

**SUBSTITUTE FOR
SENATE BILL NO. 59**

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms 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 5a, 5b, 5e, 5k, and 5l (MCL 28.425a, 28.425b, 28.425e, 28.425k, and 28.425l), sections 5a, 5e, and 5k as added by 2000 PA 381 and sections 5b and 5l as amended by 2008 PA 406.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5a. (1) Each county shall have a concealed weapon



1 licensing board. The concealed weapon licensing board of each
2 county shall have the following members:

3 (a) The county prosecuting attorney or his or her designee.
4 However, if the county prosecuting attorney decides that he or she
5 does not want to be a member of the concealed weapon licensing
6 board, he or she shall notify the county board of commissioners in
7 writing that he or she does not want to be a member of the
8 concealed weapon licensing board for the balance of his or her term
9 in office. The county board of commissioners shall then appoint a
10 replacement for the prosecuting attorney who is a firearms
11 instructor who has the qualifications prescribed in section
12 ~~5j(1)(e)~~.**5J(1)(D)**. The person who replaces the prosecuting attorney
13 shall serve on the concealed weapon licensing board in place of the
14 prosecuting attorney for the remaining term of the county
15 prosecuting attorney unless removed for cause by the county board
16 of commissioners. If a vacancy occurs on the concealed weapon
17 licensing board of the person appointed pursuant to this section
18 during the term of office of the county prosecuting attorney, the
19 county board of commissioners shall appoint a replacement person
20 who is a firearms instructor who has the qualifications prescribed
21 in section ~~5j(1)(e)~~.**5J(1)(D)**.

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

23 (c) The director of the department of state police or his or
24 her designee.

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

27 (a) The prosecuting attorney shall be notified of all



1 applications received by the concealed weapon licensing board.

2 (b) The prosecuting attorney shall be given an opportunity to
3 object to granting a license to carry a concealed pistol and
4 present evidence bearing directly on an applicant's suitability to
5 carry a concealed pistol safely.

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

10 (3) The county prosecuting attorney or his or her designee
11 shall serve as chairperson of the board unless the prosecuting
12 attorney does not want to be a member of the concealed weapon
13 licensing board, in which case the concealed weapon licensing board
14 shall elect its chairperson. Two members of the concealed weapon
15 licensing board constitute a quorum of the concealed weapon
16 licensing board. The business of the concealed weapon licensing
17 board shall be conducted by a majority vote of all of the members
18 of the concealed weapon licensing board.

19 (4) The county clerk shall serve as the clerk of the concealed
20 weapon licensing board.

21 (5) Except as otherwise provided in this act, the concealed
22 weapon licensing board has exclusive authority to issue ~~OR deny~~
23 **ISSUANCE OF A LICENSE TO CARRY A CONCEALED PISTOL. EXCEPT AS**
24 **OTHERWISE PROVIDED IN THIS ACT, THE CONCEALED WEAPON LICENSING**
25 **BOARD THAT ISSUED THE LICENSE HAS EXCLUSIVE AUTHORITY TO** revoke ~~or~~
26 or suspend a license **ISSUED BY THAT BOARD** to carry a concealed
27 pistol. The concealed weapon licensing board shall perform other



1 duties as provided by law.

2 (6) The concealed weapon licensing board may convene not more
3 than 3 panels to assist the board in evaluating applicants. The
4 panels shall be composed of representatives as prescribed in
5 subsection (1). The panels do not have the authority to issue,
6 deny, revoke, or suspend a license.

7 (7) The concealed weapon licensing board may investigate the
8 applicant for a license to carry a concealed pistol. The
9 investigation shall be restricted to determining only whether the
10 applicant is eligible under this act to receive a license to carry
11 a concealed pistol, and the investigation regarding the issuance of
12 a license shall end after that determination is made. The concealed
13 weapon licensing board may require the applicant to appear before
14 the board ~~at a mutually agreed upon time~~ for a conference **ONLY IF**
15 **THE CONCEALED WEAPON LICENSING BOARD HAS REASON TO BELIEVE THAT THE**
16 **APPLICANT MAY NOT BE QUALIFIED TO RECEIVE A LICENSE TO CARRY A**
17 **CONCEALED PISTOL. THE NOTIFICATION TO APPEAR SHALL BE IN WRITING**
18 **AND SHALL BE PROVIDED TO THE APPLICANT IN PERSON OR BY MAIL SENT TO**
19 **HIS OR HER ADDRESS ON RECORD WITH THE CONCEALED WEAPON LICENSING**
20 **BOARD. THE NOTIFICATION SHALL INCLUDE A SPECIFIC STATUTORY CITATION**
21 **TO EACH DISQUALIFICATION TO BE ADDRESSED. THE CONFERENCE SHALL BE**
22 **HELD AT A DATE AND TIME THAT IS MUTUALLY AGREEABLE TO THE CONCEALED**
23 **WEAPON LICENSING BOARD AND THE APPLICANT.** The applicant's failure
24 or refusal to appear without valid reason before the concealed
25 weapon licensing board as provided in this subsection is grounds
26 for the board to deny issuance of a license to carry a concealed
27 pistol to that applicant.



1 (8) If the concealed weapon licensing board determines there
2 is probable cause to believe the safety of the applicant or the
3 safety of a member of the applicant's family is endangered by the
4 applicant's inability to immediately obtain a license to carry a
5 concealed pistol, the concealed weapon licensing board may, pending
6 issuance of a license, issue a temporary license to the individual
7 to carry a concealed pistol. A temporary license shall be on a form
8 provided by the department of state police. A temporary license
9 shall be unrestricted and shall be valid for not more than 180
10 days. A temporary license may be renewed for 1 additional period of
11 not more than 180 days. A temporary license is, for all other
12 purposes of this act, a license to carry a concealed pistol.

13 (9) The legislative service bureau shall compile the firearms
14 laws of this state, including laws that apply to carrying a
15 concealed pistol, and shall provide copies of the compilation to
16 each concealed weapon licensing board in this state for
17 distribution under this subsection. A concealed weapon licensing
18 board shall distribute a copy of the compilation to each individual
19 who applies for a license to carry a concealed pistol at the time
20 the application is submitted. The concealed weapon licensing board
21 shall require the applicant to sign a written statement
22 acknowledging that he or she has received a copy of the
23 compilation. An individual is not eligible to receive a license to
24 carry a concealed pistol until he or she has signed the statement.

25 Sec. 5b. (1) To obtain a license to carry a concealed pistol,
26 an individual shall apply to ~~the~~ **A** concealed weapon licensing
27 board. ~~in the county in which that individual resides.~~ **SUBJECT TO**



1 SUBSECTION (11), THE APPLICATION MAY BE SUBMITTED TO THE CONCEALED
2 WEAPON LICENSING BOARD IN ANY COUNTY. A CONCEALED WEAPON LICENSING
3 BOARD SHALL NOT REFUSE TO ACCEPT AN APPLICATION UNDER THIS SECTION
4 SOLELY ON GROUNDS THAT THE APPLICATION IS FILED BY A NONRESIDENT OF
5 THAT COUNTY. The application shall be filed with the county clerk
6 during the county clerk's normal business hours. The application
7 shall be on a form provided by the director of the department of
8 state police and shall allow the applicant to designate whether the
9 applicant seeks a temporary license. The application shall be
10 signed under oath by the applicant. The oath shall be administered
11 by the county clerk or his or her representative. The application
12 shall contain all of the following information:

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

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

23 (c) A statement by the applicant authorizing the concealed
24 weapon licensing board to access any record, including any medical
25 record, pertaining to the applicant's qualifications for a license
26 to carry a concealed pistol under this act. The applicant may
27 request that information received by the concealed weapon licensing



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

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



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

19 (i) A passport-quality photograph of the applicant provided by
20 the applicant at the time of application.

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

23 **(K) A STATEMENT BY THE APPLICANT AS TO WHETHER HE OR SHE HAS**
24 **EVER HAD AN APPLICATION FOR A LICENSE TO CARRY A CONCEALED PISTOL**
25 **DENIED IN THIS STATE OR ELSEWHERE.**

26 **(l) A STATEMENT BY THE APPLICANT AS TO WHETHER HE OR SHE HAS**
27 **EVER HAD LICENSE TO CARRY A CONCEALED PISTOL SUSPENDED OR REVOKED**



1 **IN THIS STATE OR ELSEWHERE.**

2 (2) The application form shall contain a conspicuous warning
3 that the application is executed under oath and that intentionally
4 making a material false statement on the application is a felony
5 punishable by imprisonment for not more than 4 years or a fine of
6 not more than \$2,500.00, or both.

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

11 (4) The concealed weapon licensing board shall retain a copy
12 of each application for a license to carry a concealed pistol as an
13 official record. One year after the expiration of a concealed
14 pistol license, the county clerk may destroy the record and
15 maintain only a name index of the record.

16 (5) Each applicant shall pay a nonrefundable fee of \$105.00 by
17 any method of payment accepted by that county for payments of other
18 fees and penalties. Except for a local police agency as provided in
19 subsection (9), a unit of local government, an agency of a unit of
20 local government, or an agency or department of this state shall
21 not charge an additional fee, assessment, or other amount in
22 connection with a license under this section. The fee shall be
23 payable to the county. The county treasurer shall deposit \$41.00 of
24 each fee collected under this section in the general fund of the
25 county and credit \$26.00 of that deposit to the credit of the
26 county clerk and \$15.00 of that deposit to the credit of the county
27 sheriff and forward the balance to the state treasurer. The state



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

8 (6) The ~~county~~ sheriff **OF THE COUNTY IN WHICH THE APPLICATION**
9 **IS FILED SHALL**, on behalf of the concealed weapon licensing board,
10 ~~shall~~ verify the requirements of subsection (7)(d), (e), (f), (h),
11 (i), (j), (k), (l), and (m) through the law enforcement information
12 network and report his or her finding to the concealed weapon
13 licensing board. If the applicant resides in a city, village, or
14 township that has a police department, the concealed weapon
15 licensing board shall contact that city, village, or township
16 police department to determine only whether that city, village, or
17 township police department has any information relevant to the
18 investigation of whether the applicant is eligible under this act
19 to receive a license to carry a concealed pistol. **IF THE APPLICANT**
20 **RESIDES IN AN UNINCORPORATED AREA OF THE STATE, THE CONCEALED**
21 **WEAPON LICENSING BOARD SHALL CONTACT THE COUNTY SHERIFF AND STATE**
22 **POLICE POST OF JURISDICTION TO DETERMINE ONLY WHETHER THE COUNTY**
23 **SHERIFF AND STATE POLICE HAVE ANY INFORMATION RELEVANT TO THE**
24 **INVESTIGATION OF WHETHER THE APPLICANT IS ELIGIBLE UNDER THIS ACT**
25 **TO RECEIVE A LICENSE TO CARRY A CONCEALED PISTOL.** The concealed
26 weapon licensing board may require a person claiming active duty
27 status with the United States armed forces under this section to



1 provide proof of 1 or both of the following:

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

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

4 (7) The concealed weapon licensing board shall issue a license
5 to an applicant to carry a concealed pistol within the period
6 required under this act after the applicant properly submits an
7 application under subsection (1) and the concealed weapon licensing
8 board determines that all of the following circumstances exist:

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

10 (b) The applicant is a citizen of the United States or is an
11 alien lawfully admitted into the United States, is a legal resident
12 of this state, and has resided in this state for not less than the
13 6 months immediately preceding the date of application. The
14 concealed weapon licensing board may waive the 6-month residency
15 requirement for a temporary license under section 5a(8) if the
16 concealed weapon licensing board determines there is probable cause
17 to believe the safety of the applicant or the safety of a member of
18 the applicant's family is endangered by the applicant's inability
19 to immediately obtain a license to carry a concealed pistol. If the
20 applicant holds a valid concealed pistol license issued by another
21 state at the time the applicant's residency in this state is
22 established, the concealed weapon licensing board may waive the 6-
23 month waiting period and the applicant may apply for a concealed
24 pistol license at the time the applicant's residency in this state
25 is established. The concealed weapon licensing board shall
26 immediately issue a temporary license to that applicant. The
27 temporary license shall be valid until the concealed weapon



1 licensing board decides whether to grant or deny the application.
2 For the purposes of this section, a person shall be considered a
3 legal resident of this state if any of the following apply:

4 (i) The person has a valid, lawfully obtained Michigan driver
5 license issued under the Michigan vehicle code, 1949 PA 300, MCL
6 257.1 to 257.923, or official state personal identification card
7 issued under 1972 PA 222, MCL 28.291 to 28.300.

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

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

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

15 (c) The applicant has knowledge and has had training in the
16 safe use and handling of a pistol by the successful completion of a
17 pistol safety training course or class that meets the requirements
18 of section 5j, and that is available to the general public and
19 presented by a law enforcement agency, junior or community college,
20 college, or public or private institution or organization or
21 firearms training school.

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

24 (i) Section 464a of the mental health code, 1974 PA 258, MCL
25 330.1464a.

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



1 (iii) Sections 2950 and 2950a of the revised judicature act of
2 1961, 1961 PA 236, MCL 600.2950 and 600.2950a.

3 (iv) Section 6b of chapter V of the code of criminal procedure,
4 1927 PA 175, MCL 765.6b, if the order has a condition imposed
5 ~~pursuant to~~ **UNDER** section 6b(3) of chapter V of the code of
6 criminal procedure, 1927 PA 175, MCL 765.6b.

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

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

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

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

19 (h) The applicant has not been convicted of a misdemeanor
20 violation of any of the following in the 8 years immediately
21 preceding the date of application:

22 (i) Section 617a of the Michigan vehicle code, 1949 PA 300, MCL
23 257.617a (failing to stop when involved in a personal injury
24 accident).

25 (ii) Section 625 of the Michigan vehicle code, 1949 PA 300, MCL
26 257.625, punishable as provided in subsection (9)(b) of that
27 section (operating while intoxicated, second offense).



1 (iii) Section 625m of the Michigan vehicle code, 1949 PA 300,
2 MCL 257.625m punishable under subsection (4) of that section
3 (operating a commercial vehicle with alcohol content, second
4 offense).

5 (iv) Section 626 of the Michigan vehicle code, 1949 PA 300, MCL
6 257.626 (reckless driving).

7 (v) Section 904(1) of the Michigan vehicle code, 1949 PA 300,
8 MCL 257.904 (operating while license suspended or revoked),
9 punishable as a second or subsequent offense.

10 (vi) Section 185 of the aeronautics code of the state of
11 Michigan, 1945 PA 327, MCL 259.185 (operating aircraft while under
12 the influence of intoxicating liquor or a controlled substance with
13 prior conviction).

14 (vii) Section 29 of the weights and measures act, 1964 PA 283,
15 MCL 290.629 (hindering or obstructing certain persons performing
16 official weights and measures duties).

17 (viii) Section 10 of the motor fuels quality act, 1984 PA 44,
18 MCL 290.650 (hindering, obstructing, assaulting, or committing
19 bodily injury upon director or authorized representative).

20 (ix) Section 81134 of the natural resources and environmental
21 protection act, 1994 PA 451, MCL 324.81134, punishable under
22 subsection (5) or (6) of that section (operating ORV under the
23 influence of intoxicating liquor or a controlled substance, second
24 or subsequent offense).

25 (x) Section 82127 of the natural resources and environmental
26 protection act, 1994 PA 451, MCL 324.82127, ~~(operating a snowmobile~~
27 ~~under the influence of intoxicating liquor or a controlled~~



1 ~~substance), punishable as a second or subsequent offense under~~
2 ~~section 82128(1)(b) or (c) of the natural resources and~~
3 ~~environmental protection act, 1994 PA 451, MCL 324.82128~~ **(OPERATING**
4 **A SNOWMOBILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR A**
5 **CONTROLLED SUBSTANCE, SECOND OFFENSE).**

6 (xi) Section 80176 of the natural resources and environmental
7 protection act, 1994 PA 451, MCL 324.80176, and punishable under
8 section 80177(1)(b) (operating vessel under the influence of
9 intoxicating liquor or a controlled substance, second ~~or subsequent~~
10 offense).

11 (xii) Section 7403 of the public health code, 1978 PA 368, MCL
12 333.7403 **(POSSESSION OF CONTROLLED SUBSTANCE, CONTROLLED SUBSTANCE**
13 **ANALOGUE, OR PRESCRIPTION FORM).**

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

20 (xiv) Section 7 of 1978 PA 33, MCL 722.677 (displaying sexually
21 explicit matter to minors).

22 (xv) Section 81 of the Michigan penal code, 1931 PA 328, MCL
23 750.81 (assault or domestic assault).

24 (xvi) Section 81a(1) or (2) of the Michigan penal code, 1931 PA
25 328, MCL 750.81a (aggravated assault or aggravated domestic
26 assault).

27 (xvii) Section 115 of the Michigan penal code, 1931 PA 328, MCL



1 750.115 (breaking and entering or entering without breaking).

2 (xviii) Section ~~136b(6)~~ **136B(8)** of the Michigan penal code, 1931
3 PA 328, MCL 750.136b (fourth degree child abuse).

4 ~~(xix) Section 145a of the Michigan penal code, 1931 PA 328, MCL~~
5 ~~750.145a (accosting, enticing, or soliciting a child for immoral~~
6 ~~purposes).~~

7 (xix) ~~(xx)~~ Section 145n of the Michigan penal code, 1931 PA
8 328, MCL 750.145n (vulnerable adult abuse).

9 (xx) ~~(xvi)~~ Section 157b(3)(b) of the Michigan penal code, 1931
10 PA 328, MCL 750.157b (solicitation to commit a felony).

11 (xxi) ~~(xvii)~~ Section 215 of the Michigan penal code, 1931 PA 328,
12 MCL 750.215 (impersonating peace officer or medical examiner).

13 (xxii) ~~(xviii)~~ Section 223 of the Michigan penal code, 1931 PA
14 328, MCL 750.223 (illegal sale of a firearm or ammunition).

15 (xxiii) ~~(xv)~~ Section 224d of the Michigan penal code, 1931 PA
16 328, MCL 750.224d (illegal use or sale of a self-defense spray).

17 (xiv) ~~(xxv)~~ Section 226a of the Michigan penal code, 1931 PA
18 328, MCL 750.226a (sale or possession of a switchblade).

19 (xxv) ~~(xxvi)~~ Section 227c of the Michigan penal code, 1931 PA
20 328, MCL 750.227c (improper transportation of a loaded firearm).

21 (xxvi) ~~(xxvii)~~ Section 228 of the Michigan penal code, 1931 PA
22 328, MCL 750.228 (failure to have a pistol inspected).

23 (xxvii) ~~(xxviii)~~ Section 229 of the Michigan penal code, 1931 PA
24 328, MCL 750.229 (accepting a pistol in pawn).

25 (xxviii) ~~(xxix)~~ Section 232 of the Michigan penal code, 1931 PA
26 328, MCL 750.232 (failure to register the purchase of a firearm or
27 a firearm component).



1 (~~xxix~~) (~~xxx~~)—Section 232a of the Michigan penal code, 1931 PA
2 328, MCL 750.232a (improperly obtaining a pistol, making a false
3 statement on an application to purchase a pistol, or using false
4 identification to purchase a pistol).

5 (~~xxx~~) (~~xxvi~~)—Section 233 of the Michigan penal code, 1931 PA
6 328, MCL 750.233 (intentionally aiming a firearm without malice).

7 (~~xxxi~~) (~~xxvii~~)—Section 234 of the Michigan penal code, 1931 PA
8 328, MCL 750.234 (intentionally discharging a firearm aimed without
9 malice).

10 (~~xxxii~~) (~~xxviii~~)—Section 234d of the Michigan penal code, 1931 PA
11 328, MCL 750.234d (possessing a firearm on prohibited premises).

12 (~~xxxiii~~) (~~xxvii~~)—Section 234e of the Michigan penal code, 1931 PA
13 328, MCL 750.234e (brandishing a firearm in public).

14 (~~xxxiv~~) (~~xxxv~~)—Section 234f of the Michigan penal code, 1931 PA
15 328, MCL 750.234f (possession of a firearm by an individual less
16 than 18 years of age).

17 (~~xxxv~~) (~~xxxvi~~)—Section 235 of the Michigan penal code, 1931 PA
18 328, MCL 750.235 (intentionally discharging a firearm aimed without
19 malice causing injury).

20 (~~xxxvi~~) (~~xxxvii~~)—Section 235a of the Michigan penal code, 1931 PA
21 328, MCL 750.235a (parent of a minor who possessed a firearm in a
22 weapon free school zone).

23 (~~xxxvii~~) (~~xxxviii~~)—Section 236 of the Michigan penal code, 1931 PA
24 328, MCL 750.236 (setting a spring gun or other device).

25 (~~xxxviii~~) (~~xxxix~~)—Section 237 of the Michigan penal code, 1931 PA
26 328, MCL 750.237 (possessing a firearm while under the influence of
27 intoxicating liquor or a ~~drug~~). **CONTROLLED SUBSTANCE**).

1 ~~(xxxix) (xl)~~ Section 237a of the Michigan penal code, 1931 PA
2 328, MCL 750.237a (weapon free school zone violation).

3 ~~(xl) (xli)~~ Section 335a of the Michigan penal code, 1931 PA 328,
4 MCL 750.335a (indecent exposure).

5 ~~(xli) (xlii)~~ Section 411h of the Michigan penal code, 1931 PA
6 328, MCL 750.411h (stalking).

7 ~~(xlii) (xliii)~~ Section 520e of the Michigan penal code, 1931 PA
8 328, MCL 750.520e (fourth degree criminal sexual conduct).

9 ~~(xliii) (xliv)~~ Section 1 of 1952 PA 45, MCL 752.861 (reckless,
10 careless, or negligent use of a firearm resulting in injury or
11 death).

12 ~~(xliv) (xlv)~~ Section 2 of 1952 PA 45, MCL 752.862 (careless,
13 reckless, or negligent use of a firearm resulting in property
14 damage).

15 ~~(xlv) (xlvi)~~ Section ~~3a-3~~ 3 of 1952 PA 45, MCL 752.863a (reckless
16 discharge of a firearm).

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

21 (i) The applicant has not been convicted of a misdemeanor
22 violation of any of the following in the 3 years immediately
23 preceding the date of application unless the misdemeanor violation
24 is listed under subdivision (h):

25 (i) Section 625 of the Michigan vehicle code, 1949 PA 300, MCL
26 257.625 (operating under the influence).

27 (ii) Section 625a of the Michigan vehicle code, 1949 PA 300,



1 MCL 257.625a (refusal of commercial vehicle operator to submit to a
2 chemical test).

3 (iii) Section 625k of the Michigan vehicle code, 1949 PA 300,
4 MCL 257.625k (ignition interlock device reporting violation).

5 (iv) Section 625l of the Michigan vehicle code, 1949 PA 300,
6 MCL 257.625l (circumventing an ignition interlocking device).

7 (v) Section 625m of the Michigan vehicle code, 1949 PA 300,
8 MCL 257.625m, punishable under subsection (3) of that section
9 (operating a commercial vehicle with alcohol content).

10 (vi) Section 185 of the aeronautics code of the state of
11 Michigan, 1945 PA 327, MCL 259.185 (operating aircraft under the
12 influence).

13 (vii) Section 81134 of the natural resources and environmental
14 protection act, 1994 PA 451, MCL 324.81134 (operating ORV under the
15 influence).

16 (viii) Section 81135 of the natural resources and environmental
17 protection act, 1994 PA 451, MCL 324.81135 (operating ORV while
18 visibly impaired).

19 (ix) Section 82127 of the natural resources and environmental
20 protection act, 1994 PA 451, MCL 324.82127 (operating a snowmobile
21 under the influence).

22 (x) Part 74 of the public health code, 1978 PA 368, MCL
23 333.7401 to 333.7461 (controlled substance violation).

24 (xi) Section 353 of the railroad code of 1993, 1993 PA 354, MCL
25 462.353, ~~(operating locomotive under the influence)~~, punishable
26 under subsection (3) of that section **(OPERATING LOCOMOTIVE UNDER**
27 **THE INFLUENCE)**.



1 (xii) Section 167 of the Michigan penal code, 1931 PA 328, MCL
2 750.167 (disorderly person).

3 (xiii) Section 174 of the Michigan penal code, 1931 PA 328, MCL
4 750.174 (embezzlement).

5 (xiv) Section 218 of the Michigan penal code, 1931 PA 328, MCL
6 750.218 (false pretenses with intent to defraud).

7 (xv) Section 356 of the Michigan penal code, 1931 PA 328, MCL
8 750.356 (larceny).

9 (xvi) Section 356d of the Michigan penal code, 1931 PA 328, MCL
10 750.356d (second degree retail fraud).

11 (xvii) Section 359 of the Michigan penal code, 1931 PA 328, MCL
12 750.359 (larceny ~~—FROM A vacant building OR STRUCTURE~~).

13 (xviii) Section 362 of the Michigan penal code, 1931 PA 328, MCL
14 750.362 (larceny by conversion).

15 (xix) Section 362a of the Michigan penal code, 1931 PA 328, MCL
16 750.362a (larceny-defrauding lessor).

17 (xx) Section 377a of the Michigan penal code, 1931 PA 328, MCL
18 750.377a (malicious destruction of property).

19 (xxi) Section 380 of the Michigan penal code, 1931 PA 328, MCL
20 750.380 (malicious destruction of real property).

21 (xxii) Section 535 of the Michigan penal code, 1931 PA 328, MCL
22 750.535 (receiving **OR CONCEALING** stolen property).

23 (xxiii) Section 540e of the Michigan penal code, 1931 PA 328,
24 MCL 750.540e (malicious use of ~~telephones~~). **TELECOMMUNICATIONS**
25 **SERVICE OR DEVICE**).

26 (xxiv) A violation of a law of the United States, another
27 state, or a local unit of government of this state or another state



1 substantially corresponding to a violation described in
2 subparagraphs (i) to (xiii).

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

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

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

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

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

23 (8) Upon entry of a court order or conviction of 1 of the
24 enumerated prohibitions for using, transporting, selling,
25 purchasing, carrying, shipping, receiving or distributing a firearm
26 in this section the department of state police shall immediately
27 enter the order or conviction into the law enforcement information



1 network. For purposes of this act, information of the court order
2 or conviction shall not be removed from the law enforcement
3 information network, but may be moved to a separate file intended
4 for the use of the county concealed weapon licensing boards, the
5 courts, and other government entities as necessary and exclusively
6 to determine eligibility to be licensed under this act.

7 (9) An individual, after submitting an application and paying
8 the fee prescribed under subsection (5), shall request and have
9 classifiable fingerprints taken by the county sheriff or a local
10 police agency if that local police agency maintains fingerprinting
11 capability. If the individual requests that classifiable
12 fingerprints be taken by a local police agency, the individual
13 shall also pay to that local police agency a fee of \$15.00 by any
14 method of payment accepted by the unit of local government for
15 payments of other fees and penalties. The county sheriff or local
16 police agency shall take the fingerprints within 5 business days
17 after the request.

18 (10) The fingerprints shall be taken, under subsection (9), on
19 forms and in a manner prescribed by the department of state police.
20 The fingerprints shall be immediately forwarded to the department
21 of state police for comparison with fingerprints already on file
22 with the department of state police. The department of state police
23 shall forward the fingerprints to the federal bureau of
24 investigation. Within 10 days after receiving a report of the
25 fingerprints from the federal bureau of investigation, the
26 department of state police shall provide a copy to the submitting
27 sheriff's department or local police agency as appropriate and the



1 clerk of the appropriate concealed weapon licensing board. Except
2 as provided in subsection (14), the concealed weapon licensing
3 board shall not issue a concealed pistol license until it receives
4 the fingerprint comparison report prescribed in this subsection.
5 The concealed weapon licensing board may deny a license if an
6 individual's fingerprints are not classifiable by the federal
7 bureau of investigation.

8 (11) The concealed weapon licensing board shall deny a license
9 to an applicant to carry a concealed pistol if the applicant is not
10 qualified under subsection (7) to receive that license. **IF THE**
11 **CONCEALED WEAPON LICENSING BOARD DENIES THE APPLICATION, THE**
12 **APPLICANT IS NOT ELIGIBLE TO FILE A SUBSEQUENT APPLICATION TO**
13 **OBTAIN A LICENSE TO CARRY A CONCEALED PISTOL WITH THAT CONCEALED**
14 **WEAPON LICENSING BOARD OR ANY OTHER CONCEALED WEAPON LICENSING**
15 **BOARD IN THIS STATE UNLESS THE GROUNDS FOR THE DENIAL NO LONGER**
16 **APPLY. THIS SUBSECTION DOES NOT PROHIBIT THE APPLICANT FROM**
17 **REQUESTING THE CONCEALED WEAPON LICENSING BOARD THAT DENIED THE**
18 **APPLICATION TO RECONSIDER THE GROUNDS FOR DENIAL.**

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

22 (13) Subject to subsections (10) and (14), the concealed
23 weapon licensing board shall issue or deny issuance of a license
24 within 45 days after the concealed weapon licensing board receives
25 the fingerprint comparison report provided under subsection (10).
26 If the concealed weapon licensing board denies issuance of a
27 license to carry a concealed pistol, the concealed weapon licensing



1 board shall within 5 business days do both of the following:

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

5 (i) A statement of the specific and articulable facts
6 supporting the denial.

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

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

11 (14) If the fingerprint comparison report is not received by
12 the concealed weapon licensing board within 60 days after the
13 fingerprint report is forwarded to the department of state police
14 by the federal bureau of investigation, the concealed weapon
15 licensing board shall issue a temporary license to carry a
16 concealed pistol to the applicant if the applicant is otherwise
17 qualified for a license. A temporary license issued under this
18 section is valid for 180 days or until the concealed weapon
19 licensing board receives the fingerprint comparison report provided
20 under subsection (10) and issues or denies issuance of a license to
21 carry a concealed pistol as otherwise provided under this act. Upon
22 issuance or the denial of issuance of the license to carry a
23 concealed pistol to an applicant who received a temporary license
24 under this section, the applicant shall immediately surrender the
25 temporary license to the concealed weapon licensing board that
26 issued that temporary license.

27 (15) If an individual licensed under this act to carry a



1 concealed pistol moves to a different county within this state, his
2 or her license remains valid until it expires or is otherwise
3 suspended or revoked under this act. A license to carry a concealed
4 pistol that is lost, stolen, or defaced may be replaced by the
5 issuing county clerk for a replacement fee of \$10.00.

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

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

18 (18) This section does not prohibit the concealed weapon
19 licensing board from making public and distributing to the public
20 at no cost lists of individuals who are certified as qualified
21 instructors as prescribed under section 5j.

22 (19) As used in this section:

23 (a) "Convicted" means a final conviction, the payment of a
24 fine, a plea of guilty or nolo contendere if accepted by the court,
25 or a finding of guilt for a criminal law violation or a juvenile
26 adjudication or disposition by the juvenile division of probate
27 court or family division of circuit court for a violation that if



1 committed by an adult would be a crime.

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

11 (d) "Misdemeanor" means a violation of a penal law of this
12 state or violation of a local ordinance substantially corresponding
13 to a violation of a penal law of this state that is not a felony or
14 a violation of an order, rule, or regulation of a state agency that
15 is punishable by imprisonment or a fine that is not a civil fine,
16 or both.

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

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

24 **(A) THE NAME OF THE COUNTY IN WHICH THE APPLICATION IS FILED.**

25 **(B) ~~(a)~~** The individual's name, date of birth, address, and
26 county of residence.

27 **(C) ~~(b)~~** If the individual is licensed to carry a concealed



1 pistol in this state, the license number and date of expiration.

2 (D) ~~(e)~~—Except as provided in subsection (2), if the
3 individual was denied a license to carry a concealed pistol after
4 the effective date of the amendatory act that added this
5 subdivision, a statement of the reasons for that denial.

6 (E) ~~(d)~~—A statement of all criminal charges pending and
7 criminal convictions obtained against the individual during the
8 license period.

9 (F) ~~(e)~~—A statement of all determinations of responsibility
10 for civil infractions of this act pending or obtained against the
11 individual during the license period.

12 (2) If an individual who was denied a license to carry a
13 concealed pistol after the effective date of the amendatory act
14 that added this subsection is subsequently issued a license to
15 carry a concealed pistol, the department of state police shall
16 delete from the computerized database the previous reasons for the
17 denial.

18 (3) The department of state police shall enter the information
19 described in subsection ~~(1)(a)~~ **(1)(B)** and ~~(b)~~ **(C)** into the law
20 enforcement information network.

21 (4) Information in the database, compiled under subsections
22 (1) through (3), is confidential, is not subject to disclosure
23 under the freedom of information act, 1976 PA 442, MCL 15.231 to
24 15.246, and shall not be disclosed to any person except for
25 purposes of this act or for law enforcement purposes. The
26 information compiled under subsection (5) is subject to disclosure
27 under the freedom of information act, 1976 PA 442, MCL 15.231 to



1 15.246.

2 (5) The department of state police shall file an annual report
3 with the secretary of the senate and the clerk of the house of
4 representatives setting forth all of the following information for
5 each county concealed weapon licensing board:

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

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

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

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

10 (e) The number of concealed pistol licenses revoked.

11 (f) Categories for revocation under subdivision (e).

12 (g) The number of applications pending at the time the report
13 is made.

14 (h) The mean and median amount of time and the longest and
15 shortest amount of time used by the federal bureau of investigation
16 to supply the fingerprint comparison report required in section
17 ~~5b(11)~~. **5B(10)**. The department may use a statistically significant
18 sample to comply with this subdivision.

19 (i) The number of charges of state civil infractions of this
20 act or charges of criminal violations, categorized by offense,
21 filed against individuals licensed to carry a concealed pistol that
22 resulted in a finding of responsibility or a criminal conviction.
23 The report shall indicate the number of crimes in each category of
24 criminal offense that involved the brandishing or use of a pistol,
25 the number that involved the carrying of a pistol by the license
26 holder during the commission of the crime, and the number in which
27 no pistol was carried by the license holder during the commission

1 of the crime.

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

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

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

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

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

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

15 Sec. 5k. (1) Acceptance of a license issued under this act to
16 carry a concealed pistol constitutes implied consent to submit to a
17 chemical analysis under this section. This section also applies to
18 individuals listed in section 12a(a) to ~~(f)~~ **(H)**.

19 (2) An individual shall not carry a concealed pistol while he
20 or she is under the influence of alcoholic liquor or a controlled
21 substance or while having a bodily alcohol content prohibited under
22 this section. A person who violates this section is responsible for
23 a state civil infraction or guilty of a crime as follows:

24 (a) If the person was under the influence of alcoholic liquor
25 or a controlled substance or a combination of alcoholic liquor and
26 a controlled substance, or had a bodily alcohol content of .10 or
27 more grams per 100 milliliters of blood, per 210 liters of breath,

1 or per 67 milliliters of urine, the individual is guilty of a
2 misdemeanor punishable by imprisonment for not more than 93 days or
3 \$100.00, or both. The court shall order the concealed weapon
4 licensing board that issued the individual a license to carry a
5 concealed pistol to permanently revoke the license. ~~The~~**THAT**
6 concealed weapon licensing board shall permanently revoke the
7 license as ordered by the court.

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

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



1 (3) This section does not prohibit an individual licensed
2 under this act to carry a concealed pistol who has any bodily
3 alcohol content from transporting that pistol in the locked trunk
4 of his or her motor vehicle or another motor vehicle in which he or
5 she is a 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 or
8 on a vessel if the pistol is transported unloaded in a locked
9 compartment or container that is separated from the ammunition for
10 that pistol.

11 (4) A peace officer who has probable cause to believe an
12 individual is carrying a concealed pistol in violation of this
13 section may require the individual to submit to a chemical analysis
14 of his or her breath, blood, or urine.

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

18 (a) The individual may refuse to submit to the chemical
19 analysis, but if he or she chooses to do so, all of the following
20 apply:

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

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

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



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

6 (7) If a person refuses to take a chemical test authorized
7 under this section, the peace officer shall promptly report the
8 refusal in writing to the concealed weapon licensing board that
9 issued the license to the individual to carry a concealed pistol.

10 (8) If a person takes a chemical test authorized under this
11 section and the test results indicate that the individual had any
12 bodily alcohol content while carrying a concealed pistol, the peace
13 officer shall promptly report the violation in writing to the
14 concealed weapon licensing board that issued the license to the
15 individual to carry a concealed pistol.

16 (9) As used in this section:

17 (a) "Alcoholic liquor" means that term as defined in section
18 105 of the Michigan liquor control code of 1998, 1998 PA 58, MCL
19 436.1105.

20 (b) "Controlled substance" means that term as defined in
21 section 7104 of the public health code, 1978 PA 368, MCL
22 ~~333.7401~~.**333.7104.**

23 Sec. 5/. (1) A license to carry a concealed pistol issued on or
24 after July 1, 2003 but before July 1, 2006 is valid for 5 years.

25 (2) ~~A~~**EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), A**
26 license to carry a concealed pistol issued or renewed on or after
27 July 1, 2006 is valid until the applicant's date of birth that



1 falls not less than 4 years or more than 5 years after the license
2 is issued or renewed, as applicable.

3 (3) AN APPLICATION FOR A RENEWAL LICENSE MAY BE SUBMITTED TO
4 THE CONCEALED WEAPON LICENSING BOARD IN ANY COUNTY. AN APPLICATION
5 TO RENEW A LICENSE TO CARRY A CONCEALED PISTOL MAY BE SUBMITTED NOT
6 MORE THAN 6 MONTHS BEFORE THE EXPIRATION OF THE CURRENT LICENSE. IF
7 THE CONCEALED WEAPON LICENSING BOARD APPROVES THE RENEWAL, THE
8 EFFECTIVE DATE OF THE RENEWAL LICENSE IS THE DATE OF EXPIRATION OF
9 THE CURRENT LICENSE OR THE DATE OF APPROVAL OF THE RENEWAL,
10 WHICHEVER IS LATER, AND THE DATE OF EXPIRATION IS THE APPLICANT'S
11 DATE OF BIRTH WHICH IS NOT LESS THAN 4 YEARS OR MORE THAN 5 YEARS
12 FROM THE EFFECTIVE DATE OF THE LICENSE. Except as provided in
13 subsections ~~(7)-(8)~~ and ~~(8), a (9)~~, THE renewal of a license under
14 section 5b shall ~~, except as provided in this section,~~ be issued in
15 the same manner as an original license issued under section 5b.

16 (4) ~~(3)~~ The concealed weapon licensing board shall issue or
17 deny issuance of a renewal license within 60 days after the
18 application for renewal is properly submitted. The county clerk
19 shall issue the applicant a receipt for his or her renewal
20 application at the time the application is submitted. The receipt
21 shall contain all of the following:

- 22 (a) The name of the applicant.
23 (b) The date and time the receipt is issued.
24 (c) The amount paid.
25 (d) A statement that the receipt is for a license renewal.
26 (e) A statement of whether the applicant qualifies for an
27 extension under subsection ~~(4)-(5)~~.



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

2 (g) An impression of the county seal.

3 (5) ~~(4)~~—If the concealed weapon licensing board fails to deny
4 or issue a renewal license to the person within 60 days as required
5 under subsection ~~(3)~~,~~(4)~~, the expiration date of the current
6 license is extended by 180 days or until the renewal license is
7 issued, whichever occurs first. This subsection does not apply
8 unless the person pays the renewal fee at the time the renewal
9 application is submitted and the person has submitted a receipt
10 from a police agency that confirms that a background check has been
11 requested by the applicant.

12 (6) ~~(5)~~—A person carrying a concealed pistol after the
13 expiration date of his or her license pursuant to an extension
14 under subsection ~~(4)~~—~~(5)~~ shall keep the receipt issued by the
15 county clerk under subsection ~~(3)~~—~~(4)~~ and his or her expired
16 license in his or her possession at all times that he or she is
17 carrying the pistol. For the purposes of this act, the receipt is
18 considered to be part of the license to carry a concealed pistol
19 until a renewal license is issued or denied. Failing to have the
20 receipt and expired license in possession while carrying a
21 concealed pistol or failing to display the receipt to a peace
22 officer upon request is a violation of this act.

23 (7) ~~(6)~~—The educational requirements under section 5b(7)(c)
24 are waived for an applicant who is a retired police officer or
25 retired law enforcement officer.

26 (8) ~~(7)~~—The educational requirements under section 5b(7)(c)
27 for an applicant who is applying for a renewal of a license under



1 this act are waived except that the applicant shall certify that he
2 or she has completed at least 3 hours' review of the training
3 described under section 5b(7)(c) and has had at least 1 hour of
4 firing range time in the 6 months immediately preceding the
5 subsequent application.

6 (9) ~~(8)~~—Beginning January 1, 2007, an applicant who is
7 applying for a renewal of a license issued under section 5b is not
8 required to have fingerprints taken again under section 5b(9) if
9 all of the following conditions have been met:

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

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

18 Enacting section 1. This amendatory act takes effect October
19 1, 2012.