OF STATE POLICE SHALL ALSO PROVIDE FORMS TO**  
20 **APPEAL ANY DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE UNDER**  
21 **THIS ACT. THE DEPARTMENT OF STATE POLICE SHALL DISTRIBUTE COPIES OF**  
22 **THE COMPILATION, INFORMATION, AND FORMS REQUIRED UNDER THIS**  
23 **SUBSECTION IN ELECTRONIC FORMAT TO EACH CLERK OF A LICENSING**  
24 **AUTHORITY. THE CLERK OF A LICENSING AUTHORITY** shall distribute a  
25 copy of the compilation, **INFORMATION, AND FORMS** to each individual  
26 who applies for a license to carry a concealed pistol at the time  
27 the application is submitted. The ~~concealed weapon licensing board~~

1 CLERK OF A LICENSING AUTHORITY shall require the applicant to sign  
2 a written statement acknowledging that he or she has received a  
3 copy of the compilation, INFORMATION, AND FORMS PROVIDED UNDER THIS  
4 SUBSECTION. An individual is not eligible to receive a license to  
5 carry a concealed pistol until he or she has signed the statement.

6 (10) EFFECTIVE 12 MIDNIGHT DECEMBER 31, 2013, THE COUNTY  
7 CONCEALED WEAPON LICENSING BOARDS ARE ELIMINATED AND THE DUTIES,  
8 FUNCTIONS, AND RESPONSIBILITIES OF THOSE BOARDS ARE TRANSFERRED TO  
9 THE DEPARTMENT OF STATE POLICE AS PROVIDED IN THIS ACT. EACH COUNTY  
10 CONCEALED WEAPON LICENSING BOARD SHALL TRANSFER ALL LICENSE  
11 APPLICATIONS AND OFFICIAL DOCUMENTS IN ITS POSSESSION TO THE CLERK  
12 OF THE LICENSING AUTHORITY OF THE COUNTY IN WHICH THE BOARD IS  
13 LOCATED NO LATER THAN 12 MIDNIGHT DECEMBER 31, 2013. ALL PENDING  
14 APPLICATIONS REMAIN IN PLACE, AND THE DEPARTMENT OF STATE POLICE  
15 SHALL PROCESS THOSE APPLICATIONS AS PROVIDED IN THIS ACT AS  
16 LICENSING AUTHORITY FOR THAT COUNTY. THE DEPARTMENT OF STATE POLICE  
17 SHALL NOT CHARGE ANY ADDITIONAL FEE FOR RECEIVING OR PROCESSING AN  
18 APPLICATION PREVIOUSLY SUBMITTED TO THE COUNTY CONCEALED WEAPON  
19 LICENSING BOARD, EXCEPT AS OTHERWISE PROVIDED IN THIS ACT. A  
20 LICENSE TO CARRY A CONCEALED PISTOL ISSUED BY A CONCEALED WEAPON  
21 LICENSING BOARD BEFORE 12 MIDNIGHT DECEMBER 31, 2013 IS VALID AND  
22 REMAINS IN EFFECT UNTIL THE EXPIRATION OF THAT LICENSE OR AS  
23 OTHERWISE PROVIDED BY LAW.

24 Sec. 5b. (1) To obtain a license to carry a concealed pistol,  
25 an individual shall apply to the ~~concealed weapon licensing board~~  
26 ~~in the county in which that individual resides~~ LICENSING AUTHORITY.  
27 The application shall be filed with the county clerk IN THE COUNTY

1 **IN WHICH THE APPLICANT RESIDES** during the county clerk's normal  
2 business hours. The application shall be on a form provided by the  
3 director of the department of state police and shall allow the  
4 applicant to designate whether the applicant seeks a temporary  
5 license. The application shall be signed under oath by the  
6 applicant. The oath shall be administered by the county clerk or  
7 his or her representative. The application shall contain all of the  
8 following: ~~information:~~

9 (a) The applicant's legal name and date of birth and the  
10 address of his or her primary residence. If the applicant resides  
11 in a city, village, or township that has a police department, the  
12 name of the police department. Information received under this  
13 subdivision is confidential, is not subject to disclosure under the  
14 freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, and  
15 shall not be disclosed to any person except for purposes of this  
16 act or for law enforcement purposes.

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) A statement by the applicant authorizing the ~~concealed~~  
20 ~~weapon licensing board~~ **LICENSING AUTHORITY** to access any record,  
21 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~~ **LICENSING AUTHORITY** under this  
25 subdivision be reviewed in a closed session. If the applicant  
26 requests that the session be closed, the ~~concealed weapon licensing~~  
27 ~~board~~ **LICENSING AUTHORITY** shall close the session only for purposes

1 of this subdivision. The applicant and his or her representative  
2 have the right to be present in the closed session. Medical records  
3 and personal identifying information received by the ~~concealed~~  
4 ~~weapon licensing board~~ **LICENSING AUTHORITY** under this subdivision  
5 is confidential, is not subject to disclosure under the freedom of  
6 information act, 1976 PA 442, MCL 15.231 to 15.246, and shall not  
7 be disclosed to any person except for purposes of this act or for  
8 law enforcement purposes or if the applicant is convicted of a  
9 felony involving a pistol.

10 (d) A statement by the applicant regarding whether he or she  
11 has a history of mental illness that would disqualify him or her  
12 under subsection (7)(j) to (l) from receiving a license to carry a  
13 concealed pistol, and authorizing the ~~concealed weapon licensing~~  
14 ~~board~~ **LICENSING AUTHORITY** to access the mental health records of  
15 the applicant relating to his or her mental health history. The  
16 applicant may request that information received by the ~~concealed~~  
17 ~~weapon licensing board~~ **LICENSING AUTHORITY** under this subdivision  
18 be reviewed in a closed session. If the applicant requests that the  
19 session be closed, the ~~concealed weapon licensing board~~ **LICENSING**  
20 **AUTHORITY** shall close the session only for purposes of this  
21 subdivision. The applicant and his or her representative have the  
22 right to be present in the closed session. Medical records and  
23 personal identifying information received by the ~~concealed weapon~~  
24 ~~licensing board~~ **LICENSING AUTHORITY** under this subdivision is  
25 confidential, is not subject to disclosure under the freedom of  
26 information act, 1976 PA 442, MCL 15.231 to 15.246, and shall not  
27 be disclosed to any person except for purposes of this act or for

1 law enforcement purposes.

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

5 (i) Any felony.

6 (ii) A misdemeanor listed under subsection (7)(h) or (i), if  
7 the applicant was convicted of ~~violating~~ that misdemeanor in the 8  
8 years immediately preceding the date of the application.

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

11 (g) If the applicant seeks a temporary license, the facts  
12 supporting the issuance of that temporary license.

13 (h) The names, residential addresses, and telephone numbers of  
14 2 individuals who are references for the applicant. **REFERENCES**

15 **UNDER THIS SUBDIVISION SHALL NOT BE RELATED TO THE APPLICANT OR BE**  
16 **MEMBERS OF THE SAME HOUSEHOLD AS THE APPLICANT.** Information

17 received under this subdivision is confidential, is not subject to  
18 disclosure under the freedom of information act, 1976 PA 442, MCL  
19 15.231 to 15.246, and shall not be disclosed to any person except  
20 for purposes of this act or for law enforcement purposes.

21 (i) A passport-quality photograph of the applicant provided by  
22 the applicant ~~at the time of application.~~ **OR, IF THE APPLICANT DOES**  
23 **NOT PROVIDE HIS OR HER OWN PASSPORT-QUALITY PHOTOGRAPH, A**  
24 **PHOTOGRAPH OF THE APPLICANT TAKEN BY THE CLERK OF THE LICENSING**  
25 **AUTHORITY AT NO CHARGE OR FOR A REASONABLE FEE. NEITHER THE CLERK**  
26 **NOR THE LICENSING AUTHORITY SHALL REQUIRE THE APPLICANT TO HAVE HIS**  
27 **OR HER PHOTOGRAPH TAKEN BY THE CLERK OR BY ANY OTHER SPECIFIC**

1 OFFICE OR VENDOR IF THE APPLICANT PROVIDES HIS OR HER OWN  
2 PHOTOGRAPH THAT COMPLIES WITH THE REQUIREMENT OF THIS SUBDIVISION.

3 (J) A SIGNATURE OF THE APPLICANT OBTAINED BY THE COUNTY CLERK  
4 AT THE TIME OF APPLICATION FOR USE ON HIS OR HER LICENSE TO CARRY A  
5 CONCEALED PISTOL OR AS OTHERWISE REQUIRED.

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

8 (2) NEITHER THE LICENSING AUTHORITY NOR THE CLERK OF THE  
9 LICENSING AUTHORITY SHALL REQUIRE THE APPLICANT TO SUBMIT ANY  
10 ADDITIONAL FORMS, DOCUMENTS, LETTERS, OR OTHER EVIDENCE OF  
11 ELIGIBILITY FOR OBTAINING A LICENSE TO CARRY A CONCEALED PISTOL  
12 EXCEPT AS SET FORTH IN SUBSECTION (1) OR AS OTHERWISE PROVIDED FOR  
13 IN THIS ACT. THIS DOES NOT PROHIBIT THE LICENSEE FROM VOLUNTARILY  
14 SUBMITTING ADDITIONAL DOCUMENTATION IF HE OR SHE CHOOSES TO DO SO  
15 AT HIS OR HER OWN INITIATIVE AND DOES NOT PROHIBIT THE LICENSING  
16 AUTHORITY FROM REQUIRING AN APPLICANT IN WRITING TO PROVIDE  
17 ADDITIONAL DOCUMENTATION THAT IS NECESSARY TO ADDRESS A SPECIFIC  
18 DISQUALIFICATION SET FORTH IN THIS ACT AND IDENTIFIED IN A WRITTEN  
19 NOTICE SENT TO THE APPLICANT UNDER SECTION 5(7). The application  
20 form shall contain a conspicuous warning that the application is  
21 executed under oath and that intentionally making a material false  
22 statement on the application is a felony punishable by imprisonment  
23 for not more than 4 years or a fine of not more than \$2,500.00, or  
24 both.

25 (3) An individual who intentionally makes a material false  
26 statement on an application under subsection (1) is guilty of a  
27 felony punishable by imprisonment for not more than 4 years or a



1 fine of not more than \$2,500.00, or both.

2 (4) The ~~concealed weapon licensing board~~ **LICENSING AUTHORITY**  
 3 shall retain a copy of each application for a license to carry a  
 4 concealed pistol as an official record. One year after the  
 5 expiration of a concealed pistol license, the county clerk may  
 6 destroy the record and maintain only a name index of the record.

7 (5) Each applicant shall pay a ~~nonrefundable~~ **AN APPLICATION**  
 8 **AND LICENSING** fee of ~~\$105.00~~ **\$90.00** by any method of payment  
 9 accepted by that county for payments of other fees and penalties.  
 10 **THE FEE SHALL COVER ALL COSTS IN THE APPLICATION AND LICENSING**  
 11 **PROCESS THROUGH AND INCLUDING THE DENIAL OR ISSUANCE OF A LICENSE.**  
 12 ~~Except for a local police agency as provided in subsection (9), a~~  
 13 ~~unit of local government, an agency of a unit of local government,~~  
 14 ~~or an agency or department of this state shall not charge an~~  
 15 ~~additional fee, assessment, or other amount in connection with a~~  
 16 ~~license under this section~~ **NO OTHER CHARGE, FEE, COST, OR**  
 17 **ASSESSMENT, INCLUDING ANY LOCAL CHARGE, FEE, COST, OR ASSESSMENT,**  
 18 **IS REQUIRED OF THE APPLICANT EXCEPT AS SPECIFICALLY AUTHORIZED IN**  
 19 **THIS ACT.** The **APPLICATION AND LICENSING** fee shall be payable to the  
 20 county. The county treasurer shall deposit ~~\$41.00~~ **\$26.00** of each  
 21 **APPLICATION AND LICENSING** fee collected under this section in the  
 22 ~~general fund of the county and credit \$26.00 of that deposit to the~~  
 23 ~~credit of the county clerk and \$15.00 of that deposit to the credit~~  
 24 ~~of the county sheriff and~~ **CONCEALED PISTOL LICENSING FUND CREATED**  
 25 **IN SECTION 5X. THE COUNTY TREASURER SHALL** forward the balance  
 26 **REMAINING** to the state treasurer. The state treasurer shall deposit  
 27 the balance of the fee in the general fund to the credit of the

1 department of state police. The department of state police shall  
2 use the money received under this act to process the fingerprints  
3 and to reimburse the federal bureau of investigation for the costs  
4 associated with processing fingerprints submitted under this act.  
5 The balance of the money received under this act shall be credited  
6 to the department of state police.

7 (6) ~~The~~ **THROUGH DECEMBER 31, 2013, THE** county sheriff ~~on~~  
8 ~~behalf of the concealed weapon licensing board~~ shall verify the  
9 requirements of subsection (7) (d), (e), (f), (h), (i), (j), (k),  
10 (l), and (m) through the law enforcement information network. ~~and~~  
11 **BEGINNING JANUARY 1, 2014, THE DEPARTMENT OF STATE POLICE SHALL**  
12 **VERIFY THE REQUIREMENTS OF SUBSECTION (7) (D), (E), (F), (H), (I),**  
13 **(J), (K), (L), AND (M) THROUGH THE LAW ENFORCEMENT INFORMATION**  
14 **NETWORK. THROUGH DECEMBER 31, 2013, THE COUNTY SHERIFF SHALL** report  
15 his or her finding to the concealed weapon licensing board. If the  
16 applicant resides in a city, village, or township that has a police  
17 department, the ~~concealed weapon licensing board~~ **LICENSING**  
18 **AUTHORITY** shall contact that city, village, or township police  
19 department to determine only whether that city, village, or  
20 township police department has any information relevant to the  
21 investigation of whether the applicant is eligible under this act  
22 to receive a license to carry a concealed pistol. **IN ALL CASES, THE**  
23 **LICENSING AUTHORITY SHALL CONTACT THE COUNTY SHERIFF, COUNTY**  
24 **PROSECUTING ATTORNEY, AND THE STATE POLICE POST HAVING JURISDICTION**  
25 **TO DETERMINE ONLY WHETHER THAT COUNTY SHERIFF, COUNTY PROSECUTING**  
26 **ATTORNEY, OR STATE POLICE POST HAS ANY INFORMATION RELEVANT TO THE**  
27 **INVESTIGATION OF WHETHER THE APPLICANT IS ELIGIBLE UNDER THIS ACT**

1 **TO RECEIVE A LICENSE TO CARRY A CONCEALED PISTOL.** The ~~concealed~~  
2 ~~weapon licensing board~~**LICENSING AUTHORITY** may require a person  
3 claiming active duty status with the United States armed forces  
4 under this section to provide proof of 1 or both of the following:

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

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

7 (7) The ~~concealed weapon licensing board~~**LICENSING AUTHORITY**  
8 shall issue, **AND THE CLERK OF THE LICENSING AUTHORITY SHALL SEND,** a  
9 license to an applicant to carry a concealed pistol within the  
10 period required under this act ~~after the applicant properly submits~~  
11 ~~an application under subsection (1) and IF~~ the ~~concealed weapon~~  
12 ~~licensing board~~**LICENSING AUTHORITY** determines that all of the  
13 following circumstances exist:

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

15 (b) The applicant is a citizen of the United States or is an  
16 alien lawfully admitted into the United States, is a legal resident  
17 of this state, and has resided in this state for not less than the  
18 6 months immediately preceding the date of application. The  
19 ~~concealed weapon licensing board~~**LICENSING AUTHORITY** may waive the  
20 6-month residency requirement for a temporary license under section  
21 5a(8) if the ~~concealed weapon licensing board~~**LICENSING AUTHORITY**  
22 determines there is probable cause to believe the safety of the  
23 applicant or the safety of a member of the applicant's family is  
24 endangered by the applicant's inability to immediately obtain a  
25 license to carry a concealed pistol. If the applicant holds a valid  
26 concealed pistol license issued by another state at the time the  
27 applicant's residency in this state is established, the ~~concealed~~

1 ~~weapon licensing board~~ **LICENSING AUTHORITY** may waive the 6-month  
2 waiting period and the applicant may apply for a concealed pistol  
3 license at the time the applicant's residency in this state is  
4 established. The ~~concealed weapon licensing board~~ **LICENSING**  
5 **AUTHORITY** shall immediately issue **AND THE CLERK OF THE LICENSING**  
6 **AUTHORITY SHALL IMMEDIATELY SEND** a temporary license to that  
7 applicant. The temporary license ~~shall be~~ **IS** valid until the  
8 ~~concealed weapon licensing board~~ **LICENSING AUTHORITY** decides  
9 whether to grant or deny the application. For the purposes of this  
10 section, a person ~~shall be~~ **IS** considered a legal resident of this  
11 state if any of the following apply:

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

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

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

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

23 (c) The applicant has knowledge and has had training in the  
24 safe use and handling of a pistol by the successful completion of a  
25 pistol safety training course or class that meets the requirements  
26 of section 5j, and that is available to the general public and  
27 presented by a law enforcement agency, junior or community college,

1 college, or public or private institution or organization or  
2 firearms training school.

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

5 (i) Section 464a of the mental health code, 1974 PA 258, MCL  
6 330.1464a.

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

9 (iii) Sections 2950 and 2950a of the revised judicature act of  
10 1961, 1961 PA 236, MCL 600.2950 and 600.2950a.

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

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

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

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

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

27 (h) The applicant has not been convicted of a misdemeanor

1 violation of any of the following in the 8 years immediately  
2 preceding the date of application:

3 ~~—— (i) Section 617a of the Michigan vehicle code, 1949 PA 300, MCL  
4 257.617a (failing to stop when involved in a personal injury  
5 accident).~~

6 ~~—— (ii) Section 625 of the Michigan vehicle code, 1949 PA 300, MCL  
7 257.625, punishable as provided in subsection (9)(b) of that  
8 section (operating while intoxicated, second offense).~~

9 ~~—— (iii) Section 625m of the Michigan vehicle code, 1949 PA 300,  
10 MCL 257.625m punishable under subsection (4) of that section  
11 (operating a commercial vehicle with alcohol content, second  
12 offense).~~

13 ~~—— (iv) Section 626 of the Michigan vehicle code, 1949 PA 300, MCL  
14 257.626 (reckless driving).~~

15 ~~—— (v) Section 904(1) of the Michigan vehicle code, 1949 PA 300,  
16 MCL 257.904 (operating while license suspended or revoked),  
17 punishable as a second or subsequent offense.~~

18 (i) SECTION 617A (FAILING TO STOP WHEN INVOLVED IN A PERSONAL  
19 INJURY ACCIDENT), SECTION 625(9)(B) (OPERATING WHILE INTOXICATED,  
20 SECOND OFFENSE), SECTION 625M(4) (OPERATING A COMMERCIAL VEHICLE  
21 WITH ALCOHOL CONTENT, SECOND OFFENSE), A SECOND OR SUBSEQUENT  
22 VIOLATION OF SECTION 626(2) (RECKLESS DRIVING), OR A VIOLATION OF  
23 SECTION 904(1) (OPERATING WHILE LICENSE SUSPENDED OR REVOKED,  
24 SECOND OR SUBSEQUENT OFFENSE) OF THE MICHIGAN VEHICLE CODE, 1949 PA  
25 300, MCL 257.617A, 257.625, 257.625M, 257.626, AND 257.904.

26 (ii) ~~(vi)~~ Section ~~185~~ 185(7) of the aeronautics code of the  
27 state of Michigan, 1945 PA 327, MCL 259.185 (operating aircraft

1 while under the influence of intoxicating liquor or a controlled  
2 substance with prior conviction).

3       *(iii)* ~~*(vii)*~~ Section 29 of the weights and measures act, 1964 PA  
4 283, MCL 290.629 (hindering or obstructing certain persons  
5 performing official weights and measures duties).

6       *(iv)* ~~*(viii)*~~ Section 10 of the motor fuels quality act, 1984 PA  
7 44, MCL 290.650 (hindering, obstructing, assaulting, or committing  
8 bodily injury upon director or authorized representative).

9       ~~*(ix)* Section 81134 of the natural resources and environmental  
10 protection act, 1994 PA 451, MCL 324.81134, punishable under  
11 subsection (5) or (6) of that section (operating ORV under the  
12 influence of intoxicating liquor or a controlled substance, second  
13 or subsequent offense).~~

14       ~~*(x)* Section 82127 of the natural resources and environmental  
15 protection act, 1994 PA 451, MCL 324.82127 (operating a snowmobile  
16 under the influence of intoxicating liquor or a controlled  
17 substance), punishable as a second or subsequent offense under  
18 section 82128(1)(b) or (c) of the natural resources and  
19 environmental protection act, 1994 PA 451, MCL 324.82128.~~

20       ~~*(xi)* Section 80176 of the natural resources and environmental  
21 protection act, 1994 PA 451, MCL 324.80176, and punishable under  
22 section 80177(1)(b) (operating vessel under the influence of  
23 intoxicating liquor or a controlled substance, second or subsequent  
24 offense).~~

25       **(v) SECTION 80176 AS PUNISHABLE UNDER SECTION 80177(1)(B)**  
26 **(OPERATING VESSEL UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR A**  
27 **CONTROLLED SUBSTANCE, SECOND OFFENSE), SECTION 81134(5) OR (6)**

1 (OPERATING ORV UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR A  
 2 CONTROLLED SUBSTANCE, SECOND OR SUBSEQUENT OFFENSE), OR SECTION  
 3 82127 AS PUNISHABLE UNDER SECTION 82128(1)(B) (OPERATING SNOWMOBILE  
 4 UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR A CONTROLLED  
 5 SUBSTANCE, SECOND OFFENSE) OF THE NATURAL RESOURCES AND  
 6 ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.80176,  
 7 324.80177, 324.81134, 324.82127, AND 324.82128.

8 (vi) ~~(xii)~~—Section 7403 of the public health code, 1978 PA 368,  
 9 MCL 333.7403 (POSSESSION OF CONTROLLED SUBSTANCE, CONTROLLED  
 10 SUBSTANCE ANALOGUE, OR PRESCRIPTION FORM).

11 (vii) ~~(xiii)~~—Section 353 of the railroad code of 1993, 1993 PA  
 12 354, MCL 462.353, ~~(operating locomotive under the influence of~~  
 13 ~~intoxicating liquor or a controlled substance, or while visibly~~  
 14 ~~impaired)~~, punishable under subsection (4) of that section  
 15 (OPERATING LOCOMOTIVE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR  
 16 A CONTROLLED SUBSTANCE, OR WHILE VISIBLY IMPAIRED, SECOND OFFENSE).

17 (viii) ~~(xiv)~~—Section 7 of 1978 PA 33, MCL 722.677 (displaying  
 18 sexually explicit matter to minors).

19 ~~—(xv) Section 81 of the Michigan penal code, 1931 PA 328, MCL~~  
 20 ~~750.81 (assault or domestic assault).~~

21 ~~—(xvi) Section 81a(1) or (2) of the Michigan penal code, 1931 PA~~  
 22 ~~328, MCL 750.81a (aggravated assault or aggravated domestic~~  
 23 ~~assault).~~

24 ~~—(xvii) Section 115 of the Michigan penal code, 1931 PA 328, MCL~~  
 25 ~~750.115 (breaking and entering or entering without breaking).~~

26 ~~—(xviii) Section 136b(6) of the Michigan penal code, 1931 PA 328,~~  
 27 ~~MCL 750.136b (fourth degree child abuse).~~



1 ~~—— (xix) Section 145a of the Michigan penal code, 1931 PA 328, MCL~~  
2 ~~750.145a (accosting, enticing, or soliciting a child for immoral~~  
3 ~~purposes).~~

4 ~~—— (xx) Section 145n of the Michigan penal code, 1931 PA 328, MCL~~  
5 ~~750.145n (vulnerable adult abuse).~~

6 ~~—— (xxi) Section 157b(3) (b) of the Michigan penal code, 1931 PA~~  
7 ~~328, MCL 750.157b (solicitation to commit a felony).~~

8 ~~—— (xxii) Section 215 of the Michigan penal code, 1931 PA 328, MCL~~  
9 ~~750.215 (impersonating peace officer or medical examiner).~~

10 ~~—— (xxiii) Section 223 of the Michigan penal code, 1931 PA 328, MCL~~  
11 ~~750.223 (illegal sale of a firearm or ammunition).~~

12 ~~—— (xxiv) Section 224d of the Michigan penal code, 1931 PA 328,~~  
13 ~~MCL 750.224d (illegal use or sale of a self defense spray).~~

14 ~~—— (xxv) Section 226a of the Michigan penal code, 1931 PA 328, MCL~~  
15 ~~750.226a (sale or possession of a switchblade).~~

16 ~~—— (xxvi) Section 227c of the Michigan penal code, 1931 PA 328,~~  
17 ~~MCL 750.227c (improper transportation of a loaded firearm).~~

18 ~~—— (xxvii) Section 228 of the Michigan penal code, 1931 PA 328, MCL~~  
19 ~~750.228 (failure to have a pistol inspected).~~

20 ~~—— (xxviii) Section 229 of the Michigan penal code, 1931 PA 328,~~  
21 ~~MCL 750.229 (accepting a pistol in pawn).~~

22 ~~—— (xxix) Section 232 of the Michigan penal code, 1931 PA 328, MCL~~  
23 ~~750.232 (failure to register the purchase of a firearm or a firearm~~  
24 ~~component).~~

25 ~~—— (xxx) Section 232a of the Michigan penal code, 1931 PA 328, MCL~~  
26 ~~750.232a (improperly obtaining a pistol, making a false statement~~  
27 ~~on an application to purchase a pistol, or using false~~

1 ~~identification to purchase a pistol).~~  
2 ~~—— (xxxi) Section 233 of the Michigan penal code, 1931 PA 328, MCL~~  
3 ~~750.233 (intentionally aiming a firearm without malice).~~  
4 ~~—— (xxxii) Section 234 of the Michigan penal code, 1931 PA 328, MCL~~  
5 ~~750.234 (intentionally discharging a firearm aimed without malice).~~  
6 ~~—— (xxxiii) Section 234d of the Michigan penal code, 1931 PA 328,~~  
7 ~~MCL 750.234d (possessing a firearm on prohibited premises).~~  
8 ~~—— (xxxiv) Section 234e of the Michigan penal code, 1931 PA 328,~~  
9 ~~MCL 750.234e (brandishing a firearm in public).~~  
10 ~~—— (xxxv) Section 234f of the Michigan penal code, 1931 PA 328,~~  
11 ~~MCL 750.234f (possession of a firearm by an individual less than 18~~  
12 ~~years of age).~~  
13 ~~—— (xxxvi) Section 235 of the Michigan penal code, 1931 PA 328, MCL~~  
14 ~~750.235 (intentionally discharging a firearm aimed without malice~~  
15 ~~causing injury).~~  
16 ~~—— (xxxvii) Section 235a of the Michigan penal code, 1931 PA 328,~~  
17 ~~MCL 750.235a (parent of a minor who possessed a firearm in a weapon~~  
18 ~~free school zone).~~  
19 ~~—— (xxxviii) Section 236 of the Michigan penal code, 1931 PA 328,~~  
20 ~~MCL 750.236 (setting a spring gun or other device).~~  
21 ~~—— (xxxix) Section 237 of the Michigan penal code, 1931 PA 328, MCL~~  
22 ~~750.237 (possessing a firearm while under the influence of~~  
23 ~~intoxicating liquor or a drug).~~  
24 ~~—— (xl) Section 237a of the Michigan penal code, 1931 PA 328, MCL~~  
25 ~~750.237a (weapon free school zone violation).~~  
26 ~~—— (xli) Section 335a of the Michigan penal code, 1931 PA 328, MCL~~  
27 ~~750.335a (indecent exposure).~~

1 ~~—— (xlii) Section 411h of the Michigan penal code, 1931 PA 328, MCL~~  
 2 ~~750.411h (stalking).~~

3 ~~—— (xlili) Section 520e of the Michigan penal code, 1931 PA 328, MCL~~  
 4 ~~750.520e (fourth degree criminal sexual conduct).~~

5 ~~—— (xliv) Section 1 of 1952 PA 45, MCL 752.861 (reckless, careless,~~  
 6 ~~or negligent use of a firearm resulting in injury or death).~~

7 ~~—— (xlv) Section 2 of 1952 PA 45, MCL 752.862 (careless, reckless,~~  
 8 ~~or negligent use of a firearm resulting in property damage).~~

9 ~~—— (xlvi) Section 3a of 1952 PA 45, MCL 752.863a (reckless~~  
 10 ~~discharge of a firearm).~~

11 (ix) SECTION 81 (ASSAULT OR DOMESTIC ASSAULT), SECTION 81A(1)  
 12 OR (2) (AGGRAVATED ASSAULT OR AGGRAVATED DOMESTIC ASSAULT), SECTION  
 13 115 (BREAKING AND ENTERING OR ENTERING WITHOUT BREAKING), SECTION  
 14 136B(8) (FOURTH DEGREE CHILD ABUSE), SECTION 145N (VULNERABLE ADULT  
 15 ABUSE), SECTION 157B(3)(B) (SOLICITATION TO COMMIT A FELONY),  
 16 SECTION 215 (IMPERSONATING PEACE OFFICER OR MEDICAL EXAMINER),  
 17 SECTION 223 (ILLEGAL SALE OF A FIREARM OR AMMUNITION), SECTION 224D  
 18 (ILLEGAL USE OR SALE OF A SELF-DEFENSE SPRAY), SECTION 226A (SALE  
 19 OR POSSESSION OF A SWITCHBLADE), SECTION 227C (IMPROPER  
 20 TRANSPORTATION OF A LOADED FIREARM), SECTION 229 (ACCEPTING A  
 21 PISTOL IN PAWN), SECTION 232 (FAILURE TO REGISTER THE PURCHASE OF A  
 22 FIREARM OR A FIREARM COMPONENT), SECTION 232A (IMPROPERLY OBTAINING  
 23 A PISTOL, MAKING A FALSE STATEMENT ON AN APPLICATION TO PURCHASE A  
 24 PISTOL, OR USING FALSE IDENTIFICATION TO PURCHASE A PISTOL),  
 25 SECTION 233 (INTENTIONALLY AIMING A FIREARM WITHOUT MALICE),  
 26 SECTION 234 (INTENTIONALLY DISCHARGING A FIREARM AIMED WITHOUT  
 27 MALICE), SECTION 234D (POSSESSING A FIREARM ON PROHIBITED

1 PREMISES), SECTION 234E (BRANDISHING A FIREARM IN PUBLIC), SECTION  
2 234F (POSSESSION OF A FIREARM BY AN INDIVIDUAL LESS THAN 18 YEARS  
3 OF AGE), SECTION 235 (INTENTIONALLY DISCHARGING A FIREARM AIMED  
4 WITHOUT MALICE CAUSING INJURY), SECTION 235A (PARENT OF A MINOR WHO  
5 POSSESSED A FIREARM IN A WEAPON FREE SCHOOL ZONE), SECTION 236  
6 (SETTING A SPRING GUN OR OTHER DEVICE), SECTION 237 (POSSESSING A  
7 FIREARM WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR A  
8 CONTROLLED SUBSTANCE), SECTION 237A (WEAPON FREE SCHOOL ZONE  
9 VIOLATION), SECTION 335A (INDECENT EXPOSURE), SECTION 411H  
10 (STALKING), OR SECTION 520E (FOURTH DEGREE CRIMINAL SEXUAL CONDUCT)  
11 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.81, 750.81A,  
12 750.115, 750.136B, 750.145N, 750.157B, 750.215, 750.223, 750.224D,  
13 750.226A, 750.227C, 750.229, 750.232, 750.232A, 750.233, 750.234,  
14 750.234D, 750.234E, 750.234F, 750.235, 750.235A, 750.236, 750.237,  
15 750.237A, 750.335A, 750.411H, AND 750.520E.

16 (x) FORMER SECTION 228 OF THE MICHIGAN PENAL CODE, 1931 PA  
17 328.

18 (xi) SECTION 1 (RECKLESS, CARELESS, OR NEGLIGENT USE OF A  
19 FIREARM RESULTING IN INJURY OR DEATH), SECTION 2 (CARELESS,  
20 RECKLESS, OR NEGLIGENT USE OF A FIREARM RESULTING IN PROPERTY  
21 DAMAGE), OR SECTION 3A (RECKLESS DISCHARGE OF A FIREARM) OF 1952 PA  
22 45, MCL 752.861, 752.862, AND 752.863A.

23 (xii) ~~(xvii)~~—A violation of a law of the United States, another  
24 state, or a local unit of government of this state or another state  
25 substantially corresponding to a violation described in  
26 subparagraphs (i) to ~~(xvi)~~—(xi).

27 (i) The applicant has not been convicted of a misdemeanor

1 violation of any of the following in the 3 years immediately  
 2 preceding the date of application unless the misdemeanor violation  
 3 is listed under subdivision (h):

4 ~~—— (i) Section 625 of the Michigan vehicle code, 1949 PA 300, MCL~~  
 5 ~~257.625 (operating under the influence).~~

6 ~~—— (ii) Section 625a of the Michigan vehicle code, 1949 PA 300,~~  
 7 ~~MCL 257.625a (refusal of commercial vehicle operator to submit to a~~  
 8 ~~chemical test).~~

9 ~~—— (iii) Section 625k of the Michigan vehicle code, 1949 PA 300,~~  
 10 ~~MCL 257.625k (ignition interlock device reporting violation).~~

11 ~~—— (iv) Section 625l of the Michigan vehicle code, 1949 PA 300,~~  
 12 ~~MCL 257.625l (circumventing an ignition interlocking device).~~

13 ~~—— (v) Section 625m of the Michigan vehicle code, 1949 PA 300,~~  
 14 ~~MCL 257.625m, punishable under subsection (3) of that section~~  
 15 ~~(operating a commercial vehicle with alcohol content).~~

16 (i) SECTION 625 (OPERATING UNDER THE INFLUENCE), SECTION 625A  
 17 (REFUSAL OF COMMERCIAL VEHICLE OPERATOR TO SUBMIT TO A CHEMICAL  
 18 TEST), SECTION 625K (IGNITION INTERLOCK DEVICE REPORTING  
 19 VIOLATION), SECTION 625L (CIRCUMVENTING AN IGNITION INTERLOCK  
 20 DEVICE), OR SECTION 625M(3) (OPERATING A COMMERCIAL VEHICLE WITH  
 21 ALCOHOL CONTENT) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL  
 22 257.625, 257.625A, 257.625K, 257.625L, AND 257.625M.

23 (ii) ~~(vi)~~ Section 185 of the aeronautics code of the state of  
 24 Michigan, 1945 PA 327, MCL 259.185 (operating aircraft under the  
 25 influence).

26 ~~—— (vii) Section 81134 of the natural resources and environmental~~  
 27 ~~protection act, 1994 PA 451, MCL 324.81134 (operating ORV under the~~

1 ~~influence).~~

2 ~~—— (viii) Section 81135 of the natural resources and environmental~~  
 3 ~~protection act, 1994 PA 451, MCL 324.81135 (operating ORV while~~  
 4 ~~visibly impaired).~~

5 ~~—— (ix) Section 82127 of the natural resources and environmental~~  
 6 ~~protection act, 1994 PA 451, MCL 324.82127 (operating a snowmobile~~  
 7 ~~under the influence).~~

8 **(iii) SECTION 81134 (OPERATING ORV UNDER THE INFLUENCE), SECTION**  
 9 **81135 (OPERATING ORV WHILE VISIBLY IMPAIRED), OR SECTION 82127**  
 10 **(OPERATING A SNOWMOBILE UNDER THE INFLUENCE) OF THE NATURAL**  
 11 **RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL**  
 12 **324.81134, 324.81135, AND 324.82127.**

13 **(iv) ~~(x)~~** Part 74 of the public health code, 1978 PA 368, MCL  
 14 333.7401 to 333.7461 (controlled substance violation).

15 **(v) ~~(xi)~~** Section 353 of the railroad code of 1993, 1993 PA 354,  
 16 MCL 462.353, ~~(operating locomotive under the influence),~~ punishable  
 17 under subsection (3) of that section **(OPERATING LOCOMOTIVE UNDER**  
 18 **THE INFLUENCE) .**

19 ~~—— (xii) Section 167 of the Michigan penal code, 1931 PA 328, MCL~~  
 20 ~~750.167 (disorderly person).~~

21 ~~—— (xiii) Section 174 of the Michigan penal code, 1931 PA 328, MCL~~  
 22 ~~750.174 (embezzlement).~~

23 ~~—— (xiv) Section 218 of the Michigan penal code, 1931 PA 328, MCL~~  
 24 ~~750.218 (false pretenses with intent to defraud).~~

25 ~~—— (xv) Section 356 of the Michigan penal code, 1931 PA 328, MCL~~  
 26 ~~750.356 (larceny).~~

27 ~~—— (xvi) Section 356d of the Michigan penal code, 1931 PA 328, MCL~~

1 ~~750.356d (second degree retail fraud).~~

2 ~~—— (xvii) Section 359 of the Michigan penal code, 1931 PA 328, MCL~~

3 ~~750.359 (larceny vacant building).~~

4 ~~—— (xviii) Section 362 of the Michigan penal code, 1931 PA 328, MCL~~

5 ~~750.362 (larceny by conversion).~~

6 ~~—— (xix) Section 362a of the Michigan penal code, 1931 PA 328, MCL~~

7 ~~750.362a (larceny defrauding lesser).~~

8 ~~—— (xx) Section 377a of the Michigan penal code, 1931 PA 328, MCL~~

9 ~~750.377a (malicious destruction of property).~~

10 ~~—— (xxi) Section 380 of the Michigan penal code, 1931 PA 328, MCL~~

11 ~~750.380 (malicious destruction of real property).~~

12 ~~—— (xxii) Section 535 of the Michigan penal code, 1931 PA 328, MCL~~

13 ~~750.535 (receiving stolen property).~~

14 ~~—— (xxiii) Section 540e of the Michigan penal code, 1931 PA 328,~~

15 ~~MCL 750.540e (malicious use of telephones).~~

16 **(vi) A SECOND OR SUBSEQUENT VIOLATION OF SECTION 167**

17 **(DISORDERLY PERSON), OR A VIOLATION OF SECTION 174 (EMBEZZLEMENT),**

18 **SECTION 218 (FALSE PRETENSES WITH INTENT TO DEFRAUD), SECTION 356**

19 **(LARCENY), SECTION 356D(2) (SECOND DEGREE RETAIL FRAUD), SECTION**

20 **359 (LARCENY FROM A VACANT BUILDING OR STRUCTURE), SECTION 362**

21 **(LARCENY BY CONVERSION), SECTION 362A (LARCENY - DEFRAUDING**

22 **LESSOR), SECTION 377A (MALICIOUS DESTRUCTION OF PROPERTY), SECTION**

23 **380 (MALICIOUS DESTRUCTION OF REAL PROPERTY), SECTION 535**

24 **(RECEIVING OR CONCEALING STOLEN PROPERTY), OR SECTION 540E**

25 **(MALICIOUS USE OF TELECOMMUNICATIONS SERVICE OR DEVICE) OF THE**

26 **MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.167, 750.174, 750.218,**

27 **750.356, 750.356D, 750.359, 750.362, 750.362A, 750.377A, 750.380,**

1 750.535, AND 750.540E.

2 (vii) ~~(xiv)~~—A violation of a law of the United States, another  
3 state, or a local unit of government of this state or another state  
4 substantially corresponding to a violation described in  
5 subparagraphs (i) to ~~(xiii)~~ (vi) .

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

9 (k) The applicant has never been subject to an order of  
10 involuntary commitment in an inpatient or outpatient setting due to  
11 mental illness.

12 (l) The applicant does not have a diagnosed mental illness at  
13 the time the application is made regardless of whether he or she is  
14 receiving treatment for that illness.

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

17 (n) Issuing a license to the applicant to carry a concealed  
18 pistol in this state is not detrimental to the safety of the  
19 applicant or to any other individual. A determination under this  
20 subdivision shall be based on clear and convincing evidence of  
21 repeated violations of this act, crimes, personal protection orders  
22 or injunctions, or police reports or other clear and convincing  
23 evidence of the actions of, or statements of, the applicant that  
24 bear directly on the applicant's ability to carry a concealed  
25 pistol.

26 (8) Upon entry of a court order or conviction of 1 of the  
27 enumerated prohibitions for using, transporting, selling,



1 purchasing, carrying, shipping, receiving or distributing a firearm  
2 in this section the department of state police shall immediately  
3 enter the order or conviction into the law enforcement information  
4 network. For purposes of this act, information of the court order  
5 or conviction shall not be removed from the law enforcement  
6 information network, but may be moved to a separate file intended  
7 for the use of the ~~county concealed weapon licensing boards,~~  
8 **LICENSING AUTHORITY**, the courts, and other government entities as  
9 necessary and exclusively to determine eligibility to be licensed  
10 under this act.

11 (9) An individual, after submitting an application and paying  
12 the fee prescribed under subsection (5), shall request ~~and have~~  
13 **THAT** classifiable fingerprints **BE** taken by the **COUNTY CLERK,**  
14 **DEPARTMENT OF STATE POLICE,** county sheriff, or a local police  
15 agency if that ~~local police agency-ENTITY~~ maintains fingerprinting  
16 capability. If the individual requests that classifiable  
17 fingerprints be taken by **THE COUNTY CLERK, DEPARTMENT OF STATE**  
18 **POLICE, COUNTY SHERIFF, OR** a local police agency, the individual  
19 shall also pay to that ~~local police agency-ENTITY~~ a fee of \$15.00  
20 by any method of payment accepted by the ~~unit of local government~~  
21 **ENTITY** for payments of other fees and penalties. The **COUNTY CLERK,**  
22 **DEPARTMENT OF STATE POLICE,** county sheriff, or local police agency  
23 shall take the fingerprints within 5 business days after the  
24 request. **COUNTY CLERKS, THE DEPARTMENT OF STATE POLICE, COUNTY**  
25 **SHERIFFS, AND LOCAL POLICE AGENCIES THAT MAINTAIN FINGERPRINTING**  
26 **CAPABILITY SHALL PROVIDE REASONABLE ACCESS TO FINGERPRINTING**  
27 **SERVICES DURING NORMAL BUSINESS HOURS AS IS NECESSARY TO COMPLY**

1 **WITH THE REQUIREMENTS OF THIS ACT.**

2 (10) The fingerprints shall be taken, under subsection (9), on  
3 forms and in a manner prescribed by the department of state police.  
4 The fingerprints **TAKEN BY A COUNTY CLERK, COUNTY SHERIFF, OR LOCAL**  
5 **POLICE AGENCY** shall be immediately forwarded to the department of  
6 state police for comparison with fingerprints already on file with  
7 the department of state police. The department of state police  
8 shall **IMMEDIATELY** forward the fingerprints to the federal bureau of  
9 investigation. Within ~~10~~7 days after receiving a report of the  
10 fingerprints from the federal bureau of investigation, the  
11 department of state police shall provide a copy to the submitting  
12 ~~sheriff's department or local police agency~~ **ENTITY** as appropriate  
13 and ~~the clerk of~~ **TO** the appropriate ~~concealed weapon licensing~~  
14 ~~board~~ **CLERK OF THE LICENSING AUTHORITY**. Except as provided in  
15 subsection (14), the ~~concealed weapon licensing board~~ **LICENSING**  
16 **AUTHORITY** shall not issue a concealed pistol license until it  
17 receives the fingerprint comparison report prescribed in this  
18 subsection. The ~~concealed weapon licensing board~~ **LICENSING**  
19 **AUTHORITY** may deny a license if an individual's fingerprints are  
20 not classifiable by the federal bureau of investigation **AND A**  
21 **REPORT CANNOT BE OBTAINED BASED ON THE INDIVIDUAL'S NAME, DATE OF**  
22 **BIRTH, AND OTHER IDENTIFYING INFORMATION.**

23 (11) The ~~concealed weapon licensing board~~ **LICENSING AUTHORITY**  
24 shall deny a license to an applicant to carry a concealed pistol if  
25 the applicant is not qualified under subsection (7) to receive that  
26 license.

27 (12) A license to carry a concealed pistol that is issued

1 based upon an application that contains a material false statement  
2 is void from the date the license is issued.

3 (13) Subject to subsections (10) and (14), the ~~concealed~~  
4 ~~weapon licensing board~~ **LICENSING AUTHORITY** shall issue or deny  
5 issuance of a license within 45 days after the ~~concealed weapon~~  
6 ~~licensing board receives the fingerprint comparison report provided~~  
7 ~~under subsection (10)~~ **DATE THE APPLICANT HAS CLASSIFIABLE**  
8 **FINGERPRINTS TAKEN UNDER SUBSECTION (9)**. If the ~~concealed weapon~~  
9 ~~licensing board~~ **LICENSING AUTHORITY** denies issuance of a license to  
10 carry a concealed pistol, the ~~concealed weapon licensing board~~  
11 **LICENSING AUTHORITY** shall within ~~5 business~~ **7** days do both of the  
12 following:

13 (a) Inform the applicant in writing of the reasons for the  
14 denial. Information under this subdivision shall include all of the  
15 following:

16 (i) A statement of the specific and articulable facts  
17 supporting the denial.

18 (ii) Copies of any writings, photographs, records, or other  
19 documentary evidence upon which the denial is based.

20 (b) Inform the applicant in writing of his or her right to  
21 appeal the denial to the circuit court as provided in section 5d.

22 (14) ~~If the fingerprint comparison report is not received by~~  
23 ~~the concealed weapon licensing board within 60 days after the~~  
24 ~~fingerprint report is forwarded to the department of state police~~  
25 ~~by the federal bureau of investigation, the concealed weapon~~  
26 ~~licensing board~~ **IF A LICENSE IS NOT GRANTED OR DENIED UNDER**  
27 **SUBSECTION (13) WITHIN 45 DAYS AFTER THE DATE THE APPLICANT HAS**

1 CLASSIFIABLE FINGERPRINTS TAKEN UNDER SUBSECTION (9), THE CLERK OF  
2 THE LICENSING AUTHORITY shall, ~~issue a temporary license to carry a~~  
3 ~~concealed pistol to the applicant if the applicant is otherwise~~  
4 ~~qualified for a license. WITHIN 10 DAYS, ISSUE BY MAIL A TEMPORARY~~  
5 LICENSE TO CARRY A CONCEALED PISTOL TO THE APPLICANT. A temporary  
6 license issued under this section is valid ~~for~~ UNTIL THE EXPIRATION  
7 OF 180 days AFTER THE DATE THE TEMPORARY LICENSE IS ISSUED or until  
8 the ~~concealed weapon licensing board receives the fingerprint~~  
9 ~~comparison report provided under subsection (10) and LICENSING~~  
10 AUTHORITY issues or denies issuance of a license to carry a  
11 concealed pistol as otherwise provided under this act, WHICHEVER  
12 OCCURS FIRST. A TEMPORARY LICENSE ISSUED UNDER THIS SUBSECTION  
13 SHALL STATE ON ITS FACE THAT IT IS A TEMPORARY LICENSE. Upon  
14 issuance or the denial of issuance of the license to carry a  
15 concealed pistol to an applicant who received a temporary license  
16 under this section, the applicant shall immediately surrender the  
17 temporary license to the ~~concealed weapon licensing board that~~  
18 ~~issued that temporary license. CLERK OF THE LICENSING AUTHORITY BY~~  
19 MAIL OR IN PERSON. THE CLERK OR THE LICENSING AUTHORITY SHALL NOT  
20 CHARGE A FEE FOR ISSUING A LICENSE TO CARRY A CONCEALED PISTOL IF  
21 THE TEMPORARY LICENSE WAS SURRENDERED AS REQUIRED UNDER THIS  
22 SUBSECTION.

23 (15) If an individual licensed under this act to carry a  
24 concealed pistol moves to a different county within this state, his  
25 or her license remains valid until it expires or is otherwise  
26 suspended or revoked under this act. A license to carry a concealed  
27 pistol that is lost, stolen, or defaced may be replaced by the

1 issuing county clerk for a replacement fee of \$10.00.

2 (16) If a ~~concealed weapons licensing board~~ **LICENSING**  
3 **AUTHORITY** suspends or revokes a license issued under this act, the  
4 license is forfeited and shall be returned to the ~~concealed weapon~~  
5 ~~licensing board~~ **CLERK OF THE LICENSING AUTHORITY** forthwith. An  
6 individual who fails to return a license as required under this  
7 subsection after he or she was notified that his or her license was  
8 suspended or revoked is guilty of a misdemeanor punishable by  
9 imprisonment for not more than 93 days or a fine of not more than  
10 \$500.00, or both.

11 (17) An applicant or an individual licensed under this act to  
12 carry a concealed pistol may be furnished a copy of his or her  
13 application under this section upon request and the payment of a  
14 reasonable fee.

15 (18) This section does not prohibit the ~~concealed weapon~~  
16 ~~licensing board~~ **LICENSING AUTHORITY** from making public and  
17 distributing to the public at no cost lists of individuals who are  
18 certified as qualified instructors as prescribed under section 5j.

19 (19) **A COUNTY CLERK ISSUING AN INITIAL LICENSE, RENEWAL**  
20 **LICENSE, TEMPORARY LICENSE, OR REPLACEMENT LICENSE UNDER THIS ACT**  
21 **SHALL MAIL THE LICENSE TO THE LICENSEE BY FIRST-CLASS MAIL IN A**  
22 **SEALED ENVELOPE. HOWEVER, A COUNTY CLERK ISSUING A REINSTATED**  
23 **LICENSE TO AN INDIVIDUAL WHOSE LICENSE WAS SUSPENDED SHALL NOT MAIL**  
24 **THE REINSTATED LICENSE IN THE MANNER DESCRIBED IN THIS SUBSECTION,**  
25 **BUT SHALL PROVIDE THE REINSTATED LICENSE TO THE INDIVIDUAL IN**  
26 **PERSON ONLY UPON THE PAYMENT OF THE FEE UNDER SECTION 8(7). THIS**  
27 **SUBSECTION DOES NOT PROHIBIT A LICENSING AUTHORITY OR A CLERK FROM**

1 ISSUING A REPLACEMENT LICENSE IN PERSON AT THE TIME OF APPLICATION  
2 FOR A REPLACEMENT LICENSE, OR IMMEDIATELY UPON CONCLUSION OF A  
3 CONFERENCE BETWEEN THE LICENSING AUTHORITY AND THE APPLICANT DURING  
4 WHICH A LICENSE HAS BEEN APPROVED OR REINSTATED.

5 (20) A LICENSING AUTHORITY OR THE CLERK OF A LICENSING  
6 AUTHORITY IS NOT LIABLE FOR CIVIL DAMAGES AS A RESULT OF THE  
7 ISSUANCE OF A LICENSE UNDER THIS ACT TO AN INDIVIDUAL WHO LATER  
8 COMMITS A CRIME OR A NEGLIGENT ACT.

9 (21) ~~(19)~~—As used in this section:

10 (a) "Convicted" means a final conviction, the payment of a  
11 fine, a plea of guilty or nolo contendere if accepted by the court,  
12 or a finding of guilt for a criminal law violation or a juvenile  
13 adjudication or disposition by the juvenile division of probate  
14 court or family division of circuit court for a violation that if  
15 committed by an adult would be a crime.

16 (b) "Felony" means that term as defined in section 1 of  
17 chapter I of the code of criminal procedure, 1927 PA 175, MCL  
18 761.1, or a violation of a law of the United States or another  
19 state that is designated as a felony or that is punishable by death  
20 or by imprisonment for more than 1 year.

21 (c) "Mental illness" means a substantial disorder of thought  
22 or mood that significantly impairs judgment, behavior, capacity to  
23 recognize reality, or ability to cope with the ordinary demands of  
24 life, and includes, but is not limited to, clinical depression.

25 (d) "Misdemeanor" means a violation of a penal law of this  
26 state or violation of a local ordinance substantially corresponding  
27 to a violation of a penal law of this state that is not a felony or

1 a violation of an order, rule, or regulation of a state agency that  
2 is punishable by imprisonment or a fine that is not a civil fine,  
3 or both.

4 (e) "Treatment" means care or any therapeutic service,  
5 including, but not limited to, the administration of a drug, and  
6 any other service for the treatment of a mental illness.

7 Sec. 5c. (1) A license to carry a concealed pistol shall be in  
8 a form, with the same dimensions as a Michigan operator license,  
9 prescribed by the department of state police. **BEGINNING JANUARY 1,**  
10 **2014, THE LICENSE SHALL BE CONSTRUCTED OF PLASTIC LAMINATED PAPER**  
11 **OR HARD PLASTIC. NO ADDITIONAL FEE SHALL BE CHARGED FOR THE LICENSE**  
12 **UNLESS OTHERWISE PRESCRIBED IN THIS ACT. A FEE NOT TO EXCEED \$10.00**  
13 **MAY BE CHARGED FOR AN OPTIONAL HARD PLASTIC LICENSE ONLY IF THE**  
14 **CLERK OF THE LICENSING AUTHORITY ALSO PROVIDES THE OPTION OF**  
15 **OBTAINING A PLASTIC LAMINATED PAPER LICENSE AT NO CHARGE.** The  
16 license shall contain all of the following:

17 (a) The licensee's full name and date of birth.

18 (b) A photograph and a physical description of the licensee.

19 (c) A statement of the effective dates of the license.

20 (d) An indication of exceptions authorized by this act  
21 applicable to the licensee.

22 (e) An indication whether the license is a duplicate.

23 (2) Subject to section 50 and except as otherwise provided by  
24 law, a license to carry a concealed pistol issued by the ~~county~~  
25 ~~concealed weapon licensing board~~ **LICENSING AUTHORITY** authorizes the  
26 licensee to do all of the following:

27 (a) Carry a pistol concealed on or about his or her person

1 anywhere in this state.

2 (b) Carry a pistol in a vehicle, whether concealed or not  
3 concealed, anywhere in this state.

4 Sec. 5d. (1) If the ~~concealed weapon licensing board~~ **LICENSING**  
5 **AUTHORITY** denies issuance of a license to carry a concealed pistol,  
6 or fails to issue that license as provided in this act, the  
7 applicant may appeal the denial or the failure to issue the license  
8 to the circuit court in the judicial circuit in which he or she  
9 resides. The appeal of the denial or failure to issue a license  
10 shall be determined by a review of the record for error, except  
11 that if the decision of the ~~concealed weapon licensing board~~  
12 **LICENSING AUTHORITY** was based upon grounds specified in section  
13 5b(7)(n) that portion of the appeal shall be by hearing de novo.  
14 Witnesses in the hearing shall be sworn. A jury shall not be  
15 provided in a hearing under this section.

16 (2) If the court determines that the denial or failure to  
17 issue a license was clearly erroneous **OR WAS ARBITRARY AND**  
18 **CAPRICIOUS**, the court shall order the ~~concealed weapon licensing~~  
19 ~~board~~ **LICENSING AUTHORITY** to issue a license as required by this  
20 act.

21 (3) If the court **UNDER SUBSECTION (2)** determines that the  
22 ~~decision of the concealed weapon licensing board to deny issuance~~  
23 ~~of~~ **DENIAL OR FAILURE TO ISSUE** a license to an applicant was **CLEARLY**  
24 **ERRONEOUS OR WAS** arbitrary and capricious, the court shall order  
25 ~~this state to pay 1/3 and the county in which the concealed weapon~~  
26 ~~licensing board is located~~ **LICENSING AUTHORITY** to pay ~~2/3~~ **ALL** of  
27 the actual costs and actual attorney fees of the applicant in



1 appealing the denial.

2 ~~—— (4) If the court determines that an applicant's appeal was~~  
3 ~~frivolous, the court shall order the applicant to pay the actual~~  
4 ~~costs and actual attorney fees of the concealed weapon licensing~~  
5 ~~board in responding to the appeal.~~

6 Sec. 5e. (1) The department of state police shall create and  
7 maintain a computerized database of individuals who apply under  
8 this act for a license to carry a concealed pistol. The database  
9 shall contain only the following information as to each individual:

10 (a) The individual's name, date of birth, address, and county  
11 of residence.

12 (b) If the individual is licensed to carry a concealed pistol  
13 in this state, the license number, and date of expiration.

14 (c) Except as provided in subsection (2), if the individual  
15 was denied a license to carry a concealed pistol after ~~the~~  
16 ~~effective date of the amendatory act that added this subdivision,~~  
17 **JULY 1, 2001** a statement of the reasons for that denial.

18 (d) A statement of all criminal charges pending and criminal  
19 convictions obtained against the individual during the license  
20 period.

21 (e) A statement of all determinations of responsibility for  
22 civil infractions of this act pending or obtained against the  
23 individual during the license period.

24 (2) If an individual who was denied a license to carry a  
25 concealed pistol after ~~the effective date of the amendatory act~~  
26 ~~that added this subsection~~ **JULY 1, 2001** is subsequently issued a  
27 license to carry a concealed pistol, the department of state police

1 shall delete from the computerized database the previous reasons  
2 for the denial.

3 (3) The department of state police shall enter the information  
4 described in subsection (1)(a) and (b) into the law enforcement  
5 information network.

6 (4) Information in the database, compiled under subsections  
7 (1) through (3), is confidential, is not subject to disclosure  
8 under the freedom of information act, 1976 PA 442, MCL 15.231 to  
9 15.246, and shall not be disclosed to any person except for  
10 purposes of this act or for law enforcement purposes. The  
11 information compiled under subsection (5) is subject to disclosure  
12 under the freedom of information act, 1976 PA 442, MCL 15.231 to  
13 15.246.

14 (5) The department of state police shall file an annual report  
15 with the secretary of the senate and the clerk of the house of  
16 representatives setting forth all of the following information for  
17 ~~each county concealed weapon licensing board.~~ **A LICENSING AUTHORITY:**

18 (a) The number of concealed pistol applications received.

19 (b) The number of concealed pistol licenses issued.

20 (c) The number of concealed pistol licenses denied.

21 (d) Categories for denial under subdivision (c).

22 (e) The number of concealed pistol licenses **SUSPENDED OR**  
23 **revoked.**

24 (f) Categories for **SUSPENSION OR** revocation under subdivision  
25 (e).

26 (g) The number of applications pending at the time the report  
27 is made.

1 (h) The mean and median amount of time and the longest and  
2 shortest amount of time used by the federal bureau of investigation  
3 to supply the fingerprint comparison report required in section  
4 ~~5b(11)~~. **5B(10)**. The department may use a statistically significant  
5 sample to comply with this subdivision.

6 (i) The number of charges of state civil infractions of this  
7 act or charges of criminal violations, categorized by offense,  
8 filed against individuals licensed to carry a concealed pistol that  
9 resulted in a finding of responsibility or a criminal conviction.  
10 The report shall indicate the number of crimes in each category of  
11 criminal offense that involved the brandishing or use of a pistol,  
12 the number that involved the carrying of a pistol by the license  
13 holder during the commission of the crime, and the number in which  
14 no pistol was carried by the license holder during the commission  
15 of the crime. **THE REPORT SHALL ALSO INDICATE THE TOTAL NUMBER OF**  
16 **INDIVIDUALS CHARGED AND THE TOTAL NUMBER OF THOSE INDIVIDUALS FOUND**  
17 **RESPONSIBLE OR CONVICTED.**

18 (j) The number of pending criminal charges, categorized by  
19 offense, against individuals licensed to carry a concealed pistol.

20 (k) The number of criminal cases dismissed, categorized by  
21 offense, against individuals licensed to carry a concealed pistol.

22 (l) The number of cases filed against individuals licensed to  
23 carry a concealed pistol for criminal violations that resulted in a  
24 finding of not responsible or not guilty, categorized by offense.

25 (m) For the purposes of subdivisions (i), (j), (k), and (l),  
26 the department of state police shall use the data provided under  
27 section 5m.

1           (n) The number of suicides by individuals licensed to carry a  
2 concealed pistol.

3           (o) Actual costs incurred per permit for each county.

4           Sec. 5f. (1) An individual who is licensed under this act to  
5 carry a concealed pistol shall have his or her license to carry  
6 that pistol in his or her possession at all times he or she is  
7 carrying a concealed pistol or a portable device that uses electro-  
8 muscular disruption technology.

9           (2) An individual who is licensed under this act to carry a  
10 concealed pistol and who is carrying a concealed pistol or a  
11 portable device that uses electro-muscular disruption technology  
12 shall show both of the following to a peace officer upon request by  
13 that peace officer:

14           (a) His or her license to carry a concealed pistol.

15           (b) His or her driver license or Michigan personal  
16 identification card.

17           (3) An individual licensed under this act to carry a concealed  
18 pistol and who is carrying a concealed pistol or a portable device  
19 that uses electro-muscular disruption technology and who is stopped  
20 by a peace officer shall immediately disclose to the peace officer  
21 that he or she is carrying a pistol or a portable device that uses  
22 electro-muscular disruption technology concealed upon his or her  
23 person or in his or her vehicle.

24           (4) An individual who violates subsection (1) or (2) is  
25 responsible for a state civil infraction and may be fined not more  
26 than \$100.00.

27           (5) An individual who violates subsection (3) is responsible

1 for a state civil infraction and may be fined as follows:

2 (a) For a first offense, by a fine of not more than \$500.00 or  
3 by the individual's license to carry a concealed pistol being  
4 suspended for 6 months, or both.

5 (b) For a subsequent offense within 3 years of a prior  
6 offense, by a fine of not more than \$1,000.00 and by the  
7 individual's license to carry a concealed pistol being revoked.

8 (6) If an individual is found responsible for a state civil  
9 infraction under this section, the court shall notify the  
10 department of state police and the ~~concealed weapon~~ **CLERK OF THE**  
11 licensing ~~board~~ **AUTHORITY** that issued the license of that  
12 determination.

13 (7) A pistol or portable device that uses electro-muscular  
14 disruption technology carried in violation of this section is  
15 subject to immediate seizure by a peace officer. If a peace officer  
16 seizes a pistol or portable device that uses electro-muscular  
17 disruption technology under this subsection, the individual has 45  
18 days in which to display his or her license or documentation to an  
19 authorized employee of the law enforcement entity that employs the  
20 peace officer. If the individual displays his or her license or  
21 documentation to an authorized employee of the law enforcement  
22 entity that employs the peace officer within the 45-day period, the  
23 authorized employee of that law enforcement entity shall return the  
24 pistol or portable device that uses electro-muscular disruption  
25 technology to the individual unless the individual is prohibited by  
26 law from possessing a firearm or portable device that uses electro-  
27 muscular disruption technology. If the individual does not display

1 his or her license or documentation within the 45-day period, the  
2 pistol or portable device that uses electro-muscular disruption  
3 technology is subject to forfeiture as provided in section 5g. A  
4 pistol or portable device that uses electro-muscular disruption  
5 technology is not subject to immediate seizure under this  
6 subsection if both of the following circumstances exist:

7 (a) The individual has his or her driver license or Michigan  
8 personal identification card in his or her possession when the  
9 violation occurs.

10 (b) The peace officer verifies through the law enforcement  
11 information network that the individual is licensed under this act  
12 to carry a concealed pistol.

13 (8) As used in this section, "peace officer" includes a motor  
14 carrier officer appointed under section 6d of 1935 PA 59, MCL  
15 28.6d, and security personnel employed by the state under section  
16 6c of 1935 PA 59, MCL 28.6c.

17 Sec. 5j. (1) A pistol training or safety program described in  
18 section 5b(7)(c) meets the requirements for knowledge or training  
19 in the safe use and handling of a pistol only if the ~~program~~  
20 ~~consists~~ **TRAINING WAS PROVIDED WITHIN 5 YEARS PRECEDING THE DATE OF**  
21 **APPLICATION AND CONSISTED** of not less than 8 hours of instruction  
22 and all of the following conditions are met:

23 (a) The program is certified by this state or a national or  
24 state firearms training organization and provides 5 hours of  
25 instruction in, but is not limited to providing instruction in, all  
26 of the following:

27 (i) The safe storage, use, and handling of a pistol including,

1 but not limited to, safe storage, use, and handling to protect  
2 child safety.

3 (ii) Ammunition knowledge, and the fundamentals of pistol  
4 shooting.

5 (iii) Pistol shooting positions.

6 (iv) Firearms and the law, including civil liability issues and  
7 the use of deadly force. This portion shall be taught by an  
8 attorney or an individual trained in the use of deadly force.

9 (v) Avoiding criminal attack and controlling a violent  
10 confrontation.

11 (vi) All laws that apply to carrying a concealed pistol in this  
12 state.

13 (b) The program provides at least 3 hours of instruction on a  
14 firing range and requires firing at least 30 rounds of ammunition.

15 (c) The program provides a certificate of completion that  
16 states the program complies with the requirements of this section  
17 and that the individual successfully completed the course, and that  
18 contains the printed name and signature of the course instructor.

19 ~~Not later than October 1, 2004, the~~ **THE** certificate of completion  
20 shall contain the statement, "This course complies with section 5j

21 of 1927 PA 372.". **FOR CERTIFICATES ISSUED ON OR AFTER JANUARY 1,**

22 **2014, EACH CERTIFICATE SHALL ALSO CONTAIN ALL OF THE FOLLOWING**

23 **INFORMATION WHICH SHALL BE PRINTED ON THE FACE OF THE CERTIFICATE:**

24 (i) **THE INSTRUCTOR'S NAME AND ADDRESS, AND TELEPHONE NUMBER IF**  
25 **AVAILABLE.**

26 (ii) **THE NAME AND TELEPHONE NUMBER OF THE STATE AGENCY OR A**  
27 **STATE OR NATIONAL FIREARMS TRAINING ORGANIZATION THAT HAS CERTIFIED**

1 THE INDIVIDUAL AS AN INSTRUCTOR FOR PURPOSES OF THIS SECTION, HIS  
 2 OR HER INSTRUCTOR CERTIFICATION NUMBER, IF ANY, AND THE EXPIRATION  
 3 DATE OF THAT CERTIFICATION.

4 (iii) THE NAME OF THE COURSE, IF APPLICABLE, THE TOTAL NUMBER IN  
 5 HOURS OF INSTRUCTION RECEIVED, AND THE NUMBER OF ROUNDS FIRED.

6 (d) The instructor of the course is certified by this state or  
 7 a STATE OR national FIREARMS TRAINING organization to teach the ~~8-~~  
 8 ~~hour~~-pistol safety training ~~course~~-COURSES described in this  
 9 section. THE LICENSING AUTHORITY SHALL NOT REQUIRE ANY OTHER  
 10 CERTIFICATION.

11 (2) A TRAINING CERTIFICATE THAT DOES NOT MEET THE REQUIREMENTS  
 12 UNDER STATE LAW APPLICABLE AT THE TIME THE CERTIFICATION WAS ISSUED  
 13 MAY OTHERWISE MEET THE REQUIREMENTS OF SUBSECTION (1) (C) IF THE  
 14 APPLICANT PROVIDES INFORMATION THAT REASONABLY DEMONSTRATES THAT  
 15 THE CERTIFICATE OR THE TRAINING MEETS THE APPLICABLE REQUIREMENTS.

16 (3) ~~(2)~~-A person shall not do either of the following:

17 (a) Grant a certificate of completion described under  
 18 subsection (1)(c) to an individual knowing the individual did not  
 19 satisfactorily complete the course.

20 (b) Present a certificate of completion described under  
 21 subsection (1)(c) to a ~~concealed weapon licensing board~~-LICENSING  
 22 AUTHORITY knowing that the individual did not satisfactorily  
 23 complete the course.

24 (4) ~~(3)~~-A person who violates subsection ~~(2)~~-(3) is guilty of  
 25 a felony punishable by imprisonment for not more than 4 years or a  
 26 fine of not more than \$2,500.00, or both.

27 (5) ~~(4)~~-A ~~concealed weapons licensing board~~-LICENSING



1 **AUTHORITY** shall not require that a specific form, color, wording,  
2 or other content appear on a certificate of completion, ~~except as~~  
3 ~~provided in subsection (5), and shall accept as valid a certificate~~  
4 ~~of completion issued prior to the effective date of the amendatory~~  
5 ~~act that added this subsection that contains an inaccurate~~  
6 ~~reference or no reference to this section but otherwise complies~~  
7 ~~with this section.~~ **EXCEPT AS OTHERWISE REQUIRED UNDER THIS ACT.**

8 ~~—— (5) Beginning October 1, 2004, a concealed weapons licensing~~  
9 ~~board shall require that a certificate of completion contain the~~  
10 ~~statement, "This course complies with section 5j of 1927 PA 372."~~

11 Sec. 5k. (1) Acceptance of a license issued under this act to  
12 carry a concealed pistol constitutes implied consent to submit to a  
13 chemical analysis under this section. This section also applies to  
14 individuals listed in section 12a.

15 (2) An individual shall not carry a concealed pistol or  
16 portable device that uses electro-muscular disruption technology  
17 while he or she is under the influence of alcoholic liquor or a  
18 controlled substance or while having a bodily alcohol content  
19 prohibited under this section. An individual who violates this  
20 section is responsible for a state civil infraction or guilty of a  
21 crime as follows:

22 (a) If the person was under the influence of alcoholic liquor  
23 or a controlled substance or a combination of alcoholic liquor and  
24 a controlled substance, or had a bodily alcohol content of .10 or  
25 more grams per 100 milliliters of blood, per 210 liters of breath,  
26 or per 67 milliliters of urine, the individual is guilty of a  
27 misdemeanor punishable by imprisonment for not more than 93 days or

1 \$100.00, or both. The court shall order the ~~concealed weapon~~  
2 ~~licensing board that issued the individual a license to carry a~~  
3 ~~concealed pistol~~ **AUTHORITY** to permanently revoke the license. The  
4 ~~concealed weapon licensing board~~ **AUTHORITY** shall permanently revoke  
5 the license as ordered by the court.

6 (b) If the person had a bodily alcohol content of .08 or more  
7 but less than .10 grams per 100 milliliters of blood, per 210  
8 liters of breath, or per 67 milliliters of urine, the individual is  
9 guilty of a misdemeanor punishable by imprisonment for not more  
10 than 93 days or \$100.00, or both. The court may order the ~~concealed~~  
11 ~~weapon licensing board that issued the individual a license to~~  
12 ~~carry a concealed pistol~~ **AUTHORITY** to ~~revoke~~ **SUSPEND** the license  
13 for not more than 3 years. The ~~concealed weapon licensing board~~  
14 **AUTHORITY** shall ~~revoke~~ **SUSPEND** the license as ordered by the court.

15 (c) If the person had a bodily alcohol content of .02 or more  
16 but less than .08 grams per 100 milliliters of blood, per 210  
17 liters of breath, or per 67 milliliters of urine, the individual is  
18 responsible for a state civil infraction and may be fined not more  
19 than \$100.00. The court may order the ~~concealed weapon licensing~~  
20 ~~board that issued the individual the license~~ **AUTHORITY** to ~~revoke~~  
21 **SUSPEND** the license for 1 year. The ~~concealed weapon licensing~~  
22 ~~board~~ **AUTHORITY** shall ~~revoke~~ **SUSPEND** the license as ordered by the  
23 court. The court shall notify the ~~concealed weapon licensing board~~  
24 ~~that issued the individual a license to carry a concealed pistol~~  
25 **AUTHORITY** if an individual is found responsible for a subsequent  
26 violation of this subdivision.

27 (3) This section does not prohibit an individual licensed

1 under this act to carry a concealed pistol who has any bodily  
2 alcohol content from doing any of the following:

3 (a) Transporting that pistol in the locked trunk of his or her  
4 motor vehicle or another motor vehicle in which he or she is a  
5 passenger or, if the vehicle does not have a trunk, from  
6 transporting that pistol unloaded in a locked compartment or  
7 container that is separated from the ammunition for that pistol.

8 (b) Transporting that pistol on a vessel if the pistol is  
9 transported unloaded in a locked compartment or container that is  
10 separated from the ammunition for that pistol.

11 (c) Transporting a portable device using electro-muscular  
12 disruption technology in the locked trunk of his or her motor  
13 vehicle or another motor vehicle in which he or she is a passenger,  
14 or, if the vehicle does not have a trunk, from transporting that  
15 portable device in a locked compartment or container.

16 (d) Transporting a portable device using electro-muscular  
17 disruption technology on a vessel if the portable device is  
18 transported in a locked compartment or container.

19 (4) A peace officer who has probable cause to believe an  
20 individual is carrying a concealed pistol or a portable device  
21 using electro-muscular disruption technology in violation of this  
22 section may require the individual to submit to a chemical analysis  
23 of his or her breath, blood, or urine.

24 (5) Before an individual is required to submit to a chemical  
25 analysis under subsection (4), the peace officer shall inform the  
26 individual of all of the following:

27 (a) The individual may refuse to submit to the chemical

1 analysis, but if he or she chooses to do so, all of the following  
2 apply:

3 (i) The officer may obtain a court order requiring the  
4 individual to submit to a chemical analysis.

5 (ii) The refusal may result in his or her license to carry a  
6 concealed pistol being suspended or revoked.

7 (b) If the individual submits to the chemical analysis, he or  
8 she may obtain a chemical analysis described in subsection (4) from  
9 a person of his or her own choosing.

10 (6) The collection and testing of breath, blood, and urine  
11 specimens under this section shall be conducted in the same manner  
12 that breath, blood, and urine specimens are collected and tested  
13 for alcohol- and controlled-substance-related driving violations  
14 under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

15 (7) If a person refuses to take a chemical test authorized  
16 under this section, the peace officer shall promptly report the  
17 refusal in writing to the ~~concealed weapon licensing board that~~  
18 ~~issued the license to the individual to carry a concealed~~  
19 ~~pistol.~~**AUTHORITY.**

20 (8) If a person takes a chemical test authorized under this  
21 section and the test results indicate that the individual had any  
22 bodily alcohol content while carrying a concealed pistol, the peace  
23 officer shall promptly report the violation in writing to the  
24 ~~concealed weapon licensing board that issued the license to the~~  
25 ~~individual to carry a concealed pistol.~~**AUTHORITY.**

26 (9) As used in this section:

27 (a) "Alcoholic liquor" means that term as defined in section

1 105 of the Michigan liquor control code of 1998, 1998 PA 58, MCL  
2 436.1105.

3 (b) "Controlled substance" means that term as defined in  
4 section 7104 of the public health code, 1978 PA 368, MCL 333.7104.

5 (C) "UNDER THE INFLUENCE OF ALCOHOLIC LIQUOR OR A CONTROLLED  
6 SUBSTANCE" MEANS THAT THE INDIVIDUAL'S ABILITY TO PROPERLY HANDLE A  
7 PISTOL OR TO EXERCISE CLEAR JUDGMENT REGARDING THE USE OF THAT  
8 PISTOL WAS SUBSTANTIALLY AND MATERIALLY AFFECTED BY THE CONSUMPTION  
9 OF ALCOHOLIC LIQUOR OR A CONTROLLED SUBSTANCE.

10 Sec. 5l. ~~(1) A license to carry a concealed pistol issued on or~~  
11 ~~after July 1, 2003 but before July 1, 2006 is valid for 5 years.~~

12 (1) ~~(2) An initial~~ A license to carry a concealed pistol,  
13 ~~issued or renewed on or after July 1, 2006, other than a license~~  
14 ~~described in subsection (1),~~ **INCLUDING A RENEWAL LICENSE**, is valid  
15 until the applicant's date of birth that falls not less than 4  
16 years or more than 5 years after the license is issued or renewed,  
17 as applicable. **THE CLERK OF THE LICENSING AUTHORITY SHALL NOTIFY**  
18 **THE LICENSEE THAT HIS OR HER LICENSE IS ABOUT TO EXPIRE AND MAY BE**  
19 **RENEWED AS PROVIDED IN THIS SECTION. THE NOTIFICATION SHALL BE SENT**  
20 **BY THE CLERK TO THE LAST KNOWN ADDRESS OF THE LICENSEE AS SHOWN ON**  
21 **THE RECORDS OF THE LICENSING AUTHORITY. THE NOTIFICATION SHALL BE**  
22 **SENT IN A SEALED ENVELOPE BY FIRST-CLASS MAIL NOT LESS THAN 3**  
23 **MONTHS OR MORE THAN 6 MONTHS BEFORE THE EXPIRATION DATE OF THE**  
24 **CURRENT LICENSE.** Except as provided in subsections ~~(8)~~ (7) and ~~(9)~~,  
25 (8), a renewal of a license under section 5b shall, except as  
26 provided in this section, be issued in the same manner as an  
27 original license issued under section 5b. **AN APPLICANT IS ELIGIBLE**

1 FOR A RENEWAL OF A LICENSE UNDER THIS SECTION IF HIS OR HER LICENSE  
2 IS NOT EXPIRED, OR EXPIRED WITHIN A 5-YEAR PERIOD BEFORE THE DATE  
3 OF APPLICATION UNDER THIS SECTION. A LICENSE HELD BY A LICENSEE  
4 SERVING IN THE UNITED STATES MILITARY THAT EXPIRES WHILE THE  
5 LICENSEE IS ON OFFICIAL DEPLOYMENT ORDERS OUTSIDE OF THIS STATE OR  
6 THE CONTINENTAL UNITED STATES IS AUTOMATICALLY EXTENDED UNTIL 60  
7 DAYS AFTER THE END DATE OF THE DEPLOYMENT AS PROVIDED IN THE  
8 LICENSEE'S DEPLOYMENT ORDERS. A DEPLOYED LICENSEE WHO RECEIVES AN  
9 EXTENSION UNDER THIS SUBSECTION SHALL HAVE HIS OR HER DEPLOYMENT  
10 ORDERS IN HIS OR HER POSSESSION WHILE CARRYING A CONCEALED PISTOL  
11 DURING THE 60-DAY EXTENSION PERIOD. THE 60-DAY EXTENSION PROVIDED  
12 UNDER THIS SUBSECTION DOES NOT APPLY TO A LICENSE FOR A PISTOL  
13 UNDER SECTION 2.

14 (2) ~~(3)~~—Subject to subsections ~~(8)~~—(7) and ~~(9)~~—(8), an  
15 application to renew a license to carry a concealed pistol may be  
16 submitted not more than 6 months before the expiration of the  
17 current license. If the ~~concealed weapon licensing board~~ **AUTHORITY**  
18 approves the renewal, the effective date of the renewal license is  
19 the date of expiration of the current license or the date of  
20 approval of the renewal, whichever is later, and the date of  
21 expiration is the applicant's date of birth which is not less than  
22 4 years or more than 5 years from the effective date of the  
23 license.

24 (3) ~~(4)~~—The ~~concealed weapon licensing board~~ **AUTHORITY** shall  
25 issue or deny issuance of a renewal license within ~~60~~ **45** days after  
26 the **DATE OF** application for renewal, ~~is properly submitted.~~ **AND IF**  
27 **REQUIRED FOR RENEWAL, THE SUBMISSION OF CLASSIFIABLE FINGERPRINTS**

1 **TAKEN UNDER SECTION 5B(9)**. The county clerk shall issue the  
2 applicant a receipt for his or her renewal application at the time  
3 the application is submitted. The receipt shall contain all of the  
4 following:

5 (a) The name of the applicant.

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

7 (c) The amount paid.

8 (d) A statement that the receipt is for a license renewal.

9 (e) A statement of whether the applicant qualifies for an  
10 extension under subsection ~~(5)~~ **(4)**.

11 (f) The name of the county in which the receipt is issued.

12 (g) An impression of the county seal.

13 **(4)** ~~(5)~~ If the ~~concealed weapon licensing board~~ **AUTHORITY**  
14 fails to deny or issue a renewal license to the person within ~~60~~ **45**  
15 days as required under subsection ~~(4)~~ **(3)**, the expiration date of  
16 the current license is extended by 180 days or until the renewal  
17 license is issued, whichever occurs first. ~~This subsection does not~~  
18 ~~apply unless the person pays the renewal fee at the time the~~  
19 ~~renewal application is submitted and the person has submitted a~~  
20 ~~receipt from a police agency that confirms that a background check~~  
21 ~~has been requested by the applicant.~~

22 **(5)** ~~(6)~~ A person carrying a concealed pistol after the  
23 expiration date of his or her license ~~pursuant to~~ **UNDER** an  
24 extension under subsection ~~(5)~~ **(4)** shall keep the receipt issued by  
25 the county clerk under subsection ~~(4)~~ **(3)** and his or her expired  
26 license in his or her possession at all times that he or she is  
27 carrying the pistol. For the purposes of this act, the receipt is

1 considered to be part of the license to carry a concealed pistol  
2 until a renewal license is issued or denied. Failing to have the  
3 receipt and expired license in possession while carrying a  
4 concealed pistol or failing to display the receipt to a peace  
5 officer upon request is a violation of this act.

6 (6) ~~(7)~~—The educational requirements under section 5b(7)(c)  
7 are waived for an applicant who is **AN ACTIVE PEACE OFFICER,**  
8 **INCLUDING A FEDERAL LAW ENFORCEMENT OFFICER OR AGENT, A MILITARY**  
9 **POLICE OFFICER,** a retired police officer, **INCLUDING A RETIRED**  
10 **FEDERAL LAW ENFORCEMENT OFFICER OR AGENT, A RETIRED MILITARY POLICE**  
11 **OFFICER,** or **A** retired law enforcement officer. **THE LICENSING**  
12 **AUTHORITY MAY CONTACT THE APPROPRIATE AGENCY TO VERIFY THE STANDING**  
13 **OF THE INDIVIDUALS DESCRIBED IN THIS SUBSECTION.**

14 (7) ~~(8)~~—The educational requirements under section 5b(7)(c)  
15 for an applicant who is applying for a renewal of a license under  
16 this act are waived except that the applicant shall certify that he  
17 or she has completed at least 3 hours' review of the training  
18 described under section 5b(7)(c) and has had at least 1 hour of  
19 firing range time in the 6 months immediately preceding the  
20 subsequent application. **THE EDUCATIONAL AND FIRING RANGE**  
21 **REQUIREMENTS OF THIS SUBSECTION ARE MET IF THE APPLICANT CERTIFIES**  
22 **ON THE RENEWAL APPLICATION FORM THAT HE OR SHE HAS COMPLIED WITH**  
23 **THE REQUIREMENTS OF THIS SUBSECTION. THE LICENSING AUTHORITY SHALL**  
24 **NOT OTHERWISE REQUIRE VERIFICATION OF THE STATEMENTS MADE UNDER**  
25 **THIS SUBSECTION AND SHALL NOT REQUIRE AN APPLICANT TO OBTAIN A**  
26 **CERTIFICATE OR UNDERGO TRAINING OTHER THAN AS REQUIRED BY THIS**  
27 **SUBSECTION.**



1           (8) ~~(9) Beginning January 1, 2007, an~~ **AN** applicant who is  
 2 applying for a renewal of a license issued under section 5b is not  
 3 required to have fingerprints taken again under section 5b(9) if  
 4 all of the following conditions have been met:

5           (a) There has been established a system for the department of  
 6 state police to save and maintain in its automated fingerprint  
 7 identification system (AFIS) database all fingerprints that are  
 8 submitted to the department of state police under section 5b.

9           (b) The applicant's fingerprints have been submitted to and  
 10 maintained by the department of state police as described in  
 11 subdivision (a) for ongoing comparison with the automated  
 12 fingerprint identification system (AFIS) database.

13           Sec. 5m. ~~A prosecuting attorney~~ **THE DEPARTMENT OF STATE POLICE**  
 14 shall promptly notify the ~~county concealed weapon~~ **CLERK OF THE**  
 15 licensing ~~board~~ **AUTHORITY OF THE COUNTY** that issued the license of  
 16 a criminal charge against a license holder for a felony or  
 17 specified criminal offense as defined in this act. The ~~prosecuting~~  
 18 ~~attorney~~ **DEPARTMENT OF STATE POLICE** shall promptly notify the  
 19 ~~county concealed weapon licensing board~~ **CLERK OF THE LICENSING**  
 20 **AUTHORITY OF THE COUNTY** that issued the license of the disposition  
 21 of the criminal charge. If a license holder is convicted of a  
 22 crime, the **LICENSING AUTHORITY SHALL REQUEST THE** prosecuting  
 23 ~~attorney's notification shall~~ **ATTORNEY TO** indicate if the crime  
 24 involved the brandishing or use of a pistol, if a pistol was  
 25 carried by the license holder during the commission of the crime,  
 26 or if no pistol was carried by the license holder during the  
 27 commission of the crime. The state police shall provide a form for

1 reporting purposes. ~~Each year by a date determined by the director~~  
 2 ~~of the department of state police, the chairperson of the county~~  
 3 ~~concealed weapon licensing board shall compile and provide a report~~  
 4 ~~to the department of state police in a format determined by the~~  
 5 ~~director of the department of state police containing the~~  
 6 ~~information provided to the concealed weapon licensing board under~~  
 7 ~~this section, section 5f(6), or section 5k(7) or (8).~~

8       Sec. 5o. (1) Subject to subsection (5), an individual licensed  
 9 under this act to carry a concealed pistol, or who is exempt from  
 10 licensure under section ~~12a(1)(f)~~, **12A(1)(H)**, shall not carry a  
 11 concealed pistol on the premises of any of the following:

12       (a) A school or school property except ~~that~~ **AS FOLLOWS:**

13       **(i) AN INDIVIDUAL LICENSED UNDER THIS ACT TO CARRY A CONCEALED**  
 14 **PISTOL MAY CARRY A CONCEALED PISTOL IN A SCHOOL OR ON SCHOOL**  
 15 **PROPERTY IF THE CHIEF EXECUTIVE OFFICER OR SCHOOL BOARD OF THE**  
 16 **SCHOOL HAS AUTHORIZED THE CARRYING OF CONCEALED PISTOLS IN THAT**  
 17 **SCHOOL OR ON THAT SCHOOL PROPERTY BY INDIVIDUALS OR EMPLOYEES**  
 18 **LICENSED UNDER THIS ACT, AS DETERMINED BY THE CHIEF EXECUTIVE**  
 19 **OFFICER OR SCHOOL BOARD OF THE SCHOOL. A CHIEF EXECUTIVE OFFICER OR**  
 20 **SCHOOL BOARD SHALL NOT DISCHARGE, DEMOTE, SUSPEND, THREATEN,**  
 21 **HARASS, OR IN ANY OTHER MANNER DISCRIMINATE AGAINST A TEACHER,**  
 22 **ADMINISTRATOR, OR OTHER EMPLOYEE IN THE TERMS AND CONDITIONS OF**  
 23 **EMPLOYMENT BECAUSE THE EMPLOYEE CARRIES A CONCEALED PISTOL UNDER**  
 24 **THIS SUBPARAGRAPH.**

25       **(ii) A parent or legal guardian of a student of the school is**  
 26 **not precluded from carrying a concealed pistol while in a vehicle**  
 27 **on school property, if he or she is dropping the student off at the**

1 school or picking up the ~~child~~ **STUDENT** from the school. As used in  
2 this section, "school" and "school property" mean those terms as  
3 defined in section 237a of the Michigan penal code, 1931 PA 328,  
4 MCL 750.237a.

5 ~~—— (b) A public or private child care center or day care center,  
6 public or private child caring institution, or public or private  
7 child placing agency.~~

8 ~~—— (c) A sports arena or stadium.~~

9 ~~—— (d) A bar or tavern licensed under the Michigan liquor control  
10 code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, where the  
11 primary source of income of the business is the sale of alcoholic  
12 liquor by the glass and consumed on the premises. This subdivision  
13 does not apply to an owner or employee of the business. The  
14 Michigan liquor control commission shall develop and make available  
15 to holders of licenses under the Michigan liquor control code of  
16 1998, 1998 PA 58, MCL 436.1101 to 436.2303, an appropriate sign  
17 stating that "This establishment prohibits patrons from carrying  
18 concealed weapons". The owner or operator of an establishment  
19 licensed under the Michigan liquor control code of 1998, 1998 PA  
20 58, MCL 436.1101 to 436.2303, may, but is not required to, post the  
21 sign developed under this subdivision. A record made available by  
22 an establishment licensed under the Michigan liquor control code of  
23 1998, 1998 PA 58, MCL 436.1101 to 436.2303, necessary to enforce  
24 this subdivision is exempt from disclosure under the freedom of  
25 information act, 1976 PA 442, MCL 15.231 to 15.246.~~

26 **(B)** ~~(e)~~ Any property or facility owned or operated by a  
27 church, synagogue, mosque, temple, or other place of worship,

1 unless the presiding official or officials of the church,  
2 synagogue, mosque, temple, or other place of worship permit the  
3 carrying of concealed pistol on that property or facility.

4 ~~—— (f) An entertainment facility with a seating capacity of 2,500~~  
5 ~~or more individuals that the individual knows or should know has a~~  
6 ~~seating capacity of 2,500 or more individuals or that has a sign~~  
7 ~~above each public entrance stating in letters not less than 1 inch~~  
8 ~~high a seating capacity of 2,500 or more individuals.~~

9 (C) ~~(g)~~ **A hospital, UNLESS THE CHIEF EXECUTIVE OFFICER OR**  
10 **GOVERNING BOARD OF THE HOSPITAL PERMITS THE CARRYING OF A CONCEALED**  
11 **PISTOL IN THAT HOSPITAL.**

12 ~~—— (h) A dormitory or classroom of a community college, college,~~  
13 ~~or university.~~

14 (2) Subject to subsection ~~(5)~~ **(4)**, an individual shall not  
15 carry a portable device that uses electro-muscular disruption  
16 technology on any of the premises described in subsection (1).

17 ~~—— (3) An individual licensed under this act to carry a concealed~~  
18 ~~pistol, or who is exempt from licensure under section 12a(1)(f),~~  
19 ~~shall not carry a concealed pistol in violation of R 432.1212 or a~~  
20 ~~successor rule of the Michigan administrative code promulgated~~  
21 ~~under the Michigan gaming control and revenue act, 1996 IL 1, MCL~~  
22 ~~432.201 to 432.226.~~

23 (3) ~~(4)~~ As used in subsection (1), "premises" does not include  
24 parking areas of the places identified under subsection (1).

25 (4) ~~(5)~~ Subsections (1) and (2) do not apply to any of the  
26 following:

27 (a) An individual licensed under this act who is a ~~retired~~

1 ~~police officer or retired law enforcement officer.~~ PEACE OFFICER,  
2 INCLUDING A FEDERAL LAW ENFORCEMENT OFFICER OR AGENT, OR A MILITARY  
3 POLICE OFFICER, IF HE OR SHE IS IN POSSESSION OF A VALID OFFICIAL  
4 IDENTIFICATION THAT IDENTIFIES HIM OR HER AS SUCH, OR A RETIRED  
5 PEACE OFFICER, INCLUDING A RETIRED FEDERAL LAW ENFORCEMENT OFFICER  
6 OR AGENT, OR A RETIRED MILITARY POLICE OFFICER, IF HE OR SHE  
7 RETIRED IN GOOD STANDING. ~~The concealed weapon licensing board may~~  
8 ~~require a letter from the law enforcement agency stating that~~  
9 AUTHORITY MAY CONTACT THE APPROPRIATE POLICE OR LAW ENFORCEMENT  
10 AGENCY TO VERIFY ~~the retired police officer or law enforcement~~  
11 ~~officer retired in good standing.~~ STANDING OF THE INDIVIDUALS  
12 DESCRIBED IN THIS SUBDIVISION.

13 (b) An individual who is licensed under this act and who is  
14 employed or contracted by an entity described under subsection (1)  
15 to provide security services and is required by his or her employer  
16 or the terms of a contract to carry a concealed firearm on the  
17 premises of the employing or contracting entity.

18 (c) An individual who is licensed as a private investigator or  
19 private detective under the professional investigator licensure  
20 act, 1965 PA 285, MCL 338.821 to 338.851.

21 (d) An individual who is licensed under this act and who is a  
22 corrections officer of a county sheriff's department OR WHO IS  
23 LICENSED UNDER THIS ACT AND IS A RETIRED CORRECTIONS OFFICER OF A  
24 COUNTY SHERIFF'S DEPARTMENT. THE LICENSING AUTHORITY MAY CONTACT  
25 THE SHERIFF'S DEPARTMENT TO VERIFY THAT THE RETIRED CORRECTIONS  
26 OFFICER RETIRED IN GOOD STANDING.

27 (e) An individual who is licensed under this act and who is a

1 motor carrier officer or capitol security officer of the department  
2 of state police.

3 (f) An individual who is licensed under this act and who is a  
4 member of a sheriff's posse.

5 (g) An individual who is licensed under this act and who is an  
6 auxiliary officer or reserve officer of a police or sheriff's  
7 department.

8 (h) An individual who is licensed under this act and who is a  
9 parole or probation officer of the department of corrections.

10 (i) A state **OR FEDERAL** court judge or state **OR FEDERAL** court  
11 retired judge who is licensed under this act. ~~The concealed weapon~~  
12 ~~licensing board may require a state court retired judge to obtain~~  
13 ~~and carry a letter from the judicial tenure commission stating that~~  
14 ~~the state court retired judge is in good standing as authorized~~  
15 ~~under section 30 of article VI of the state constitution of 1963,~~  
16 ~~and rules promulgated under that section, in order to qualify under~~  
17 ~~this subdivision.~~

18 (j) An individual who is licensed under this act and who is a  
19 court officer.

20 (5) ~~(6)~~ An individual who violates this section is responsible  
21 for a state civil infraction or guilty of a crime as follows:

22 (a) Except as provided in subdivisions (b) and (c), the  
23 individual is responsible for a state civil infraction and may be  
24 fined not more than \$500.00. The court shall order the individual's  
25 license to carry a concealed pistol suspended for 6 months.

26 (b) For a second violation, the individual is guilty of a  
27 misdemeanor punishable by a fine of not more than \$1,000.00. The

1 court shall order the individual's license to carry a concealed  
2 pistol revoked.

3 (c) For a third or subsequent violation, the individual is  
4 guilty of a felony punishable by imprisonment for not more than 4  
5 years or a fine of not more than \$5,000.00, or both. The court  
6 shall order the individual's license to carry a concealed pistol  
7 revoked.

8 SEC. 5X. (1) EACH COUNTY SHALL ESTABLISH A CONCEALED PISTOL  
9 LICENSING FUND FOR THE DEPOSIT OF FEES COLLECTED UNDER THIS ACT.  
10 THE COUNTY TREASURER SHALL DIRECT INVESTMENT OF THE CONCEALED  
11 PISTOL LICENSING FUND AND SHALL CREDIT TO THE FUND INTEREST AND  
12 EARNINGS FROM FUND INVESTMENTS.

13 (2) MONEY CREDITED TO THE COUNTY CONCEALED PISTOL LICENSING  
14 FUND SHALL BE EXPENDED IN COMPLIANCE WITH THE UNIFORM BUDGETING AND  
15 ACCOUNTING ACT, 1968 PA 2, MCL 141.421 TO 141.440A, SUBJECT TO AN  
16 APPROPRIATION. EXPENDITURES FROM THE COUNTY CONCEALED PISTOL  
17 LICENSING FUND SHALL BE USED BY THE COUNTY CLERK AS CLERK OF THE  
18 LICENSING AUTHORITY ONLY FOR THE COST OF ADMINISTERING THIS ACT.  
19 ALLOWABLE EXPENDITURES INCLUDE, BUT ARE NOT LIMITED TO, ANY OF THE  
20 FOLLOWING COSTS OF OR THE COUNTY CLERK AS CLERK OF THE LICENSING  
21 AUTHORITY:

22 (A) STAFFING REQUIREMENTS.

23 (B) TECHNOLOGY UPGRADES, INCLUDING TECHNOLOGY TO TAKE  
24 FINGERPRINTS BY ELECTRONIC MEANS.

25 (C) OFFICE SUPPLIES.

26 (D) DOCUMENT STORAGE AND RETRIEVAL SYSTEMS AND SYSTEM  
27 UPGRADES.

1           Sec. 8. (1) ~~The concealed weapon licensing board that issued a~~  
2 ~~license to an individual to carry a concealed pistol~~ **LICENSING**  
3 **AUTHORITY** may **SUSPEND OR** revoke ~~that~~ **A** license **AS PERMITTED UNDER**  
4 **THIS ACT** if the ~~board~~ **LICENSING AUTHORITY** determines that the  
5 individual committed any violation of this act other than a  
6 violation of section 5f(4). If the ~~board~~ **LICENSING AUTHORITY**  
7 determines that the individual has been found responsible for 3 or  
8 more state civil infraction violations of this act during the  
9 license period, the ~~board~~ **LICENSING AUTHORITY** shall conduct a  
10 hearing and may suspend the individual's license for not more than  
11 1 year.

12           (2) Except as provided in subsections (3), (4), and (5), a  
13 license shall not be **SUSPENDED OR** revoked under this section except  
14 upon written complaint and an opportunity for a hearing ~~before~~  
15 **BETWEEN THE LICENSEE AND** the ~~board~~ **LICENSING AUTHORITY**. The ~~board~~  
16 **LICENSING AUTHORITY** shall give the individual at least 10 days'  
17 notice of a hearing under this section. The notice shall be by  
18 personal service **BY THE LICENSING AUTHORITY** or by ~~certified~~ **FIRST-**  
19 **CLASS** mail ~~delivered~~ **IN A SEALED ENVELOPE SENT BY THE CLERK OF THE**  
20 **LICENSING AUTHORITY** to the individual's last known address.

21           (3) If the ~~concealed weapon licensing board~~ **LICENSING**  
22 **AUTHORITY** is notified by a law enforcement agency or prosecuting  
23 official that an individual licensed to carry a concealed pistol is  
24 charged with a felony or misdemeanor as defined in this act, the  
25 ~~concealed weapon licensing board~~ **LICENSING AUTHORITY** shall  
26 immediately suspend the individual's license until there is a final  
27 disposition of the charge for that offense and **THE CLERK OF THE**



1 **LICENSING AUTHORITY SHALL** send notice **BY FIRST-CLASS MAIL IN A**  
2 **SEALED ENVELOPE** of that suspension to the individual's last known  
3 address as indicated in the records of the ~~concealed weapon~~  
4 ~~licensing board.~~ **LICENSING AUTHORITY.** The notice shall inform the  
5 individual that he or she is entitled to a prompt hearing on the  
6 suspension, and the ~~concealed weapon licensing board~~ **LICENSING**  
7 **AUTHORITY** shall conduct a prompt hearing **BETWEEN THE LICENSEE AND**  
8 **THE LICENSING AUTHORITY** if requested in writing by the individual.  
9 ~~The~~ **EXCEPT AS PROVIDED IN SUBSECTION (6), THE** requirements of  
10 subsection (2) do not apply to this subsection.

11 (4) The ~~concealed weapon licensing board that issued a license~~  
12 ~~to an individual to carry a concealed pistol~~ **LICENSING AUTHORITY**  
13 shall revoke that license if the ~~board~~ **LICENSING AUTHORITY**  
14 determines that the individual is not eligible under this act to  
15 receive a license to carry a concealed pistol. The ~~concealed weapon~~  
16 ~~licensing board~~ **CLERK OF THE LICENSING AUTHORITY** shall immediately  
17 send notice of the fact of and the reason for the revocation under  
18 this subsection ~~by first class mail~~ **IN A SEALED ENVELOPE** to the  
19 individual's last known address as indicated on the records of the  
20 ~~concealed weapon licensing board.~~ ~~The~~ **LICENSING AUTHORITY. EXCEPT**  
21 **AS PROVIDED IN SUBSECTION (6), THE** requirements of subsection (2)  
22 do not apply to this subsection.

23 (5) If the ~~concealed weapon licensing board~~ **LICENSING**  
24 **AUTHORITY** determines by clear and convincing evidence based on  
25 specific articulable facts that the applicant poses a danger to the  
26 applicant or to any other person, the ~~concealed weapon licensing~~  
27 ~~board~~ **LICENSING AUTHORITY** shall immediately suspend the

1 individual's license pending a **SUSPENSION OR** revocation hearing  
2 under this section. The ~~concealed weapon licensing board~~ **CLERK OF**  
3 **THE LICENSING AUTHORITY** shall send notice of the suspension to the  
4 individual's last known address as indicated in the records of the  
5 ~~concealed weapon licensing board~~. **LICENSING AUTHORITY**. The notice  
6 shall inform the individual that he or she is entitled to a prompt  
7 hearing on the suspension, and the ~~concealed weapon licensing board~~  
8 **LICENSING AUTHORITY** shall conduct a prompt hearing if requested in  
9 writing by the individual. ~~The~~ **EXCEPT AS PROVIDED IN SUBSECTION**  
10 **(6), THE** requirements of subsection (2) do not apply to this  
11 subsection.

12 (6) A HEARING UNDER THIS SECTION SHALL BE CLOSED TO THE PUBLIC  
13 UPON THE REQUEST OF THE INDIVIDUAL. THE INDIVIDUAL IS ENTITLED TO  
14 BE REPRESENTED BY LEGAL COUNSEL DURING THE HEARING AND TO PRESENT  
15 RELEVANT EVIDENCE, INCLUDING THE TESTIMONY OF WITNESSES, IN HIS OR  
16 HER BEHALF. IF A SUSPENSION IS IMPOSED UNDER THIS SECTION, THE  
17 SUSPENSION SHALL BE FOR A PERIOD STATED IN YEARS, MONTHS, OR DAYS,  
18 AS APPLICABLE, OR UNTIL A SPECIFIC DATE. THE LICENSEE SHALL  
19 PROMPTLY SURRENDER HIS OR HER LICENSE TO THE CLERK OF THE LICENSING  
20 AUTHORITY AFTER BEING NOTIFIED THAT HIS OR HER LICENSE HAS BEEN  
21 REVOKED OR SUSPENDED.

22 (7) IF A LICENSING AUTHORITY ORDERED A LICENSE SUSPENDED UNDER  
23 THIS SECTION AND THAT LICENSE WAS SURRENDERED BY THE LICENSEE, THE  
24 LICENSING AUTHORITY SHALL, UPON THE EXPIRATION OF THE SUSPENSION  
25 PERIOD, AUTOMATICALLY REINSTATE THE LICENSE IF THE LICENSE WAS  
26 SUSPENDED AS REQUIRED UNDER SUBSECTION (5), IS NOT EXPIRED, AND THE  
27 INDIVIDUAL IS OTHERWISE QUALIFIED TO RECEIVE A LICENSE UNDER THIS

1 ACT TO CARRY A CONCEALED PISTOL. THE CLERK OF THE LICENSING  
2 AUTHORITY SHALL NOTIFY THE INDIVIDUAL BY FIRST-CLASS MAIL IN A  
3 SEALED ENVELOPE SENT TO THE INDIVIDUAL'S LAST KNOWN ADDRESS AS  
4 SHOWN BY THE RECORDS OF THE LICENSING AUTHORITY THAT HIS OR HER  
5 LICENSE HAS BEEN REINSTATED. THE NOTICE SHALL BE SENT WITHIN 7 DAYS  
6 AFTER THE LICENSE IS REINSTATED BY THE LICENSING AUTHORITY. A  
7 LICENSING AUTHORITY MAY CHARGE A FEE OF NOT MORE THAN \$20.00 FOR  
8 THE REINSTATEMENT OF A REVOKED OR SUSPENDED LICENSE. THE CLERK  
9 SHALL COLLECT ANY REINSTATEMENT FEE PAID UNDER THIS SUBSECTION FOR  
10 DEPOSIT IN THE CONCEALED PISTOL LICENSING FUND.

11 (8) ~~(6)~~—If the ~~concealed weapon licensing board~~ LICENSING  
12 AUTHORITY orders a license suspended, ~~or~~ revoked, OR REINSTATED  
13 under this section or amends a suspension, ~~or~~ revocation, OR  
14 REINSTATEMENT order, the ~~concealed weapon licensing board~~ LICENSING  
15 AUTHORITY shall immediately notify a law enforcement agency having  
16 jurisdiction in the county in which the ~~concealed weapon licensing~~  
17 ~~board~~ LICENSING AUTHORITY is located to enter the order or amended  
18 order into the law enforcement information network. A law  
19 enforcement agency that receives notice of an order or amended  
20 order under this subsection from a ~~concealed weapon licensing board~~  
21 LICENSING AUTHORITY shall immediately enter the order or amended  
22 order into the law enforcement information network as requested by  
23 that ~~concealed weapon licensing board~~ LICENSING AUTHORITY.

24 (9) ~~(7)~~—A suspension or revocation order or amended order  
25 issued under this section is immediately effective. However, an  
26 individual is not criminally liable for violating the order or  
27 amended order unless he or she has received notice of the order or

1 amended order.

2 (10) ~~(8)~~—If an individual is carrying a pistol in violation of  
3 a suspension or revocation order or amended order issued under this  
4 section but has not previously received notice of the order or  
5 amended order, the individual shall be informed of the order or  
6 amended order and be given an opportunity to properly store the  
7 pistol or otherwise comply with the order or amended order before  
8 an arrest is made for carrying the pistol in violation of this act.

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

16 (12) ~~(10)~~—The clerk of the ~~concealed weapon licensing board~~  
17 **LICENSING AUTHORITY** is authorized to administer an oath to any  
18 individual testifying before the ~~board~~ **LICENSING AUTHORITY** at a  
19 hearing under this section.

20 Enacting section 1. Section 6a of 1927 PA 372, MCL 28.426a, is  
21 repealed.