

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 219**

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, 5a, 5b, 5j, 5l, 5o, 6, and 8 (MCL 28.421, 28.424, 28.425a, 28.425b, 28.425j, 28.425l, 28.425o, 28.426, and 28.428), section 1 as amended by 2016 PA 301, sections 4, 5a, 5j, and 5l as amended by 2015 PA 3, sections 5b and 8 as amended by 2015 PA 207, section 5o as amended by 2015 PA 206, and

section 6 as added by 2005 PA 242; 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) "Corrections officer of the department of corrections"
3 means a state correctional officer as that term is defined in
4 section 2 of the correctional officers' training act of 1982, 1982
5 PA 415, MCL 791.502.

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

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

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

20 (e) "Local corrections officer" means that term as defined in
21 section 2 of the local corrections officers training act, 2003 PA
22 125, MCL 791.532.

23 (f) "Misdemeanor" means a violation of a penal law of this
24 state or violation of a local ordinance substantially corresponding

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

5 (g) "Parole or probation officer of the department of
6 corrections" means any individual employed by the department of
7 corrections to supervise felony probationers or parolees or that
8 individual's immediate supervisor.

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

17 (i) "Pistol" means a loaded or unloaded firearm that is 26
18 inches or less in length, or a loaded or unloaded firearm that by
19 its construction and appearance conceals it as a firearm.

20 (j) "Purchaser" means a person who receives a pistol from
21 another person by purchase or gift.

22 (k) "Reserve peace officer", "auxiliary officer", or "reserve
23 officer" means, except as otherwise provided in this act, an
24 individual authorized on a voluntary or irregular basis by a duly
25 authorized police agency of this state or a political subdivision
26 of this state to act as a law enforcement officer, who is
27 responsible for the preservation of the peace, the prevention and

1 detection of crime, and the enforcement of the general criminal
2 laws of this state, and who is otherwise eligible to possess a
3 firearm under this act.

4 (l) "Retired corrections officer of the department of
5 corrections" means an individual who was a corrections officer of
6 the department of corrections and who retired in good standing from
7 his or her employment as a corrections officer of the department of
8 corrections.

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

16 (n) "Retired parole or probation officer of the department of
17 corrections" means an individual who was a parole or probation
18 officer of the department of corrections and who retired in good
19 standing from his or her employment as a parole or probation
20 officer of the department of corrections.

21 (o) "Retired police officer" or "retired law enforcement
22 officer" means an individual who was a police officer or law
23 enforcement officer who was licensed or certified as described in
24 the Michigan commission on law enforcement standards act, 1965 PA
25 203, MCL 28.601 to 28.615, and retired in good standing from his or
26 her employment as a police officer or law enforcement officer. A
27 police officer or law enforcement officer retired in good standing

1 if he or she receives a pension or other retirement benefit for his
2 or her service as a police officer or law enforcement officer or
3 actively maintained a Michigan commission on law enforcement
4 standards or equivalent state certification or license **FROM THIS**
5 **STATE OR ANOTHER STATE** for not less than 10 consecutive years.

6 (p) "Seller" means a person who sells or gives a pistol to
7 another person.

8 (q) "State court judge" means a judge of the district court,
9 circuit court, probate court, or court of appeals or justice of the
10 supreme court of this state who is serving either by election or
11 appointment.

12 (r) "State court retired judge" means a judge or justice
13 described in subdivision (q) who is retired, or a retired judge of
14 the recorders court.

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

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

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

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

25 (3) A person who satisfies all of the conditions listed under
26 subsection (2) nevertheless may elect to have the firearm not be
27 considered to be a pistol. A person who makes the election under

1 this subsection shall notify the department of state police of the
2 election in a manner prescribed by that department.

3 Sec. 4. (1) ~~A person~~**AN INDIVIDUAL** who is prohibited from
4 possessing, using, transporting, selling, purchasing, carrying,
5 shipping, receiving, or distributing a firearm under section
6 224f(2) of the Michigan penal code, 1931 PA 328, MCL 750.224f, may
7 ~~apply to~~**PETITION** the circuit court in the county in which he or
8 she resides for restoration of those rights.

9 (2) ~~A person~~**AN INDIVIDUAL** who is prohibited from possessing,
10 using, transporting, selling, carrying, shipping, or distributing
11 ammunition under section 224f(4) of the Michigan penal code, 1931
12 PA 328, MCL 750.224f, may ~~apply to~~**PETITION** the circuit court in
13 the county in which he or she resides for restoration of those
14 rights.

15 (3) Not more than 1 ~~application~~**PETITION** may be submitted
16 under subsection (1) or (2) in any ~~calendar year~~**12-MONTH PERIOD**.
17 The circuit court shall charge a fee as provided in section 2529 of
18 the revised judicature act of 1961, 1961 PA 236, MCL 600.2529,
19 unless the court waives that fee.

20 (4) The circuit court shall, by written order, restore the
21 rights of ~~a person~~**AN INDIVIDUAL** to possess, use, transport, sell,
22 purchase, carry, ship, receive, or distribute a firearm or to
23 possess, use, transport, sell, carry, ship, or distribute
24 ammunition if the circuit court determines, by clear and convincing
25 evidence, that all of the following circumstances exist:

26 (a) The ~~person~~**INDIVIDUAL** properly submitted ~~an application~~**A**
27 **PETITION** for restoration of those rights as provided under this

1 section.

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

4 (i) The ~~person~~**INDIVIDUAL** has paid all fines imposed for the
5 violation resulting in the prohibition.

6 (ii) The ~~person~~**INDIVIDUAL** has served all terms of
7 imprisonment imposed for the violation resulting in the
8 prohibition.

9 (iii) The ~~person~~**INDIVIDUAL** has successfully completed all
10 conditions of probation or parole imposed for the violation
11 resulting in the prohibition.

12 (c) The ~~person's~~**INDIVIDUAL'S** record and reputation are such
13 that the ~~person~~**INDIVIDUAL** is not likely to act in a manner
14 dangerous to the safety of other ~~persons~~**INDIVIDUALS**.

15 ~~Sec. 5a. (1) Beginning December 1, 2015, the county concealed~~
16 ~~weapon licensing boards are eliminated. Each county concealed~~
17 ~~weapon licensing board shall transfer all license applications and~~
18 ~~official documents in its possession to the county clerk of the~~
19 ~~county in which the board is located no later than November 30,~~
20 ~~2015. All pending applications remain in place, are considered to~~
21 ~~have a December 1, 2015 application date, and shall be processed by~~
22 ~~the county clerk as provided in this act. If an applicant has an~~
23 ~~initial or renewal application that is pending on December 1, 2015,~~
24 ~~that applicant may request a receipt from the county clerk that~~
25 ~~meets the requirements of section 5b(9) or 5l(3). The county clerk~~
26 ~~shall issue that receipt by first class mail unless requested in~~
27 ~~person. The receipt is effective on the date the county clerk~~

1 ~~issues that receipt. The county clerk shall not charge any~~
2 ~~additional fee for receiving or processing an application~~
3 ~~previously submitted to the county concealed weapon licensing~~
4 ~~board, except as otherwise provided in this act.~~ A license to carry
5 a concealed pistol issued by a concealed weapon licensing board
6 before December 1, 2015 is valid and remains in effect until the
7 expiration of that license or as otherwise provided by law.

8 (2) The county clerk is responsible for all of the following:

9 (a) Storing and maintaining all records related to issuing a
10 license or notice of statutory disqualification in that county.

11 (b) Issuing licenses to carry a concealed pistol.

12 (c) Issuing notices of statutory disqualification, notices of
13 suspensions, and notices of revocations.

14 (3) The department of state police shall verify under section
15 5b(6) whether an applicant for a license to carry a concealed
16 pistol is eligible to receive a license to carry a concealed
17 pistol.

18 (4) A county clerk shall issue an emergency license to carry a
19 concealed pistol to an ~~applicant~~ **INDIVIDUAL** if the individual has
20 obtained a personal protection order issued under section 2950 or
21 2950a of the revised judicature act of 1961, 1961 PA 236, MCL
22 600.2950 and 600.2950a, or to an ~~applicant~~ **THAT INDIVIDUAL** if a
23 county sheriff determines that there is clear and convincing
24 evidence to believe the safety of the ~~applicant~~ **INDIVIDUAL** or the
25 safety of a member of the ~~applicant's~~ **INDIVIDUAL'S** family or
26 household is endangered by the ~~applicant's~~ **INDIVIDUAL'S** inability
27 to immediately obtain a license to carry a concealed pistol. Clear

1 and convincing evidence includes, but is not limited to, an
2 application for a personal protection order, police reports and
3 other law enforcement records, or written, audio, or visual
4 evidence of threats to the ~~applicant~~**INDIVIDUAL** or member of the
5 ~~applicant's~~**INDIVIDUAL'S** family or household. A county clerk shall
6 only issue an emergency license to carry a concealed pistol to an
7 ~~applicant~~**INDIVIDUAL** who has obtained a personal protection order
8 if the individual is eligible under section 5b(7)(d), (e), (f),
9 (h), (i), (j), (k), and (m) to receive a license based on a
10 criminal record check through the law enforcement information
11 network conducted by the department of state police. The county
12 sheriff shall only issue a determination under this subsection to
13 an individual who is eligible under section 5b(7)(d), (e), (f),
14 (h), (i), (j), (k), and (m) to receive a license based on a
15 criminal record check through the law enforcement information
16 network and only after the county sheriff has taken the
17 individual's fingerprints in compliance with section 5b(9). **A**
18 **COUNTY SHERIFF SHALL NOTIFY THE COUNTY CLERK IF THE COUNTY SHERIFF**
19 **DETERMINES THAT AN INDIVIDUAL IS NOT ELIGIBLE UNDER SECTION**
20 **5B(7)(D), (E), (F), (H), (I), (J), (K), OR (M) TO RECEIVE A**
21 **LICENSE.** An emergency license shall ~~shall~~**MUST** be on a form provided by
22 the department of state police. An ~~applicant~~**INDIVIDUAL WHO APPLIES**
23 for an emergency license shall, within 10 business days ~~of~~**AFTER**
24 applying for an emergency license, complete a pistol training
25 course under section 5j and apply for a license under section 5b.
26 **IF AN INDIVIDUAL WHO APPLIES FOR AN EMERGENCY LICENSE DOES NOT**
27 **COMPLETE A PISTOL TRAINING COURSE UNDER SECTION 5J AND APPLY FOR A**

1 **LICENSE UNDER SECTION 5B WITHIN 10 BUSINESS DAYS AFTER APPLYING FOR**
2 **AN EMERGENCY LICENSE, THAT INDIVIDUAL'S EMERGENCY LICENSE IS NO**
3 **LONGER VALID.** A county sheriff who makes a determination under this
4 section, performs a criminal record check, and takes the
5 applicant's fingerprints may charge a fee not to exceed \$15.00. A
6 county clerk may charge a fee not to exceed \$10.00 for printing an
7 emergency license. A county clerk shall deposit a fee collected by
8 the county clerk under this subsection in the concealed pistol
9 licensing fund of that county created in section 5x. ~~An~~ **EXCEPT AS**
10 **OTHERWISE PROVIDED IN THIS SUBSECTION, AN** emergency license ~~is~~
11 ~~unrestricted and~~ is valid for 45 days or until the county clerk
12 issues ~~a license or~~ a notice of statutory disqualification,
13 whichever occurs first. Except as otherwise provided in this act,
14 an emergency license is, for all other purposes of this act, a
15 license to carry a concealed pistol. The county clerk shall include
16 an indication on the license if an individual is exempt from the
17 prohibitions against carrying a concealed pistol on premises
18 described in section 50 if the applicant provides acceptable proof
19 that he or she qualifies for that exemption. An individual shall
20 not obtain more than 1 emergency license in any 5-year period. If a
21 county clerk issues a notice of statutory disqualification to an
22 applicant who received an emergency license under this section, the
23 applicant shall immediately surrender the emergency license to the
24 county clerk by mail or in person if that emergency license has not
25 expired. An individual who fails to surrender a license as required
26 by this subsection after he or she is notified of a statutory
27 disqualification is guilty of a misdemeanor punishable by

1 imprisonment for not more than 93 days or a fine of not more than
2 \$500.00, or both.

3 (5) The legislative service bureau shall compile the firearms
4 laws of this state, including laws that apply to carrying a
5 concealed pistol, and shall provide copies of the compilation in an
6 electronic format to the department of state police. The department
7 of state police shall provide a copy of the compiled laws to each
8 county clerk in this state. The department of state police shall
9 also provide forms to appeal any notice of statutory
10 disqualification, or suspension or revocation of a license under
11 this act. The department of state police shall distribute copies of
12 the compilation and forms required under this subsection in an
13 electronic format to each county clerk. The county clerk shall
14 distribute a copy of the compilation and forms at no charge to each
15 individual who applies for a license to carry a concealed pistol at
16 the time the application is submitted. **THE COUNTY CLERK MAY**
17 **DISTRIBUTE COPIES OF THE COMPILATION AND FORMS REQUIRED UNDER THIS**
18 **SUBSECTION IN AN ELECTRONIC FORMAT.** The county clerk shall require
19 the applicant to sign a written statement acknowledging that he or
20 she has received a copy of the compilation and forms provided under
21 this subsection. An individual is not eligible to receive a license
22 to carry a concealed pistol until he or she has signed the
23 statement.

24 Sec. 5b. (1) ~~Until November 30, 2015, to obtain a license to~~
25 ~~carry a concealed pistol, an individual shall apply to the~~
26 ~~concealed weapon licensing board in the county in which that~~
27 ~~individual resides. Beginning December 1, 2015, to~~ **TO** obtain a

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

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

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

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

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

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

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

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

11 (i) Any felony.

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

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

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

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

27 **(G)** ~~(i) Until November 30, 2015, a passport-quality photograph~~

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

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

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

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

21 (4) The county clerk shall retain a copy of each application
22 for a license to carry a concealed pistol as an official record.
23 One year after the expiration of a concealed pistol license, the
24 county clerk may destroy the record and ~~maintain only~~ a name index
25 of the record **SHALL BE MAINTAINED IN THE DATABASE CREATED IN**
26 **SECTION 5E.**

27 (5) ~~Until November 30, 2015, each applicant shall pay a~~

1 ~~nonrefundable application and licensing fee of \$105.00 by any~~
2 ~~method of payment accepted by that county for payments of other~~
3 ~~fees and penalties. Beginning December 1, 2015, each~~ **EACH** applicant
4 shall pay an ~~A~~ **NONREFUNDABLE** application and licensing fee of
5 \$100.00 by any method of payment accepted by that county for
6 payments of other fees and penalties. Except as provided in
7 subsection (9), no other charge, fee, cost, or assessment,
8 including any local charge, fee, cost, or assessment, is required
9 of the applicant except as specifically authorized in this act. The
10 **APPLICANT SHALL PAY THE** application and licensing fee ~~shall be~~
11 ~~payable to the county. Until November 30, 2015, the county~~
12 ~~treasurer shall deposit \$15.00 of each application and licensing~~
13 ~~fee collected under this section in the general fund of the county~~
14 ~~and credit that deposit to the credit of the county sheriff and~~
15 ~~deposit \$26.00 of each fee collected under this section in the~~
16 ~~concealed pistol licensing fund of that county created in section~~
17 ~~5x. Beginning December 1, 2015, the~~ **THE** county treasurer shall
18 deposit \$26.00 of each application and licensing fee collected
19 under this section in the concealed pistol licensing fund of that
20 county created in section 5x. The county treasurer shall forward
21 the balance remaining to the state treasurer. The state treasurer
22 shall deposit the balance of the fee in the general fund to the
23 credit of the department of state police. The department of state
24 police shall use the money received under this act to process the
25 fingerprints and to reimburse the Federal Bureau of Investigation
26 for the costs associated with processing fingerprints submitted
27 under this act. The balance of the money received under this act

1 shall **MUST** be credited to the department of state police.

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

23 ~~—— (a) The person's home of record.~~

24 ~~—— (b) Permanent active duty assignment in this state.~~

25 (7) ~~Until November 30, 2015, the concealed weapon licensing~~
26 ~~board and, beginning December 1, 2015, the **THE** county clerk shall~~
27 ~~issue and shall send by first-class mail a license to an applicant~~

1 to carry a concealed pistol within the period required under this
2 act if the ~~concealed weapon licensing board or county clerk~~
3 determines that all of the following circumstances exist:

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

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

1 petitioner for a personal protection order issued under section
2 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236,
3 MCL 600.2950 and 600.2950a, or if the county sheriff determines
4 that there is clear and convincing evidence to believe that the
5 safety of the applicant or the safety of a member of the
6 applicant's family or household is endangered by the applicant's
7 inability to immediately obtain a license to carry a concealed
8 pistol. ~~Beginning December 1, 2015, if~~ **IF** the applicant holds a
9 valid concealed pistol license issued by another state at the time
10 the applicant's residency in this state is established, the county
11 clerk shall waive the 6-month ~~waiting period~~ **RESIDENCY REQUIREMENT**
12 and the applicant may apply for a concealed pistol license at the
13 time the applicant's residency in this state is established. For
14 the purposes of this section, ~~a person~~ **AN INDIVIDUAL** is considered
15 a legal resident of this state if any of the following apply:

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

20 (ii) The ~~person~~ **INDIVIDUAL** is lawfully registered to vote in
21 this state.

22 (iii) The ~~person~~ **INDIVIDUAL** is on active duty status with the
23 United States ~~armed forces~~ **ARMED FORCES** and is stationed outside of
24 this state, but the ~~person's~~ **INDIVIDUAL'S** home of record is in this
25 state.

26 (iv) The ~~person~~ **INDIVIDUAL** is on active duty status with the
27 United States ~~armed forces~~ **ARMED FORCES** and is permanently

1 stationed in this state, but the ~~person's~~**INDIVIDUAL'S** home of
2 record is in another state.

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

7 (d) ~~The~~**BASED SOLELY ON THE REPORT RECEIVED FROM THE**
8 **DEPARTMENT OF STATE POLICE UNDER SUBSECTION (6), THE** applicant is
9 not the subject of an order or disposition under any of the
10 following:

11 (i) Section 464a of the mental health code, 1974 PA 258, MCL
12 330.1464a.

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

15 (iii) Sections 2950 and 2950a of the revised judicature act of
16 1961, 1961 PA 236, MCL 600.2950 and 600.2950a.

17 (iv) Section 6b of chapter V of the code of criminal
18 procedure, 1927 PA 175, MCL 765.6b, if the order has a condition
19 imposed under section 6b(3) of chapter V of the code of criminal
20 procedure, 1927 PA 175, MCL 765.6b.

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

23 (e) ~~The~~**BASED SOLELY ON THE REPORT RECEIVED FROM THE**
24 **DEPARTMENT OF STATE POLICE UNDER SUBSECTION (6), THE** applicant is
25 not prohibited from possessing, using, transporting, selling,
26 purchasing, carrying, shipping, receiving, or distributing a
27 firearm under section 224f of the Michigan penal code, 1931 PA 328,

1 MCL 750.224f.

2 (f) ~~The~~ **BASED SOLELY ON THE REPORT RECEIVED FROM THE**
3 **DEPARTMENT OF STATE POLICE UNDER SUBSECTION (6), THE** applicant has
4 never been convicted of a felony in this state or elsewhere, and a
5 felony charge against the applicant is not pending in this state or
6 elsewhere at the time he or she applies for a license described in
7 this section.

8 (g) The applicant has not been dishonorably discharged from
9 the United States ~~armed forces.~~ **ARMED FORCES.**

10 (h) ~~The~~ **BASED SOLELY ON THE REPORT RECEIVED FROM THE**
11 **DEPARTMENT OF STATE POLICE UNDER SUBSECTION (6), THE** applicant has
12 not been convicted of a misdemeanor violation of any of the
13 following in the 8 years immediately preceding the date of
14 application and a charge for a misdemeanor violation of any of the
15 following is not pending against the applicant in this state or
16 elsewhere at the time he or she applies for a license described in
17 this section:

18 (i) Section 617a (failing to stop when involved in a personal
19 injury accident), section 625 as punishable under subsection (9) (b)
20 of that section (operating while intoxicated, second offense),
21 section 625m as punishable under subsection (4) of that section
22 (operating a commercial vehicle with alcohol content, second
23 offense), section 626 (reckless driving), or a violation of section
24 904(1) (operating while license suspended or revoked, second or
25 subsequent offense) of the Michigan vehicle code, 1949 PA 300, MCL
26 257.617a, 257.625, 257.625m, 257.626, and 257.904.

27 (ii) Section 185(7) of the aeronautics code of the state of

1 Michigan, 1945 PA 327, MCL 259.185 (operating aircraft while under
2 the influence of intoxicating liquor or a controlled substance with
3 prior conviction).

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

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

10 (v) Section 80176 as punishable under section 80177(1) (b)
11 (operating vessel under the influence of intoxicating liquor or a
12 controlled substance, second offense), section 81134 as punishable
13 under subsection (8) (b) of that section (operating ORV under the
14 influence of intoxicating liquor or a controlled substance, second
15 or subsequent offense), or section 82127 as punishable under
16 section 82128(1) (b) (operating snowmobile under the influence of
17 intoxicating liquor or a controlled substance, second offense) of
18 the natural resources and environmental protection act, 1994 PA
19 451, MCL 324.80176, 324.80177, 324.81134, 324.82127, and 324.82128.

20 (vi) Section 7403 of the public health code, 1978 PA 368, MCL
21 333.7403 (possession of controlled substance, controlled substance
22 analogue, or prescription form).

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

27 (viii) Section 7 of 1978 PA 33, MCL 722.677 (displaying

1 sexually explicit matter to minors).

2 (ix) Section 81 (assault or domestic assault), section 81a(1)
3 or (2) (aggravated assault or aggravated domestic assault), section
4 115 (breaking and entering or entering without breaking), section
5 136b(7) (fourth degree child abuse), section 145n (vulnerable adult
6 abuse), section 157b(3)(b) (solicitation to commit a felony),
7 section 215 (impersonating peace officer or medical examiner),
8 section 223 (illegal sale of a firearm or ammunition), section 224d
9 (illegal use or sale of a self-defense spray), section 226a (sale
10 or possession of a switchblade), section 227c (improper
11 transportation of a loaded firearm), section 229 (accepting a
12 pistol in pawn), ~~section 232 (failure to register the purchase of a~~
13 ~~firearm or a firearm component)~~, section 232a (improperly obtaining
14 a pistol, making a false statement on an application to purchase a
15 pistol, or using false identification to purchase a pistol),
16 section 233 (intentionally aiming a firearm without malice),
17 section 234 (intentionally discharging a firearm aimed without
18 malice), section 234d (possessing a firearm on prohibited
19 premises), section 234e (brandishing a firearm in public), section
20 234f (possession of a firearm by an individual less than 18 years
21 of age), section 235 (intentionally discharging a firearm aimed
22 without malice causing injury), section 235a (parent of a minor who
23 possessed a firearm in a weapon free school zone), section 236
24 (setting a spring gun or other device), section 237 (possessing a
25 firearm while under the influence of intoxicating liquor or a
26 controlled substance), section 237a (weapon free school zone
27 violation), section 335a (indecent exposure), section 411h

1 (stalking), or section 520e (fourth degree criminal sexual conduct)
2 of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,
3 750.115, 750.136b, 750.145n, 750.157b, 750.215, 750.223, 750.224d,
4 750.226a, 750.227c, 750.229, ~~750.232~~, 750.232a, 750.233, 750.234,
5 750.234d, 750.234e, 750.234f, 750.235, 750.235a, 750.236, 750.237,
6 750.237a, 750.335a, 750.411h, and 750.520e.

7 (x) Former section 228 of the Michigan penal code, 1931 PA
8 328.

9 (xi) Section 1 (reckless, careless, or negligent use of a
10 firearm resulting in injury or death), section 2 (careless,
11 reckless, or negligent use of a firearm resulting in property
12 damage), or section 3a (reckless discharge of a firearm) of 1952 PA
13 45, MCL 752.861, 752.862, and 752.863a.

14 (xii) A violation of a law of the United States, another
15 state, or a local unit of government of this state or another state
16 substantially corresponding to a violation described in
17 subparagraphs (i) to (xi).

18 (i) ~~The~~ **BASED SOLELY ON THE REPORT RECEIVED FROM THE**
19 **DEPARTMENT OF STATE POLICE UNDER SUBSECTION (6), THE** applicant has
20 not been convicted of a misdemeanor violation of any of the
21 following in the 3 years immediately preceding the date of
22 application unless the misdemeanor violation is listed under
23 subdivision (h) and a charge for a misdemeanor violation of any of
24 the following is not pending against the applicant in this state or
25 elsewhere at the time he or she applies for a license described in
26 this section:

27 (i) Section 625 (operating under the influence), section 625a

1 (refusal of commercial vehicle operator to submit to a chemical
2 test), section 625k (ignition interlock device reporting
3 violation), section 625l (circumventing an ignition interlock
4 device), or section 625m punishable under subsection (3) of that
5 section (operating a commercial vehicle with alcohol content) of
6 the Michigan vehicle code, 1949 PA 300, MCL 257.625, 257.625a,
7 257.625k, 257.625l, and 257.625m.

8 (ii) Section 185 of the aeronautics code of the state of
9 Michigan, 1945 PA 327, MCL 259.185 (operating aircraft under the
10 influence).

11 (iii) Section 81134 (operating ORV under the influence or
12 operating ORV while visibly impaired), or section 82127 (operating
13 a snowmobile under the influence) of the natural resources and
14 environmental protection act, 1994 PA 451, MCL 324.81134 and
15 324.82127.

16 (iv) Part 74 of the public health code, 1978 PA 368, MCL
17 333.7401 to 333.7461 (controlled substance violation).

18 (v) Section 353 of the railroad code of 1993, 1993 PA 354, MCL
19 462.353, punishable under subsection (3) of that section (operating
20 locomotive under the influence).

21 (vi) Section 167 (disorderly person), section 174
22 (embezzlement), section 218 (false pretenses with intent to
23 defraud), section 356 (larceny), section 356d (second degree retail
24 fraud), section 359 (larceny from a vacant building or structure),
25 section 362 (larceny by conversion), section 362a (larceny -
26 defrauding lessor), section 377a (malicious destruction of
27 property), section 380 (malicious destruction of real property),

1 section 535 (receiving or concealing stolen property), or section
2 540e (malicious use of telecommunications service or device) of the
3 Michigan penal code, 1931 PA 328, MCL 750.167, 750.174, 750.218,
4 750.356, 750.356d, 750.359, 750.362, 750.362a, 750.377a, 750.380,
5 750.535, and 750.540e.

6 (vii) A violation of a law of the United States, another
7 state, or a local unit of government of this state or another state
8 substantially corresponding to a violation described in
9 subparagraphs (i) to (vi).

10 (j) ~~The~~ **BASED SOLELY ON THE REPORT RECEIVED FROM THE**
11 **DEPARTMENT OF STATE POLICE UNDER SUBSECTION (6), THE** applicant has
12 not been found guilty but mentally ill of any crime and has not
13 offered a plea of not guilty of, or been acquitted of, any crime by
14 reason of insanity.

15 (k) ~~The~~ **BASED SOLELY ON THE REPORT RECEIVED FROM THE**
16 **DEPARTMENT OF STATE POLICE UNDER SUBSECTION (6), THE** applicant is
17 not currently and has never been subject to an order of involuntary
18 commitment in an inpatient or outpatient setting due to mental
19 illness.

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

26 (m) ~~The~~ **BASED SOLELY ON THE REPORT RECEIVED FROM THE**
27 **DEPARTMENT OF STATE POLICE UNDER SUBSECTION (6), THE** applicant is

1 not under a court order of legal incapacity in this state or
2 elsewhere.

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

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

17 (9) An individual, after submitting an application and paying
18 the fee prescribed under subsection (5), shall request that
19 classifiable fingerprints be taken by ~~the~~**A** county clerk, **THE**
20 department of state police, **A** county sheriff, a local police
21 agency, or other entity, if the county clerk, department of state
22 police, county sheriff, local police agency, or other entity
23 provides fingerprinting capability for the purposes of this act.
24 ~~Beginning December 1, 2015, an~~**AN** individual who has had
25 classifiable fingerprints taken under section 5a(4) does not need
26 additional fingerprints taken under this subsection. If the
27 individual requests that classifiable fingerprints be taken by the

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

- 25 (a) The name of the ~~applicant~~ **INDIVIDUAL**.
- 26 (b) The date and time the receipt is issued.
- 27 (c) The amount paid.

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

2 (e) The ~~applicant's~~ **INDIVIDUAL'S** state-issued driver license
3 or personal identification card number.

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

15 (10) The fingerprints ~~shall~~ **MUST** be taken, under subsection
16 (9), in a manner prescribed by the department of state police. The
17 ~~fingerprints taken by a county clerk, county sheriff, local police~~
18 ~~agency, or other entity shall be immediately forwarded~~ **FORWARD THE**
19 **FINGERPRINTS TAKEN BY THAT ENTITY** to the department of state police
20 for comparison with fingerprints already on file with the
21 department of state police. The department of state police shall
22 immediately forward the fingerprints to the Federal Bureau of
23 Investigation. ~~Until November 30, 2015, within 10 days after~~
24 ~~receiving a report of the fingerprints from the Federal Bureau of~~
25 ~~Investigation, the department of state police shall provide a copy~~
26 ~~to the submitting sheriff's department or local police agency as~~
27 ~~appropriate and the clerk of the appropriate concealed weapon~~

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

23 ~~(11) ~~Until November 30, 2015, the concealed weapon licensing~~~~
24 ~~board shall deny a license to an applicant to carry a concealed~~
25 ~~pistol if the applicant is not qualified under subsection (7) to~~
26 ~~receive that license. ~~Beginning December 1, 2015, the **THE** county~~~~
27 ~~clerk shall send by first-class mail a notice of statutory~~

1 disqualification for a license under this act to an applicant
2 **INDIVIDUAL** if the applicant ~~INDIVIDUAL~~ is not qualified under
3 subsection (7) to receive that license.

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

7 ~~(13) Until November 30, 2015, and subject to subsections (10)~~
8 ~~and (14), the concealed weapon licensing board shall issue or deny~~
9 ~~issuance of a license within 45 days after the concealed weapon~~
10 ~~licensing board receives the fingerprint comparison report provided~~
11 ~~under subsection (10). Beginning December 1, 2015, and subject~~
12 **SUBJECT** to subsection (10), the department of state police shall
13 complete the verification required under subsection (6) and the
14 county clerk shall issue a license or a notice of statutory
15 disqualification within 45 days after the date the applicant
16 **INDIVIDUAL** has classifiable fingerprints taken under subsection
17 (9). ~~Beginning December 1, 2015, the~~ **THE** county clerk shall include
18 an indication on the license if an individual is exempt from the
19 prohibitions against carrying a concealed pistol on premises
20 described in section 50 if the applicant provides acceptable proof
21 that he or she qualifies for that exemption. ~~Until November 30,~~
22 ~~2015, if the concealed weapon licensing board denies issuance of a~~
23 ~~license to carry a concealed pistol, or beginning December 1, 2015,~~
24 ~~if~~ **IF THE COUNTY CLERK RECEIVES NOTICE FROM A COUNTY SHERIFF OR**
25 **CHIEF LAW ENFORCEMENT OFFICER THAT A LICENSEE IS NO LONGER A MEMBER**
26 **OF A SHERIFF'S POSSE, AN AUXILIARY OFFICER, OR A RESERVE OFFICER,**
27 **THE COUNTY CLERK SHALL NOTIFY THE LICENSEE THAT HE OR SHE SHALL**

1 SURRENDER THE CONCEALED PISTOL LICENSE INDICATING THAT THE
2 INDIVIDUAL IS EXEMPT FROM THE PROHIBITIONS AGAINST CARRYING A
3 CONCEALED PISTOL ON PREMISES DESCRIBED IN SECTION 5o. THE LICENSEE
4 SHALL, WITHIN 30 DAYS AFTER RECEIVING NOTICE FROM THE COUNTY CLERK,
5 SURRENDER THE LICENSE INDICATING THAT THE INDIVIDUAL IS EXEMPT FROM
6 THE PROHIBITIONS AGAINST CARRYING A CONCEALED PISTOL ON PREMISES
7 DESCRIBED IN SECTION 5o AND OBTAIN A REPLACEMENT LICENSE AFTER
8 PAYING THE FEE REQUIRED UNDER SUBSECTION (15). IF the county clerk
9 issues a notice of statutory disqualification, the ~~concealed weapon~~
10 ~~licensing board or the county clerk, as appropriate,~~ shall within
11 5 business days do all of the following:

12 (a) Inform the ~~applicant~~ **INDIVIDUAL** in writing of the reasons
13 for the denial or disqualification. Information under this
14 subdivision shall include all of the following:

15 (i) ~~Until November 30, 2015, a statement of the specific and~~
16 ~~articulable facts supporting the denial. Beginning December 1,~~
17 ~~2015, a~~ **A** statement of each statutory disqualification identified.

18 (ii) ~~Until November 30, 2015, copies of any writings,~~
19 ~~photographs, records, or other documentary evidence upon which the~~
20 ~~denial is based. Beginning December 1, 2015, the~~ **THE** source of the
21 record for each statutory disqualification identified.

22 (iii) ~~Beginning December 1, 2015, the~~ **THE** contact information
23 for the source of the record for each statutory disqualification
24 identified.

25 (b) Inform the ~~applicant~~ **INDIVIDUAL** in writing of his or her
26 right to appeal the denial or notice of statutory disqualification
27 to the circuit court as provided in section 5d.

1 (c) ~~Beginning December 1, 2015, inform~~ **INFORM** the applicant
2 **INDIVIDUAL** that he or she should contact the source of the record
3 for any statutory disqualification to correct any errors in the
4 record resulting in the statutory disqualification.

5 (14) ~~Until November 30, 2015, if the fingerprint comparison~~
6 ~~report is not received by the concealed weapon licensing board~~
7 ~~within 60 days after the fingerprint report is forwarded to the~~
8 ~~department of state police by the Federal Bureau of Investigation,~~
9 ~~the concealed weapon licensing board shall issue a temporary~~
10 ~~license to carry a concealed pistol to the applicant if the~~
11 ~~applicant is otherwise qualified for a license. Until November 30,~~
12 ~~2015, a temporary license issued under this section is valid for~~
13 ~~180 days or until the concealed weapon licensing board receives the~~
14 ~~fingerprint comparison report provided under subsection (10) and~~
15 ~~issues or denies issuance of a license to carry a concealed pistol~~
16 ~~as otherwise provided under this act. Until November 30, 2015, upon~~
17 ~~issuance or the denial of issuance of the license to carry a~~
18 ~~concealed pistol to an applicant who received a temporary license~~
19 ~~under this section, the applicant shall immediately surrender the~~
20 ~~temporary license to the concealed weapon licensing board that~~
21 ~~issued that temporary license. Beginning December 1, 2015, if~~ **IF** a
22 license or notice of statutory disqualification is not issued under
23 subsection (13) within 45 days after the date the applicant
24 **INDIVIDUAL** has classifiable fingerprints taken under subsection
25 (9), the receipt issued under subsection (9) ~~shall serve~~ **SERVES** as
26 a concealed pistol license for purposes of this act when carried
27 with a state-issued driver license or personal identification card

1 and is valid until a license or notice of statutory
2 disqualification is issued by the county clerk.

3 (15) If an individual licensed under this act to carry a
4 concealed pistol moves to a different county within this state, his
5 or her license remains valid until it expires or is otherwise
6 suspended or revoked under this act. ~~Beginning December 1, 2015, an~~
7 **AN** individual may notify a county clerk that he or she has moved to
8 a different address within this state for the purpose of receiving
9 the notice under section 5/1). A license to carry a concealed
10 pistol that is lost, stolen, ~~or~~ defaced, **OR REPLACED FOR ANY OTHER**
11 **REASON** may be replaced by the issuing county clerk for a
12 replacement fee of \$10.00. A county clerk shall deposit a
13 replacement fee under this subsection in the concealed pistol
14 licensing fund of that county created in section 5x.

15 (16) If a license issued under this act is suspended or
16 revoked, the license is forfeited and the individual shall return
17 the license to the county clerk forthwith by mail or in person.
18 ~~Beginning December 1, 2015, the~~ **THE** county clerk shall retain a
19 suspended or revoked license as an official record 1 year after the
20 expiration of the license, unless the license is reinstated or a
21 new license is issued. ~~Beginning December 1, 2015, the~~ **THE** county
22 clerk shall notify the department of state police if a license is
23 suspended or revoked. ~~Beginning December 1, 2015, the~~ **THE**
24 department of state police shall enter that suspension or
25 revocation into the law enforcement information network. An
26 individual who fails to return a license as required under this
27 subsection after he or she was notified that his or her license was

1 suspended or revoked is guilty of a misdemeanor punishable by
2 imprisonment for not more than 93 days or a fine of not more than
3 \$500.00, or both.

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

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

14 (19) ~~Beginning December 1, 2015, a~~ **A** county clerk issuing an
15 initial license or renewal license under this act shall mail the
16 license to the licensee by first-class mail in a sealed envelope.
17 ~~Beginning December 1, 2015, upon~~ **UPON** payment of the fee under
18 subsection (15), a county clerk shall issue a replacement license
19 in person at the time of application for a replacement license.
20 ~~unless the applicant requests that it be delivered~~ **A COUNTY CLERK**
21 **MAY ALSO DELIVER A REPLACEMENT LICENSE** by first-class mail **IF THE**
22 **INDIVIDUAL SUBMITS TO THE CLERK A WRITTEN REQUEST AND A COPY OF THE**
23 **INDIVIDUAL'S STATE-ISSUED DRIVER LICENSE OR PERSONAL IDENTIFICATION**
24 **CARD.**

25 (20) A county clerk, county sheriff, county prosecuting
26 attorney, police department, or the department of state police is
27 not liable for civil damages as a result of ~~the issuance of~~ **ISSUING**

1 a license under this act to an individual who later commits a crime
2 or a negligent act.

3 (21) ~~Beginning December 1, 2015, an~~ **AN** individual licensed
4 under this act to carry a concealed pistol may voluntarily
5 surrender that license without explanation. ~~Beginning December 1,~~
6 ~~2015, a~~ **A** county clerk shall retain a surrendered license as an
7 official record for 1 year after the license is surrendered.
8 ~~Beginning December 1, 2015, if~~ **IF** an individual voluntarily
9 surrenders a license under this subsection, the county clerk shall
10 notify the department of state police. ~~Beginning December 1, 2015,~~
11 ~~the~~ **THE** department of state police shall enter into the law
12 enforcement information network that the license was voluntarily
13 surrendered and the date the license was voluntarily surrendered.

14 (22) As used in this section:

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

16 (i) For a retired police officer or retired law enforcement
17 officer, the officer's retired identification or a letter from a
18 law enforcement agency stating that the retired police officer or
19 law enforcement officer retired in good standing.

20 (ii) For an individual who is employed or contracted by an
21 entity described under section 5o(1) to provide security services,
22 a letter from that entity stating that the employee is required by
23 his or her employer or the terms of a contract to carry a concealed
24 firearm on the premises of the employing or contracting entity and
25 his or her employee identification.

26 (iii) For an individual who is licensed as a private
27 investigator or private detective under the professional

1 investigator licensure act, 1965 PA 285, MCL 338.821 to 338.851,
2 his or her license.

3 (iv) For an individual who is a corrections officer of a
4 county sheriff's department, his or her employee identification and
5 a letter stating that the individual has received county sheriff
6 approved weapons training.

7 (v) For an individual who is a retired corrections officer of
8 a county sheriff's department, a letter from the county sheriff's
9 office stating that the retired corrections officer retired in good
10 standing and that the individual has received county sheriff
11 approved weapons training.

12 (vi) For an individual who is a motor carrier officer or
13 capitol security officer of the department of state police, his or
14 her employee identification.

15 (vii) For an individual who is a member of a sheriff's posse,
16 his or her identification.

17 (viii) For an individual who is an auxiliary officer or
18 reserve officer of a police or sheriff's department, his or her
19 employee identification.

20 (ix) For an individual who is a parole, probation, or
21 corrections officer, or absconder recovery unit member, of the
22 department of corrections, his or her employee identification and
23 proof that the individual obtained a Michigan department of
24 corrections weapons permit.

25 (x) For an individual who is a retired parole, probation, or
26 corrections officer, or retired absconder recovery unit member, of
27 the department of corrections, a letter from the department of

1 corrections stating that the retired parole, probation, or
2 corrections officer, or retired absconder recovery unit member,
3 retired in good standing and proof that the individual obtained a
4 Michigan department of corrections weapons permit.

5 (xi) For a state court judge or state court retired judge, a
6 letter from the judicial tenure commission stating that the state
7 court judge or state court retired judge is in good standing.

8 (xii) For an individual who is a court officer, his or her
9 employee identification.

10 (xiii) For a retired federal law enforcement officer, the
11 identification required under the law enforcement officers safety
12 act or a letter from a law enforcement agency stating that the
13 retired federal law enforcement officer retired in good standing.

14 **(xiv) FOR AN INDIVIDUAL WHO IS A PEACE OFFICER, HIS OR HER**
15 **EMPLOYEE IDENTIFICATION.**

16 (b) "Convicted" means a final conviction, the payment of a
17 fine, a plea of guilty or nolo contendere if accepted by the court,
18 or a finding of guilt for a criminal law violation or a juvenile
19 adjudication or disposition by the juvenile division of probate
20 court or family division of circuit court for a violation that if
21 committed by an adult would be a crime.

22 (c) "Felony" means, except as otherwise provided in this
23 subdivision, that term as defined in section 1 of chapter I of the
24 code of criminal procedure, 1927 PA 175, MCL 761.1, or a violation
25 of a law of the United States or another state that is designated
26 as a felony or that is punishable by death or by imprisonment for
27 more than 1 year. Felony does not include a violation of a penal

1 law of this state that is expressly designated as a misdemeanor.

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

6 (e) "Misdemeanor" means a violation of a penal law of this
7 state or violation of a local ordinance substantially corresponding
8 to a violation of a penal law of this state that is not a felony or
9 a violation of an order, rule, or regulation of a state agency that
10 is punishable by imprisonment or a fine that is not a civil fine,
11 or both.

12 (f) "Treatment" means care or any therapeutic service,
13 including, but not limited to, the administration of a drug, and
14 any other service for the treatment of a mental illness.

15 Sec. 5j. (1) A pistol training or safety program described in
16 section 5b(7)(c) meets the requirements for knowledge or training
17 in the safe use and handling of a pistol only if the training was
18 provided within 5 years preceding the date of application and
19 consisted of not less than 8 hours of instruction and all of the
20 following conditions are met:

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

25 (i) The safe storage, use, and handling of a pistol including,
26 but not limited to, safe storage, use, and handling to protect
27 child safety.

1 (ii) Ammunition knowledge, and the fundamentals of pistol
2 shooting.

3 (iii) Pistol shooting positions.

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

7 (v) Avoiding criminal attack and controlling a violent
8 confrontation.

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

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

13 (c) The program provides a certificate of completion that
14 states the program complies with the requirements of this section
15 and that the individual successfully completed the course, and that
16 contains the printed name and **ORIGINAL HANDWRITTEN** signature of the
17 course instructor. The certificate of completion ~~shall~~**MUST** contain
18 the statement, "This course complies with section 5j of 1927 PA
19 372.". For certificates issued on or after December 1, 2015, each
20 certificate ~~shall~~**MUST** also contain both of the following, which
21 ~~shall~~**MUST** be printed on the face of the certificate or attached in
22 a separate document:

23 (i) The instructor's name and telephone number.

24 (ii) The name and telephone number of the state agency or a
25 state or national firearms training organization that has certified
26 the individual as an instructor for purposes of this section, his
27 or her instructor certification number, if any, and the expiration

1 date of that certification.

2 (d) The instructor of the course is certified by this state or
3 a state or national firearms training organization to teach the
4 pistol safety training courses described in this section. The
5 county clerk shall not require any other certification or require
6 an instructor to register with the county or county clerk.

7 (2) A training certificate that does not meet the requirements
8 under state law applicable at the time the certification was issued
9 may otherwise meet the requirements of subsection (1)(c) if the
10 applicant provides information that reasonably demonstrates that
11 the certificate or the training meets the applicable requirements.

12 (3) A person shall not do either of the following:

13 (a) Grant a certificate of completion described under
14 subsection (1)(c) to an individual knowing the individual did not
15 satisfactorily complete the course.

16 (b) Present a certificate of completion described under
17 subsection (1)(c) to a county clerk knowing that the individual did
18 not satisfactorily complete the course.

19 (4) A person who violates subsection (3) is guilty of a felony
20 punishable by imprisonment for not more than 4 years or a fine of
21 not more than \$2,500.00, or both.

22 (5) A county clerk shall not require that a specific form,
23 color, wording, or other content appear on a certificate of
24 completion, except as otherwise required under this act.

25 Sec. 51. (1) A license to carry a concealed pistol, including
26 a renewal license, is valid until the applicant's date of birth
27 that falls not less than 4 years or more than 5 years after the

1 license is issued or renewed, as applicable. ~~Beginning December 1,~~
2 ~~2015, the~~ **THE** county clerk shall notify the licensee that his or
3 her license is about to expire and may be renewed as provided in
4 this section. The notification ~~shall~~ **MUST** be sent by the county
5 clerk to the last known address of the licensee as shown on the
6 records of the county clerk. The notification ~~shall~~ **MUST** be sent in
7 a sealed envelope by first-class mail not less than 3 months or
8 more than 6 months before the expiration date of the current
9 license. Except as provided in this section, a renewal of a license
10 under section 5b ~~shall~~ **MUST** be issued in the same manner as an
11 original license issued under section 5b. ~~Beginning December 1,~~
12 ~~2015, an~~ **AN** applicant is eligible for a renewal of a license under
13 this section if his or her license is not expired, or expired
14 within a 1-year period before the date of application under this
15 section. ~~Beginning December 1, 2015, each~~ **EACH** applicant who
16 submits an application for a renewal license to a county clerk
17 under this section shall pay an application and licensing fee of
18 \$115.00 by any method of payment accepted by that county for
19 payments of other fees and penalties. No other charge, fee, cost,
20 or assessment, including any local charge, fee, cost, or
21 assessment, is required of the applicant except as specifically
22 authorized in this act. The **APPLICANT SHALL PAY THE** application and
23 licensing fee ~~shall be payable~~ to the county. The county treasurer
24 shall deposit \$36.00 of each fee collected under this subsection in
25 the concealed pistol licensing fund of that county created in
26 section 5x. The county treasurer shall forward the balance
27 remaining to the state treasurer. The state treasurer shall deposit

1 the balance of the fee in the general fund to the credit of the
2 department of state police.

3 (2) Subject to subsections ~~(8)~~ **(9)** and ~~(9)~~, **(10)**, an
4 application to renew a license to carry a concealed pistol may be
5 submitted not more than 6 months before the expiration of the
6 current license. No later than December 1, 2018, the department of
7 state police shall provide a system for an applicant to submit his
8 or her application to renew a license to carry a concealed pistol
9 online or by first-class mail and shall accept those applications
10 on behalf of the county clerk as required under this act at no
11 additional charge. Each applicant who submits a renewal license
12 online or by first-class mail to the department of state police
13 under this section shall pay an application and licensing fee of
14 \$115.00 by any method of payment accepted by the department of
15 state police. No other charge, fee, cost, or assessment is required
16 of the applicant except as specifically authorized in this act. The
17 **APPLICANT SHALL PAY THE** application and licensing fee ~~shall be~~
18 ~~payable~~ to the state. The state treasurer shall forward \$36.00 of
19 each fee collected under this subsection to the county treasurer
20 who shall deposit the \$36.00 in the concealed pistol licensing fund
21 of that county created in section 5x. The state treasurer shall
22 deposit the balance of the fee in the general fund to the credit of
23 the department of state police. The department of state police
24 shall notify the county clerk of the county in which the applicant
25 resides of a properly submitted online application or application
26 by first-class mail received by the department. ~~Beginning December~~
27 ~~1, 2015, if~~ **IF** the county clerk issues a renewal license under this

1 section, the county clerk shall send the license to the licensee by
2 first-class mail in a sealed envelope. If the ~~concealed weapon~~
3 ~~licensing board approves or~~ county clerk issues the renewal, the
4 effective date of the renewal license is the date of expiration of
5 the current license or the date of approval or issue of the
6 renewal, whichever is later, and the date of expiration is the
7 applicant's date of birth which is not less than 4 years or more
8 than 5 years from the effective date of the license.

9 (3) ~~Until November 30, 2015, the concealed weapon licensing~~
10 ~~board shall issue or deny issuance of a renewal license within 60~~
11 ~~days after the application for renewal is properly submitted. The~~
12 ~~county clerk shall issue the applicant a receipt for his or her~~
13 ~~renewal application at the time the application is submitted to the~~
14 ~~county clerk. Beginning December 1, 2015, the **THE** department of~~
15 ~~state police shall complete the verification required under section~~
16 ~~5b(6) and the county clerk shall issue a renewal license or a~~
17 ~~notice of statutory disqualification within 30 days after the date~~
18 ~~the renewal application was received. Beginning on the date the~~
19 ~~department of state police establishes a system under subsection~~
20 ~~(2), the department of state police shall provide an applicant a~~
21 ~~digital receipt, or a receipt by first-class mail if requested, for~~
22 ~~his or her renewal application submitted online at the time the~~
23 ~~application is received by the department of state police.~~
24 ~~Beginning on the date the department of state police establishes a~~
25 ~~system under subsection (2), the department of state police shall~~
26 ~~mail an applicant a receipt by first-class mail for his or her~~
27 ~~renewal application submitted by first-class mail at the time the~~

1 application is received by the department of state police. The
 2 receipt issued under this subsection ~~shall~~ **TO AN INDIVIDUAL**
 3 **APPLYING FOR A RENEWAL LICENSE WHOSE CURRENT LICENSE IS NOT EXPIRED**
 4 **AT THE TIME OF APPLICATION MUST** contain all of the 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) ~~Beginning December 1, 2015, the~~ **THE** applicant's state-
 9 issued driver license or personal identification card number.

10 (e) ~~Until November 30, 2015, the statement that the receipt is~~
 11 ~~for a license renewal. Beginning December 1, 2015, the~~ **THE**
 12 statement "This receipt was issued for the purpose of renewal of a
 13 concealed pistol license. As provided in section 5/ of 1927 PA 372,
 14 MCL 28.425/, this receipt shall serve as a concealed pistol license
 15 for the individual named in the receipt when carried with the
 16 expired license and is valid until a license or notice of statutory
 17 disqualification is issued by the county clerk. This receipt does
 18 not exempt the individual named in the receipt from complying with
 19 all applicable laws for the purchase of firearms."

20 ~~— (f) Until November 30, 2015, a statement of whether the~~
 21 ~~applicant qualifies for an extension under subsection (5).~~

22 **(F)** ~~(g)~~ The name of the county in which the receipt is issued,
 23 if applicable.

24 **(G)** ~~(h)~~ An impression of the county seal, if applicable.

25 **(4) THE RECEIPT ISSUED UNDER SUBSECTION (3) TO AN INDIVIDUAL**
 26 **APPLYING FOR A RENEWAL LICENSE WHOSE LICENSE IS EXPIRED MUST**
 27 **CONTAIN ALL OF THE FOLLOWING:**

1 (A) THE NAME OF THE APPLICANT.

2 (B) THE DATE AND TIME THE RECEIPT IS ISSUED.

3 (C) THE AMOUNT PAID.

4 (D) THE APPLICANT'S STATE-ISSUED DRIVER LICENSE OR PERSONAL
5 IDENTIFICATION CARD NUMBER.

6 (E) THE STATEMENT THIS RECEIPT WAS ISSUED FOR THE PURPOSE OF
7 RENEWAL OF A CONCEALED PISTOL LICENSE. AS PROVIDED IN SECTION 5/ OF
8 1927 PA 372, MCL 28.425/, IF A LICENSE OR NOTICE OF STATUTORY
9 DISQUALIFICATION IS NOT ISSUED WITHIN 30 DAYS AFTER THE DATE THIS
10 RECEIPT WAS ISSUED, THIS RECEIPT SHALL SERVE AS A CONCEALED PISTOL
11 LICENSE FOR THE INDIVIDUAL NAMED IN THE RECEIPT WHEN CARRIED WITH
12 AN OFFICIAL STATE-ISSUED DRIVER LICENSE OR PERSONAL IDENTIFICATION
13 CARD. THE RECEIPT IS VALID AS A LICENSE UNTIL A LICENSE OR A NOTICE
14 OF STATUTORY DISQUALIFICATION IS ISSUED BY THE COUNTY CLERK. THIS
15 RECEIPT DOES NOT EXEMPT THE INDIVIDUAL NAMED IN THE RECEIPT FROM
16 COMPLYING WITH ALL APPLICABLE LAWS FOR THE PURCHASE OF FIREARMS.

17 (5) ~~(4)~~—Until November 30, 2018, a member of the United States
18 ~~armed forces, ARMED FORCES~~, the United States ~~armed forces reserve,~~
19 **ARMED FORCES RESERVE**, or the Michigan National Guard who is on
20 orders to a duty station outside of this state may submit his or
21 her application to renew a license to carry a concealed pistol by
22 first-class mail, containing the required fee, a notarized
23 application, the licensee's address of record within the state, the
24 licensee's orders to report to a duty station outside of this
25 state, and if the licensee desires to have his or her application
26 receipt, renewal license, or any other notices mailed to his or her
27 address of assignment or deployment, a letter requesting that

1 action including the address of assignment or deployment. If the
2 ~~concealed weapon licensing board approves or a~~ county clerk issues
3 a renewal license under this section, the county clerk shall send
4 the license to the licensee by first-class mail in a sealed
5 envelope. If the licensee is a member of the United States ~~armed~~
6 ~~forces,~~ **ARMED FORCES**, the United States ~~armed forces reserve,~~ **ARMED**
7 **FORCES RESERVE**, or the Michigan National Guard who is on orders to
8 a duty station outside of this state and requests that his or her
9 license be sent to the address of assignment or deployment, the
10 county clerk shall mail the license to the licensee at the address
11 of assignment or deployment provided in the renewal application.
12 Until November 30, 2018, if a renewal application is submitted by a
13 member of the United States ~~armed forces,~~ **ARMED FORCES**, the United
14 States ~~armed forces reserve,~~ **ARMED FORCES RESERVE**, or the Michigan
15 National Guard who is on orders to a duty station outside of this
16 state, the county clerk shall mail a receipt to the licensee by
17 first-class mail.

18 (6) ~~(5) Until November 30, 2015, if the concealed weapon~~
19 ~~licensing board fails to deny or issue a renewal license to the~~
20 ~~person within 60 days as required under subsection (4), the~~
21 ~~expiration date of the current license is extended by 180 days or~~
22 ~~until the renewal license is issued, whichever occurs first. This~~
23 ~~subsection does not apply unless the person pays the renewal fee at~~
24 ~~the time the renewal application is submitted and the person has~~
25 ~~submitted a receipt from a police agency that confirms that a~~
26 ~~background check has been requested by the applicant. Beginning~~
27 ~~December 1, 2015, if **IF** an individual applies for a renewal license~~

1 before the expiration of his or her license, the expiration date of
2 the current license is extended until the renewal license or notice
3 of statutory disqualification is issued. ~~Beginning December 1,~~
4 ~~2015, the~~ **THE** county clerk shall notify the department of state
5 police in a manner prescribed by the department of state police
6 after he or she receives an application for renewal. ~~Beginning~~
7 ~~December 1, 2015, the~~ **THE** department of state police shall
8 immediately enter into the law enforcement information network the
9 date that application for renewal was submitted and that the
10 renewal application is pending.

11 **(7)** ~~(6)~~—A person carrying a concealed pistol after the
12 expiration date of his or her license under an extension under
13 subsection ~~(5)~~ **(6)** shall keep the receipt issued by the county
14 clerk under subsection (3) and his or her expired license in his or
15 her possession at all times that he or she is carrying the pistol.
16 For the purposes of this act, the receipt is considered to be part
17 of the license to carry a concealed pistol until a renewal license
18 is issued or denied or a notice of statutory disqualification is
19 issued.

20 **(8)** ~~(7)~~—The educational requirements under section 5b(7)(c)
21 are waived for an applicant who is a retired police officer or
22 retired law enforcement officer.

23 **(9)** ~~(8)~~—The educational requirements under section 5b(7)(c)
24 for an applicant who is applying for a renewal of a license under
25 this act are waived except that the applicant shall certify that he
26 or she has completed at least 3 hours' review of the training
27 described under section 5b(7)(c) and has had at least 1 hour of

1 firing range time in the 6 months immediately preceding the
2 subsequent application. ~~Beginning December 1, 2015, the~~ **THE**
3 educational and firing range requirements of this subsection are
4 met if the applicant certifies on the renewal application form that
5 he or she has complied with the requirements of this subsection.
6 ~~Beginning December 1, 2015, an~~ **AN** applicant is not required to
7 verify the statements made under this subsection and is not
8 required to obtain a certificate or undergo training other than as
9 required by this subsection.

10 **(10)** ~~(9)~~—An applicant who is applying for a renewal of a
11 license issued under section 5b is not required to have
12 fingerprints taken again under section 5b(9) if all of the
13 following conditions have been met:

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

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

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

26 (a) A school or school property except that a parent or legal
27 guardian of a student of the school is not precluded from carrying

1 a concealed pistol while in a vehicle on school property, if he or
2 she is dropping the student off at the school or picking up the
3 student from the school. As used in this section, "school" and
4 "school property" mean those terms as defined in section 237a of
5 the Michigan penal code, 1931 PA 328, MCL 750.237a.

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

9 (c) A sports arena or stadium.

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

23 (e) Any property or facility owned or operated by a church,
24 synagogue, mosque, temple, or other place of worship, unless the
25 presiding official or officials of the church, synagogue, mosque,
26 temple, or other place of worship permit the carrying of concealed
27 pistol on that property or facility.

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

6 (g) A hospital.

7 (h) A dormitory or classroom of a community college, college,
8 or university.

9 (2) Subject to subsection (5), an individual shall not carry a
10 portable device that uses electro-muscular disruption technology on
11 any of the premises described in subsection (1).

12 (3) An individual licensed under this act to carry a concealed
13 pistol, or who is exempt from licensure under section ~~12a(1)(h)~~,
14 **12A(H)**, shall not carry a concealed pistol in violation of R
15 432.1212 ~~or a successor rule of the Michigan administrative code~~
16 **ADMINISTRATIVE CODE** promulgated under the Michigan gaming control
17 and revenue act, 1996 IL 1, MCL 432.201 to 432.226.

18 (4) As used in subsection (1), "premises" does not include
19 parking areas of the places identified under subsection (1).

20 (5) Subsections (1) and (2) do not apply to any of the
21 following:

22 (a) An individual licensed under this act who is a retired
23 police officer, retired law enforcement officer, or retired federal
24 law enforcement officer.

25 (b) An individual who is licensed under this act and who is
26 employed or contracted by an entity described under subsection (1)
27 to provide security services and is required by his or her employer

1 or the terms of a contract to carry a concealed firearm on the
2 premises of the employing or contracting entity.

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

6 (d) An individual who is licensed under this act and who is a
7 corrections officer of a county sheriff's department or who is
8 licensed under this act and is a retired corrections officer of a
9 county sheriff's department, if that individual has received county
10 sheriff approved weapons training.

11 (e) An individual who is licensed under this act and who is a
12 motor carrier officer or capitol security officer of the department
13 of state police.

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

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

19 (h) An individual who is licensed under this act and who is
20 any of the following:

21 (i) A parole, probation, or corrections officer, or absconder
22 recovery unit member, of the department of corrections, if that
23 individual has obtained a Michigan department of corrections
24 weapons permit.

25 (ii) A retired parole, probation, or corrections officer, or
26 retired absconder recovery unit member, of the department of
27 corrections, if that individual has obtained a Michigan department

1 of corrections weapons permit.

2 (i) A state court judge or state court retired judge who is
3 licensed under this act.

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

6 **(K) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT AND WHO IS A**
7 **PEACE OFFICER.**

8 (6) An individual who violates this section is responsible for
9 a state civil infraction or guilty of a crime as follows:

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

14 (b) For a second violation, the individual is guilty of a
15 misdemeanor punishable by a fine of not more than \$1,000.00. The
16 court shall order the individual's license to carry a concealed
17 pistol revoked.

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

23 Sec. 6. **(1) A-AN ISSUING AGENCY SHALL NOT ISSUE A** license
24 ~~shall not be issued to~~ an applicant under section 2 ~~or 5b~~ unless
25 both of the following apply:

26 (a) The issuing agency has determined through the federal
27 national instant criminal background check system ~~(NICS)~~ that the

1 applicant is not prohibited under federal law from possessing or
2 transporting a firearm.

3 (b) If the applicant is not a United States citizen, the
4 issuing agency has verified through the United States ~~immigration~~
5 ~~and customs enforcement~~ **IMMIGRATION AND CUSTOMS ENFORCEMENT**
6 databases that the applicant is not an illegal alien or a
7 nonimmigrant alien.

8 **(2) A COUNTY CLERK SHALL NOT ISSUE A LICENSE TO AN APPLICANT**
9 **UNDER SECTION 5B UNLESS BOTH OF THE FOLLOWING APPLY:**

10 **(A) THE DEPARTMENT OF STATE POLICE, OR THE COUNTY SHERIFF**
11 **UNDER SECTION 5A(4), HAS DETERMINED THROUGH THE FEDERAL NATIONAL**
12 **INSTANT CRIMINAL BACKGROUND CHECK SYSTEM THAT THE APPLICANT IS NOT**
13 **PROHIBITED UNDER FEDERAL LAW FROM POSSESSING OR TRANSPORTING A**
14 **FIREARM.**

15 **(B) IF THE APPLICANT IS NOT A UNITED STATES CITIZEN, THE**
16 **DEPARTMENT OF STATE POLICE HAS VERIFIED THROUGH THE UNITED STATES**
17 **IMMIGRATION AND CUSTOMS ENFORCEMENT DATABASES THAT THE APPLICANT IS**
18 **NOT AN ILLEGAL ALIEN OR A NONIMMIGRANT ALIEN.**

19 Sec. 8. (1) The county clerk in the county in which a license
20 was issued to an individual to carry a concealed pistol shall
21 suspend, revoke, or reinstate a license as required under this act
22 if ordered by a court or if the county clerk is notified **BY A LAW**
23 **ENFORCEMENT AGENCY, PROSECUTING OFFICIAL, OR COURT** of a change in
24 the licensee's eligibility to carry a concealed pistol under this
25 act.

26 (2) If a county clerk is notified by a law enforcement agency,
27 prosecuting official, or court that an individual licensed to carry

1 a concealed pistol is charged with a felony or **CHARGED WITH A**
2 misdemeanor ~~as defined in this act,~~ **LISTED IN SECTION 5B(7) (H) OR**
3 **(I)**, the county clerk shall immediately suspend the individual's
4 license until there is a final disposition of the charge for that
5 offense. The county clerk shall send notice by first-class mail in
6 a sealed envelope of that suspension to the individual's last known
7 address as indicated in the records of the county clerk. The notice
8 ~~shall~~ **MUST** include the statutory reason for the suspension, the
9 source of the record supporting that suspension, the length of the
10 suspension, and whom to contact for reinstating the license on
11 expiration of the suspension, correcting errors in the record, or
12 appealing the suspension. If a county clerk suspended a license
13 under this subsection and the individual is acquitted of the charge
14 or the charge is dismissed, the individual shall notify the county
15 clerk who shall automatically reinstate the license if the license
16 is not expired and the individual is otherwise qualified to receive
17 a license to carry a concealed pistol, as verified by the
18 department of state police. A county clerk shall not charge a fee
19 for the reinstatement of a license under this subsection.

20 (3) The department of state police shall notify the county
21 clerk in the county in which a license was issued to an individual
22 to carry a concealed pistol if the department of state police
23 determines that there has been a change in the individual's
24 eligibility under this act to receive a license to carry a
25 concealed pistol. The county clerk shall suspend, revoke, or
26 reinstate the license as required under this act and immediately
27 send notice of the suspension, revocation, or reinstatement under

1 this subsection by first-class mail in a sealed envelope to the
2 individual's last known address as indicated on the records of the
3 county clerk. The notice ~~shall~~**MUST** include the statutory reason
4 for the suspension, revocation, or reinstatement, the source of the
5 record supporting the suspension, revocation, or reinstatement, the
6 length of the suspension or revocation, and whom to contact for
7 correcting errors in the record, appealing the suspension or
8 revocation, and reapplying for that individual's license. The
9 department of state police shall immediately enter that suspension,
10 revocation, or reinstatement into the law enforcement information
11 network.

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

23 (5) Except as otherwise provided in subsections (2) and (6),
24 if a license is suspended under this section and that license was
25 surrendered by the licensee, upon expiration of the suspension
26 period, the applicant may apply for a renewal license in the same
27 manner as provided under section 51. The county clerk or department

1 of state police, as applicable, shall issue the applicant a receipt
2 for his or her application at the time the application is
3 submitted. The receipt ~~shall~~**MUST** contain all of the following:

4 (a) The name of the applicant.

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

6 (c) The amount paid.

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

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

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

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

16 (6) If a license is suspended because of an order under
17 section 5b(7)(d) *(iii)* and that license was surrendered by the
18 licensee, upon expiration of the order and notification to the
19 county clerk, the county clerk shall automatically reinstate the
20 license if the license is not expired and the department of state
21 police has completed the verification required under section 5b(6).
22 The county clerk shall not charge a fee for the reinstatement of a
23 license under this subsection.

24 (7) If the court orders a county clerk to suspend, revoke, or
25 reinstate a license under this section or amends a suspension,
26 revocation, or reinstatement order, the county clerk shall
27 immediately notify the department of state police in a manner

1 prescribed by the department of state police. The department of
2 state police shall enter the order or amended order into the law
3 enforcement information network.

4 (8) A suspension or revocation order or amended order issued
5 under this section is immediately effective. However, an individual
6 is not criminally liable for violating the order or amended order
7 unless he or she has received notice of the order or amended order.

8 (9) If an individual is carrying a pistol in violation of a
9 suspension or revocation order or amended order issued under this
10 section but has not previously received notice of the order or
11 amended order, the individual ~~shall~~**MUST** be informed of the order
12 or amended order and be given an opportunity to properly store the
13 pistol or otherwise comply with the order or amended order before
14 an arrest is made for carrying the pistol in violation of this act.

15 (10) If a law enforcement agency or officer notifies an
16 individual of a suspension or revocation order or amended order
17 issued under this section who has not previously received notice of
18 the order or amended order, the law enforcement agency or officer
19 shall enter a statement into the law enforcement information
20 network that the individual has received notice of the order or
21 amended order under this section.

22 Enacting section 1. Section 232 of the Michigan penal code,
23 1931 PA 328, MCL 750.232, is repealed.

24 Enacting section 2. This amendatory act takes effect 90 days
25 after the date it is enacted into law.