



HOUSE BILL No. 4720

April 25, 1995, Introduced by Reps. Cropsey, Curtis, Walberg, Lowe, Horton, Green, Kukuk, Jaye, Whyman, Weeks, Kaza, Hill, Jersevic, DeMars, London, Middaugh, Tesanovich, DeHart, McBryde and DeLange and referred to the Committee on Judiciary and Civil Rights.

A bill to amend the title and sections 2, 8, 9a, 9b, 9c, 12, 12b, and 14 of Act No. 372 of the Public Acts of 1927, entitled as amended

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act,"

section 2 as amended by Act No. 338 of the Public Acts of 1994, sections 9a, 9b, and 9c as added by Act No. 320 of the Public Acts of 1990, and section 12b as added by Act No. 182 of the Public Acts of 1982, being sections 28.422, 28.428, 28.429a, 28.429b, 28.429c, 28.432, 28.432b, and 28.434 of the Michigan Compiled Laws; to add sections 1a, 1b, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, and 5h; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 2, 8, 9a, 9b, 9c, 12,
2 12b, and 14 of Act No. 372 of the Public Acts of 1927, section 2
3 as amended by Act No. 338 of the Public Acts of 1994,
4 sections 9a, 9b, and 9c as added by Act No. 320 of the Public
5 Acts of 1990, and section 12b as added by Act No. 182 of the
6 Public Acts of 1982, being sections 28.422, 28.428, 28.429a,
7 28.429b, 28.429c, 28.432, 28.432b, and 28.434 of the Michigan
8 Compiled Laws, are amended and sections 1a, 1b, 5, 5a, 5b, 5c,
9 5d, 5e, 5f, 5g, and 5h are added to read as follows:

10 TITLE

11 An act to regulate and license the selling, purchasing, pos-
12 sessing, and carrying of certain firearms and gas ejecting
13 devices; to prohibit the buying, selling, or carrying of certain
14 firearms and gas ejecting devices without a license OR OTHER
15 AUTHORIZATION; TO CREATE THE CONCEALED WEAPON LICENSING APPEAL
16 BOARD AND TO PRESCRIBE THE POWERS AND DUTIES OF THAT BOARD; to
17 provide for the forfeiture of firearms ~~possessed in violation of~~
18 ~~this act~~ UNDER CERTAIN CIRCUMSTANCES; to provide immunity from
19 civil liability under certain circumstances; to prescribe the
20 powers and duties of certain state and local agencies; TO PRE-
21 SCRIBE PENALTIES; TO PROVIDE REMEDIES; and to repeal all acts and
22 parts of acts inconsistent with the provisions of this act.

23 SEC. 1A. THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE
24 "CITIZENS SELF-DEFENSE ACT".

25 SEC. 1B. AS PROVIDED UNDER THE CONSTITUTION OF THE UNITED
26 STATES AND THE CONSTITUTION OF THIS STATE, THIS ACT SECURES THE

1 INDIVIDUAL RIGHTS OF THE CITIZENS OF THIS STATE TO TRANSFER,
2 CARRY, KEEP, OWN, AND BEAR ARMS.

3 Sec. 2. (1) Except as provided in subsection (2), a person
4 shall not purchase, carry, or transport a pistol in this state
5 without first having obtained a license for the pistol as pre-
6 scribed in this section.

7 (2) A person who brings a pistol into this state who is on
8 leave from active duty with the armed forces of the United States
9 or who has been discharged from active duty with the armed forces
10 of the United States shall obtain a license for the pistol within
11 30 days after his or her arrival in this state.

12 (3) The commissioner or chief of police of a city, township,
13 or village police department that issues licenses to purchase,
14 carry, or transport pistols, or his or her duly authorized
15 deputy, or the sheriff or his or her duly authorized deputy, in
16 the parts of a county not included within a city, township, or
17 village having an organized police department, in discharging the
18 duty to issue licenses shall with due speed and diligence issue
19 licenses to purchase, carry, or transport pistols to qualified
20 applicants residing within the city, village, township, or
21 county, as applicable unless he or she has probable cause to
22 believe that the applicant would be a threat to himself or her-
23 self or to other individuals, or would commit an offense with the
24 pistol that would violate a law of this or another state or of
25 the United States. An applicant is qualified if all of the fol-
26 lowing circumstances exist:

1 (a) ~~The~~ FOR AN APPLICATION FILED ON OR AFTER APRIL 1,
2 1996, THE person is not subject to an order or disposition for
3 which he or she has received notice and an opportunity for a
4 hearing, and which was entered into the law enforcement informa-
5 tion network pursuant to any of the following:

6 (i) Section 464a(1) of the mental health code, Act No. 258
7 of the Public Acts of 1974, being section 330.1464a of the
8 Michigan Compiled Laws.

9 (ii) Section 444a(1) of the revised probate code, Act
10 No. 642 of the Public Acts of 1978, being section 700.444a of the
11 Michigan Compiled Laws.

12 (iii) Section ~~2950(9)~~ 2950(16) of the revised judicature
13 act of 1961, Act No. 236 of the Public Acts of 1961, being sec-
14 tion 600.2950 of the Michigan Compiled Laws.

15 (iv) Section ~~2950a(7)~~ 2950A(13) of Act No. 236 of the
16 Public Acts of 1961, being section 600.2950a of the Michigan
17 Compiled Laws.

18 ~~(v) Section 14(7) of chapter 84 of the Revised Statutes of~~
19 ~~1846, being section 552.14 of the Michigan Compiled Laws.~~

20 (v) ~~(vi)~~ Section 6b(5) of chapter V of the code of crimi-
21 nal procedure, Act No. 175 of the Public Acts of 1927, being sec-
22 tion 765.6b of the Michigan Compiled Laws, if the order has a
23 condition imposed pursuant to section 6b(3) of chapter V of Act
24 No. 175 of the Public Acts of 1927.

25 (vi) ~~(vii)~~ Section 16b(1) of chapter IX of Act No. 175 of
26 the Public Acts of 1927, being section 769.16b of the Michigan
27 Compiled Laws.

1 (b) The person is 18 years of age or older or, if the seller
2 is licensed pursuant to section 923 of title 18 of the United
3 States Code, 18 U.S.C. 923, is 21 years of age or older.

4 (c) The person is ~~a citizen of the United States and is~~ a
5 legal resident of this state.

6 (d) A felony charge against the person is not pending at the
7 time of application.

8 (e) The person is not prohibited from possessing, using,
9 transporting, selling, purchasing, carrying, shipping, receiving,
10 or distributing a firearm under section 224f of the Michigan
11 penal code, Act No. 328 of the Public Acts of 1931, being section
12 750.224f of the Michigan Compiled Laws.

13 (f) The person has not been adjudged insane in this state or
14 elsewhere unless he or she has been adjudged restored to sanity
15 by court order.

16 (g) The person is not under an order of involuntary commit-
17 ment in an inpatient or outpatient setting due to mental
18 illness.

19 (h) The person has not been adjudged legally incapacitated
20 in this state or elsewhere. This subdivision does not apply to a
21 person who has had his or her legal capacity restored by order of
22 the court.

23 (i) The person correctly answers 70% or more of the ques-
24 tions on a basic pistol safety review questionnaire approved by
25 the basic pistol safety review board and provided to the individ-
26 ual free of charge by the licensing authority. If the person
27 fails to correctly answer 70% or more of the questions on the

1 basic pistol safety review questionnaire, the licensing authority
2 shall inform the person of the questions he or she answered
3 incorrectly and allow the person to attempt to complete another
4 basic pistol safety review questionnaire. The person shall not
5 be allowed to attempt to complete more than 2 basic pistol safety
6 review questionnaires on any single day. The licensing authority
7 shall allow the person to attempt to complete the questionnaire
8 during normal business hours on the day the person applies for
9 his or her license.

10 (4) Applications for licenses under this section shall be
11 signed by the applicant under oath upon forms provided by the
12 director of the department of state police. Licenses to pur-
13 chase, carry, or transport pistols shall be executed in tripli-
14 cate upon forms provided by the director of the department of
15 state police and shall be signed by the licensing authority.
16 Three copies of the license shall be delivered to the applicant
17 by the licensing authority.

18 (5) Upon the sale of the pistol, the seller shall fill out
19 the license forms describing the pistol sold, together with the
20 date of sale, and sign his or her name in ink indicating that the
21 pistol was sold to the licensee. The licensee shall also sign
22 his or her name in ink indicating the purchase of the pistol from
23 the seller. The seller may retain a copy of the license as a
24 record of the sale of the pistol. The licensee shall return
25 2 copies of the license to the licensing authority within 10 days
26 following the purchase of the pistol.

1 (6) One copy of the license shall be retained by the
2 licensing authority as an official record for a period of
3 6 years. The other copy of the license shall be forwarded by the
4 licensing authority within 48 hours to the director of the
5 department of state police. A license is void unless used within
6 10 days after the date of its issue.

7 (7) This section does not apply to ~~the~~ ANY OF THE
8 FOLLOWING:

9 (A) THE purchase of pistols from wholesalers by dealers reg-
10 ularly engaged in the business of selling pistols at retail. ~~7~~
11 ~~or to the~~

12 (B) THE sale, barter, or exchange of pistols kept solely as
13 relics, curios, or antiques not made for modern ammunition or
14 permanently deactivated.

15 (C) THE PURCHASING, CARRYING, OR TRANSPORTING OF A PISTOL BY
16 AN INDIVIDUAL LICENSED UNDER SECTION 5A TO CARRY A CONCEALED
17 WEAPON IN THIS STATE.

18 (8) This section does not prevent the transfer of ownership
19 of pistols that are inherited if the license to purchase is
20 approved by the commissioner or chief of police, sheriff, or
21 their authorized deputies, and signed by the personal representa-
22 tive of the estate or by the next of kin having authority to dis-
23 pose of the pistol.

24 (9) ~~(8)~~ The licensing authority shall provide a basic
25 pistol safety brochure to each applicant for a license under this
26 section before the applicant answers the basic pistol safety
27 review questionnaire. A basic pistol safety brochure shall

1 contain, but is not limited to providing, information on all of
2 the following subjects:

3 (a) Rules for safe handling and use of pistols.

4 (b) Safe storage of pistols.

5 (c) Nomenclature and description of various types of
6 pistols.

7 (d) The responsibilities of owning a pistol.

8 (10) ~~(9)~~ The basic pistol safety brochure shall be sup-
9 plied in addition to the safety pamphlet required by section 9b.

10 (11) ~~(10)~~ The basic pistol safety brochure required in
11 subsection ~~(8)~~ (9) shall be produced by a national nonprofit
12 membership organization that provides voluntary pistol safety
13 programs that include training individuals in the safe handling
14 and use of pistols.

15 (12) ~~(11)~~ A person who forges any matter on an application
16 for a license under this section is guilty of a felony, punish-
17 able by imprisonment for not more than 4 years or a fine of not
18 more than \$2,000.00, or both.

19 (13) ~~(12)~~ A licensing authority shall implement this sec-
20 tion during all of the licensing authority's normal business
21 hours. ~~and shall set hours for implementation that allow an~~
22 ~~applicant to use the license within the time period set forth in~~
23 ~~subsection (6).~~

24 SEC. 5. THE SECRETARY OF STATE SHALL PROVIDE A CONCEALED
25 WEAPON APPLICATION KIT TO EACH INDIVIDUAL WHO WISHES TO APPLY FOR
26 A LICENSE TO CARRY A CONCEALED WEAPON. THE KIT SHALL CONTAIN ALL
27 OF THE FOLLOWING:

1 (A) A CONCEALED WEAPON LICENSE APPLICATION FORM.

2 (B) THE FINGERPRINT CARDS REQUIRED UNDER SECTION 5A(6).

3 (C) WRITTEN INFORMATION REGARDING THE PROCEDURES INVOLVED IN
4 OBTAINING A LICENSE TO CARRY A CONCEALED WEAPON, INCLUDING INFOR-
5 MATION REGARDING THE RIGHT TO APPEAL THE DENIAL OF A LICENSE AND
6 THE FORM REQUIRED FOR THAT APPEAL.

7 (D) WRITTEN INFORMATION IDENTIFYING ENTITIES THAT OFFER THE
8 TRAINING REQUIRED UNDER SECTION 5A(5)(I).

9 SEC. 5A. (1) AN INDIVIDUAL MAY APPLY TO THE SECRETARY OF
10 STATE FOR A LICENSE TO CARRY A CONCEALED WEAPON IN THIS STATE.
11 THE APPLICATION SHALL BE ON A FORM PROVIDED BY THE SECRETARY OF
12 STATE AND SHALL BE SIGNED UNDER OATH BY THE APPLICANT. THE OATH
13 SHALL BE ADMINISTERED BY THE SECRETARY OF STATE OR HIS OR HER
14 REPRESENTATIVE. THE APPLICATION SHALL CONTAIN ALL OF THE FOLLOW-
15 ING INFORMATION:

16 (A) THE APPLICANT'S NAME AND ADDRESS.

17 (B) A STATEMENT BY THE APPLICANT THAT THE APPLICANT IS
18 FAMILIAR WITH THE PROVISIONS OF THIS ACT AS THEY RELATE TO CARRY-
19 ING A CONCEALED WEAPON IN THIS STATE.

20 (C) A STATEMENT BY THE APPLICANT THAT THE APPLICANT MEETS
21 THE CRITERIA FOR A LICENSE UNDER THIS ACT TO CARRY A CONCEALED
22 WEAPON IN THIS STATE.

23 (2) THE APPLICATION FORM SHALL CONTAIN A CONSPICUOUS WARNING
24 THAT THE APPLICATION IS EXECUTED UNDER OATH AND THAT INTENTION-
25 ALLY MAKING A FALSE STATEMENT ON THE APPLICATION IS A VIOLATION
26 OF THE CRIMINAL LAWS OF THIS STATE.

1 (3) AN INDIVIDUAL WHO INTENTIONALLY MAKES A FALSE STATEMENT
2 ON AN APPLICATION UNDER SUBSECTION (1) IS GUILTY OF A MISDEMEANOR
3 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR A FINE OF
4 NOT MORE THAN \$100.00, OR BOTH.

5 (4) AN INDIVIDUAL SHALL PAY TO THE SECRETARY OF STATE A NON-
6 REFUNDABLE FEE OF \$35.00 TO PROCESS THE APPLICATION. THE FEE
7 SHALL BE FORWARDED BY THE SECRETARY OF STATE TO THE STATE TREA-
8 SURER FOR DEPOSIT IN THE GENERAL FUND.

9 (5) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, THE SECRETARY
10 OF STATE SHALL PROMPTLY ISSUE A LICENSE TO AN INDIVIDUAL TO CARRY
11 A CONCEALED WEAPON IN THIS STATE IF THE APPLICANT PROPERLY SUB-
12 MITS AN APPLICATION UNDER SUBSECTION (1) AND THE SECRETARY OF
13 STATE DETERMINES THAT ALL OF THE FOLLOWING CIRCUMSTANCES EXIST:

14 (A) THE APPLICANT IS 18 YEARS OF AGE OR OLDER AND IS
15 REQUIRED TO CARRY A CONCEALED WEAPON IN THE COURSE OF HIS OR HER
16 EMPLOYMENT, OR THE APPLICANT IS 21 YEARS OF AGE.

17 (B) THE APPLICANT IS A CURRENT RESIDENT OF THIS STATE AND
18 HAS RESIDED IN THIS STATE 6 MONTHS OR LONGER.

19 (C) FOR AN APPLICATION FILED ON OR AFTER APRIL 1, 1996, THE
20 APPLICANT IS NOT THE SUBJECT OF AN ORDER OR DISPOSITION ENTERED
21 INTO THE LAW ENFORCEMENT INFORMATION NETWORK PURSUANT TO ANY OF
22 THE FOLLOWING:

23 (i) SECTION 464A(1) OF THE MENTAL HEALTH CODE, ACT NO. 258
24 OF THE PUBLIC ACTS OF 1974, BEING SECTION 330.1464A OF THE
25 MICHIGAN COMPILED LAWS.

1 (ii) SECTION 444A(1) OF THE REVISED PROBATE CODE, ACT
2 NO. 642 OF THE PUBLIC ACTS OF 1978, BEING SECTION 700.444A OF THE
3 MICHIGAN COMPILED LAWS.

4 (iii) SECTION 2950(16) OF THE REVISED JUDICATURE ACT OF
5 1961, ACT NO. 236 OF THE PUBLIC ACTS OF 1961, BEING SECTION
6 600.2950 OF THE MICHIGAN COMPILED LAWS.

7 (iv) SECTION 2950A(13) OF ACT NO. 236 OF THE PUBLIC ACTS OF
8 1961, BEING SECTION 600.2950A OF THE MICHIGAN COMPILED LAWS.

9 (v) SECTION 6B(5) OF CHAPTER V OF THE CODE OF CRIMINAL PRO-
10 CEDURE, ACT NO. 175 OF THE PUBLIC ACTS OF 1927, BEING SECTION
11 765.6B OF THE MICHIGAN COMPILED LAWS, IF THE ORDER HAS A CONDI-
12 TION IMPOSED PURSUANT TO SECTION 6B(3) OF CHAPTER V OF ACT
13 NO. 175 OF THE PUBLIC ACTS OF 1927.

14 (vi) SECTION 16B(2) OF CHAPTER IX OF ACT NO. 175 OF THE
15 PUBLIC ACTS OF 1927, BEING SECTION 769.16B OF THE MICHIGAN
16 COMPILED LAWS.

17 (D) THE APPLICANT HAS NOT BEEN CONVICTED OF A FELONY OR CON-
18 FINED FOR A FELONY CONVICTION IN THIS STATE OR ELSEWHERE DURING
19 THE 8-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE OF THE APPLICA-
20 TION, AND A FELONY CHARGE AGAINST THE APPLICANT IS NOT PENDING AT
21 THE TIME HE OR SHE APPLIES FOR A LICENSE DESCRIBED IN THIS
22 SECTION.

23 (E) THE INDIVIDUAL IS NOT PROHIBITED FROM POSSESSING, USING,
24 TRANSPORTING, SELLING, PURCHASING, CARRYING, SHIPPING, RECEIVING,
25 OR DISTRIBUTING A FIREARM UNDER SECTION 227F OF THE MICHIGAN
26 PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931, BEING
27 SECTION 750.227F OF THE MICHIGAN COMPILED LAWS.

1 (F) THE APPLICANT HAS NOT BEEN ADJUDGED INSANE UNLESS THE
2 PERSON HAS BEEN ADJUDGED RESTORED TO SANITY BY COURT ORDER.

3 (G) THE APPLICANT IS NOT UNDER AN ORDER OF INVOLUNTARY COM-
4 MITMENT IN AN INPATIENT OR OUTPATIENT SETTING DUE TO MENTAL
5 ILLNESS.

6 (H) THE APPLICANT HAS NOT BEEN ADJUDGED LEGALLY INCAPACI-
7 TATED IN THIS STATE OR ELSEWHERE. THIS SUBDIVISION DOES NOT
8 APPLY TO A PERSON WHO HAS HAD HIS OR HER LEGAL CAPACITY RESTORED
9 BY COURT ORDER.

10 (I) THE APPLICANT CAN DOCUMENT KNOWLEDGE OR TRAINING IN THE
11 SAFE USE AND HANDLING OF A PISTOL BY 1 OF THE FOLLOWING:

12 (i) SUCCESSFUL COMPLETION OF A HUNTER SAFETY EDUCATION
13 COURSE OR CLASS PRESENTED BY THIS STATE OR BY ANOTHER STATE.

14 (ii) SUCCESSFUL COMPLETION OF A FIREARMS SAFETY OR TRAINING
15 COURSE OR CLASS PRESENTED BY THE NATIONAL RIFLE ASSOCIATION.

16 (iii) SUCCESSFUL COMPLETION OF A FIREARMS SAFETY TRAINING
17 COURSE OR CLASS AVAILABLE TO THE GENERAL PUBLIC AND PRESENTED BY
18 A LAW ENFORCEMENT AGENCY, JUNIOR COLLEGE, COLLEGE, OR PUBLIC OR
19 PRIVATE INSTITUTION OR ORGANIZATION OR FIREARMS TRAINING SCHOOL,
20 AND USING INSTRUCTORS CERTIFIED BY THE NATIONAL RIFLE ASSOCIATION
21 OR BY THIS STATE.

22 (iv) SUCCESSFUL COMPLETION OF A LAW ENFORCEMENT FIREARMS
23 SAFETY TRAINING COURSE OR CLASS OFFERED FOR SECURITY GUARDS,
24 INVESTIGATORS, SPECIAL DEPUTIES, OR LAW ENFORCEMENT OFFICERS.

25 (v) SUCCESSFUL COMPLETION OF A FIREARMS TRAINING OR SAFETY
26 COURSE OR CLASS CONDUCTED BY AN INSTRUCTOR CERTIFIED BY THIS

1 STATE, OR BY ANOTHER STATE, OR BY THE NATIONAL RIFLE
2 ASSOCIATION.

3 (vi) PROOF OF EXPERIENCE EQUIVALENT TO A COURSE OR CLASS
4 DESCRIBED IN SUBPARAGRAPHS (i) TO (v).

5 (vii) PROOF THAT HE OR SHE IS LICENSED OR HAS BEEN LICENSED
6 IN THIS STATE OR IN ANOTHER STATE TO CARRY A CONCEALED WEAPON
7 UNLESS THAT LICENSE WAS REVOKED FOR CAUSE.

8 (6) BEFORE SUBMITTING AN APPLICATION UNDER THIS SECTION, THE
9 INDIVIDUAL SHALL HAVE 2 SETS OF FINGERPRINTS TAKEN BY 1 OF THE
10 FOLLOWING:

11 (A) IF THE INDIVIDUAL LIVES IN A LOCAL UNIT OF GOVERNMENT
12 THAT HAS A POLICE DEPARTMENT, BY THAT POLICE DEPARTMENT.

13 (B) IF THE INDIVIDUAL LIVES IN A LOCAL UNIT OF GOVERNMENT
14 THAT DOES NOT HAVE A POLICE DEPARTMENT, BY THE COUNTY SHERIFF.

15 (7) A POLICE DEPARTMENT OR SHERIFF SHALL TAKE THE FINGER-
16 PRINTS OF AN INDIVIDUAL WITHIN THE EXPIRATION OF 72 HOURS AFTER
17 THE INDIVIDUAL REQUESTS HIS OR HER FINGERPRINTS TO BE TAKEN UNDER
18 SUBSECTION (6). THE POLICE DEPARTMENT OR SHERIFF MAY CHARGE THE
19 INDIVIDUAL A FEE OF NOT MORE THAN \$15.00 FOR TAKING THE
20 FINGERPRINTS. THE POLICE DEPARTMENT OR SHERIFF SHALL DEPOSIT ALL
21 FEES COLLECTED UNDER THIS SUBSECTION WITH THE TREASURER OF THE
22 FUNDING UNIT FOR THAT POLICE DEPARTMENT OR SHERIFF ON A MONTHLY
23 BASIS. FEES COLLECTED UNDER THIS SUBSECTION SHALL BE USED ONLY
24 TO IMPLEMENT THIS SECTION.

25 (8) ONE SET OF FINGERPRINTS TAKEN UNDER SUBSECTION (6) SHALL
26 BE TAKEN ON A FORM FURNISHED BY THE DEPARTMENT OF STATE POLICE
27 AND PROVIDED TO THE APPLICANT UNDER SECTION 5. THAT SET OF

1 FINGERPRINTS SHALL BE FORWARDED BY THE ENTITY TAKING THE
2 FINGERPRINTS TO THE DEPARTMENT OF STATE POLICE. THE DIRECTOR OF
3 THE BUREAU OF IDENTIFICATION OF THE STATE POLICE SHALL COMPARE
4 THAT SET OF FINGERPRINTS WITH FINGERPRINTS ALREADY ON FILE WITH
5 THE BUREAU OF IDENTIFICATION. THE OTHER SET OF FINGERPRINTS
6 TAKEN UNDER SUBSECTION (6) SHALL BE TAKEN ON A FORM FURNISHED BY
7 THE FEDERAL BUREAU OF INVESTIGATION AND PROVIDED TO THE APPLICANT
8 UNDER SECTION 5. THAT SET OF FINGERPRINTS SHALL BE FORWARDED BY
9 THE ENTITY TAKING THE FINGERPRINTS TO THE FEDERAL BUREAU OF
10 INVESTIGATION OR AN ENTITY DESIGNATED BY THE FEDERAL BUREAU OF
11 INVESTIGATION TO RECEIVE THOSE FINGERPRINTS. THE REQUEST SHALL
12 STATE THAT THE SECRETARY OF STATE IS TO BE PROVIDED WITH THE
13 REPORT OF THE COMPARISON. WHEN THE SECRETARY OF STATE RECEIVES
14 THE REPORT, THE SECRETARY OF STATE SHALL IMMEDIATELY PROVIDE A
15 COPY OF BOTH COMPARISONS TO THE ENTITY THAT TOOK THE
16 FINGERPRINTS. THE SECRETARY OF STATE SHALL NOT ISSUE A CONCEALED
17 WEAPON LICENSE UNDER THIS SECTION TO AN APPLICANT UNTIL THE SEC-
18 RETARY OF STATE HAS RECEIVED THE FINGERPRINT COMPARISON REPORTS
19 REQUIRED UNDER THIS SUBSECTION. HOWEVER, IF THE SECRETARY OF
20 STATE DOES NOT RECEIVE A FINGERPRINT REPORT UNDER THIS SUBSECTION
21 WITHIN THE EXPIRATION OF 45 DAYS AFTER THE FINGERPRINTS ARE SUB-
22 MITTED FOR THAT REPORT, THE REQUIREMENTS FOR THE REPORT ARE
23 WAIVED, AND THE SECRETARY OF STATE SHALL NOT REFUSE TO ISSUE A
24 LICENSE TO CARRY A CONCEALED WEAPON IN THIS STATE ON GROUNDS THAT
25 THE SECRETARY OF STATE DID NOT RECEIVE THE REPORT. THE SECRETARY
26 OF STATE SHALL MAINTAIN A FILE OF THE FINGERPRINTS TAKEN PURSUANT
27 TO THIS SECTION.

1 (9) THE SECRETARY OF STATE SHALL VERIFY THE REQUIREMENTS OF
2 SUBSECTION (5)(C) TO (H) THROUGH THE LAW ENFORCEMENT INFORMATION
3 NETWORK BEFORE AUTHORIZING AN INDIVIDUAL TO CARRY A CONCEALED
4 WEAPON IN THIS STATE.

5 (10) THE SECRETARY OF STATE SHALL, WITHIN THE EXPIRATION OF
6 72 HOURS AFTER RECEIVING AN APPLICATION FOR A LICENSE TO CARRY A
7 CONCEALED WEAPON IN THIS STATE, PROVIDE A COPY OF THE APPLICATION
8 AND WRITTEN NOTICE OF THE OPPORTUNITY TO OBJECT TO ISSUING A
9 LICENSE TO THE APPLICANT, TO 1 OF THE FOLLOWING:

10 (A) IF THE APPLICANT RESIDES IN A LOCAL UNIT OF GOVERNMENT
11 THAT HAS A POLICE DEPARTMENT, TO THAT POLICE DEPARTMENT.

12 (B) IF THE APPLICANT RESIDES IN A LOCAL UNIT OF GOVERNMENT
13 THAT DOES NOT HAVE A POLICE DEPARTMENT, TO THE COUNTY SHERIFF.

14 (11) A POLICE DEPARTMENT OR COUNTY SHERIFF WHO RECEIVES
15 NOTIFICATION UNDER SUBSECTION (10) MAY FILE WITH THE SECRETARY OF
16 STATE WRITTEN OBJECTIONS AGAINST ISSUING A LICENSE TO THE APPLI-
17 CANT ON GROUNDS THAT ISSUANCE THREATENS THE SAFETY OF THE APPLI-
18 CANT OR ANY OTHER INDIVIDUAL. OBJECTIONS FILED UNDER THIS SUB-
19 SECTION SHALL BE ON A SWORN AFFIDAVIT CONTAINING A SPECIFIC
20 STATEMENT OF THE FACTS SUPPORTING THE ALLEGATIONS.

21 (12) IF THE SECRETARY OF STATE ISSUES A LICENSE TO AN APPLI-
22 CANT OVER THE OBJECTIONS OF A POLICE DEPARTMENT OR COUNTY SHER-
23 IFF, THE POLICE DEPARTMENT OR COUNTY SHERIFF MAY APPEAL THE DECI-
24 SION TO THE CONCEALED WEAPON LICENSING APPEALS BOARD AS PROVIDED
25 UNDER SECTION 5D.

26 (13) THE SECRETARY OF STATE SHALL ISSUE A LICENSE TO CARRY A
27 CONCEALED WEAPON IN THIS STATE UNLESS THE APPLICANT IS NOT

1 QUALIFIED UNDER SUBSECTION (5) TO RECEIVE THAT LICENSE OR THE
2 SECRETARY OF STATE DETERMINES THAT, BASED ON SPECIFIC AND ARTICU-
3 LABLE FACTS, ISSUING A LICENSE TO THE INDIVIDUAL THREATENS THE
4 SAFETY OF THE APPLICANT OR ANY OTHER INDIVIDUAL.

5 (14) IF THE SECRETARY OF STATE ISSUES A LICENSE TO AN INDI-
6 VIDUAL 18 YEARS OF AGE OR OLDER BUT LESS THAN 21 YEARS OF AGE,
7 THE LICENSE MAY BE RESTRICTED TO ALLOW THE INDIVIDUAL TO CARRY A
8 CONCEALED WEAPON ONLY IN THE COURSE OF HIS OR HER EMPLOYMENT. IF
9 THE SECRETARY OF STATE ISSUES A LICENSE TO AN INDIVIDUAL 21 YEARS
10 OF AGE OR OLDER TO CARRY A CONCEALED WEAPON IN THIS STATE, THE
11 LICENSE SHALL NOT BE RESTRICTED EXCEPT AS PROVIDED BY THE LAWS OF
12 THIS STATE.

13 (15) A LICENSE TO CARRY A CONCEALED WEAPON IN THIS STATE IS
14 VALID FOR 4 YEARS, AND MAY BE RENEWED IN THE SAME MANNER AS THE
15 ORIGINAL LICENSE WAS RECEIVED.

16 (16) IF THE SECRETARY OF STATE DENIES ISSUANCE OF A LICENSE
17 TO CARRY A CONCEALED WEAPON IN THIS STATE, THE SECRETARY OF STATE
18 SHALL IMMEDIATELY DO BOTH OF THE FOLLOWING:

19 (A) INFORM THE APPLICANT IN WRITING OF THE REASONS FOR THE
20 DENIAL. INFORMATION UNDER THIS SUBDIVISION SHALL INCLUDE ALL OF
21 THE FOLLOWING:

22 (i) A STATEMENT OF THE SPECIFIC AND ARTICULABLE FACTS SUP-
23 PORTING THE DENIAL.

24 (ii) A TRUE COPY OF ANY AFFIDAVIT PROVIDED TO THE SECRETARY
25 OF STATE UNDER SUBSECTION (11).

26 (iii) COPIES OF ANY WRITINGS, PHOTOGRAPHS, RECORDS, OR OTHER
27 DOCUMENTARY EVIDENCE UPON WHICH THE DENIAL IS BASED.

1 (iv) THE NAMES AND ADDRESSES OF ANY INDIVIDUALS WHOSE
2 TESTIMONY OR STATEMENTS ARE RELIED UPON TO SUPPORT THE DENIAL.

3 (B) INFORM THE APPLICANT IN WRITING OF HIS OR HER RIGHT TO
4 PETITION THE CONCEALED WEAPON LICENSING APPEALS BOARD UNDER SEC-
5 TION 5B FOR REVIEW OF THE DENIAL.

6 SEC. 5B. A LICENSE TO CARRY A CONCEALED WEAPON IN THIS
7 STATE SHALL BE IN A FORM PRESCRIBED BY THE SECRETARY OF STATE.
8 THE LICENSE SHALL CONTAIN ALL OF THE FOLLOWING:

9 (A) THE LICENSEE'S FULL NAME AND ADDRESS.

10 (B) A REGISTRATION NUMBER UNIQUE TO THAT LICENSE.

11 (C) A PHYSICAL DESCRIPTION OF THE LICENSEE.

12 (D) A COLOR PHOTOGRAPH OF THE LICENSEE.

13 (E) A STATEMENT OF THE EFFECTIVE DATES OF THE LICENSE.

14 (F) A STATEMENT THAT THE LICENSE AUTHORIZES THE LICENSEE TO
15 CARRY A CONCEALED WEAPON IN THIS STATE BUT DOES NOT AUTHORIZE THE
16 LICENSEE TO DISCHARGE THE FIREARM IN VIOLATION OF ANY LAW.

17 SEC. 5C. IF THE SECRETARY OF STATE DENIES ISSUANCE OF A
18 LICENSE TO CARRY A CONCEALED WEAPON IN THIS STATE, OR FAILS TO
19 ISSUE THAT LICENSE AS PROVIDED IN THIS ACT, THE APPLICANT MAY
20 PETITION THE CONCEALED WEAPON LICENSING BOARD TO REVIEW THE FAIL-
21 URE TO ISSUE THE LICENSE OR THE DENIAL. THE PETITION SHALL BE ON
22 A FORM PRESCRIBED BY THE CONCEALED WEAPON LICENSING BOARD AND
23 PROVIDED TO THE APPLICANT BY THE SECRETARY OF STATE UNDER
24 SECTION 5.

25 SEC. 5D. (1) THE CONCEALED WEAPON LICENSING APPEALS BOARD
26 IS CREATED IN THE DEPARTMENT OF STATE. THE BOARD SHALL CONSIST
27 OF THE FOLLOWING MEMBERS:

1 (A) ONE MEMBER APPOINTED SOLELY BY THE GOVERNOR.

2 (B) ONE MEMBER APPOINTED BY THE GOVERNOR FROM A LIST OF
3 INDIVIDUALS SUBMITTED BY THE SENATE MAJORITY LEADER.

4 (C) ONE MEMBER APPOINTED BY THE GOVERNOR FROM A LIST OF
5 INDIVIDUALS SUBMITTED BY THE SPEAKER OF THE HOUSE OF
6 REPRESENTATIVES.

7 (2) THE TERM OF OFFICE OF A MEMBER OF THE BOARD IS 3 YEARS.
8 HOWEVER, THE TERM OF OFFICE OF THE FIRST MEMBER APPOINTED UNDER
9 SUBSECTION (1)(A) IS 1 YEAR, AND THE TERM OF OFFICE OF THE FIRST
10 MEMBER APPOINTED UNDER SUBSECTION (1)(B) IS 2 YEARS. A MEMBER OF
11 THE BOARD MAY BE REMOVED BY THE GOVERNOR FOR GOOD CAUSE SHOWN. A
12 VACANCY IN THE BOARD SHALL BE FILLED IN THE SAME MANNER AS AN
13 ORIGINAL APPOINTMENT.

14 (3) THE BOARD SHALL MEET FROM TIME TO TIME AS DETERMINED
15 APPROPRIATE BY THE BOARD. THE BOARD SHALL MEET, HOWEVER, WITHIN
16 30 DAYS AFTER A PETITION TO REVIEW A DENIAL OF A LICENSE TO CARRY
17 A CONCEALED WEAPON IS RECEIVED BY THE BOARD, OR WITHIN 30 DAYS
18 AFTER A PETITION TO REVOKE A LICENSE TO CARRY A CONCEALED WEAPON
19 IS RECEIVED BY THE BOARD.

20 (4) THE MEMBERS OF THE BOARD SHALL ELECT THE CHAIR OF THE
21 BOARD FROM AMONG THEMSELVES. TWO MEMBERS OF THE BOARD CONSTITUTE
22 A QUORUM FOR CONDUCTING THE BUSINESS OF THE BOARD.

23 (5) THE BOARD SHALL CONDUCT ITS MEETINGS IN COMPLIANCE WITH
24 THE OPEN MEETINGS ACT, ACT NO. 267 OF THE PUBLIC ACTS OF 1976,
25 BEING SECTIONS 15.261 TO 15.275 OF THE MICHIGAN COMPILED LAWS. A
26 WRITING OWNED OR POSSESSED BY THE BOARD IS SUBJECT TO THE FREEDOM

1 OF INFORMATION ACT, ACT NO. 442 OF THE PUBLIC ACTS OF 1976, BEING
2 SECTIONS 15.231 TO 15.246 OF THE MICHIGAN COMPILED LAWS.

3 (6) THE BOARD HAS THE FOLLOWING DUTIES:

4 (A) TO HEAR PETITIONS ON APPEAL FROM INDIVIDUALS WHO ARE
5 DENIED LICENSES TO CARRY CONCEALED WEAPONS.

6 (B) TO HEAR PETITIONS ON APPEAL FROM INDIVIDUALS WHOSE
7 LICENSES ARE REVOKED UNDER SECTION 8.

8 (C) TO HEAR PETITIONS ON APPEAL FROM POLICE DEPARTMENTS AND
9 COUNTY SHERIFFS CONTESTING DECISIONS TO ISSUE CONCEALED WEAPON
10 LICENSES OVER OBJECTIONS FILED UNDER SECTION 5A(11).

11 (7) IN REVIEWING A PETITION UNDER SUBSECTION (6), THE BOARD
12 SHALL RESTRICT ITS CONSIDERATION TO DETERMINING WHETHER THE SEC-
13 RETARY OF STATE PROPERLY DENIED THE APPLICATION UNDER
14 SECTION 5A.

15 (8) THE EVIDENTIARY PROVISIONS OF THE MICHIGAN RULES OF
16 COURT APPLY TO HEARINGS BEFORE THE BOARD.

17 (9) THE BOARD MAY PROMULGATE RULES UNDER THE ADMINISTRATIVE
18 PROCEDURES ACT OF 1969, ACT NO. 306 OF THE PUBLIC ACTS OF 1969,
19 BEING SECTIONS 24.201 TO 24.328 OF THE MICHIGAN COMPILED LAWS, TO
20 IMPLEMENT THIS SECTION.

21 SEC. 5E. (1) THE SECRETARY OF STATE SHALL CREATE AND MAIN-
22 TAIN A COMPUTERIZED DATA BASE OF INDIVIDUALS WHO APPLY UNDER THIS
23 ACT FOR A LICENSE TO CARRY A CONCEALED WEAPON. THE DATA BASE
24 SHALL CONTAIN ONLY THE FOLLOWING INFORMATION AS TO EACH
25 APPLICANT:

26 (A) THE APPLICANT'S NAME AND ADDRESS.

1 (B) IF THE APPLICANT IS LICENSED TO CARRY A CONCEALED WEAPON
2 IN THIS STATE, THE LICENSE NUMBER AND DATE OF EXPIRATION.

3 (C) EXCEPT AS PROVIDED IN SUBSECTION (2), IF THE APPLICANT
4 WAS DENIED A LICENSE TO CARRY A CONCEALED WEAPON IN THIS STATE, A
5 STATEMENT OF THE REASONS FOR THAT DENIAL.

6 (2) IF AN INDIVIDUAL WHO WAS DENIED A LICENSE TO CARRY A
7 CONCEALED WEAPON IN THIS STATE IS SUBSEQUENTLY ISSUED A LICENSE
8 TO CARRY A CONCEALED WEAPON IN THIS STATE, THE SECRETARY OF STATE
9 SHALL DELETE FROM THE COMPUTERIZED DATA BASE THE PREVIOUS REASONS
10 FOR THE DENIAL.

11 (3) INFORMATION IN THE DATA BASE IS CONFIDENTIAL AND SHALL
12 NOT BE DISCLOSED TO ANY PERSON EXCEPT FOR PURPOSES OF THIS ACT OR
13 TO A POLICE AGENCY TO VERIFY WHETHER AN INDIVIDUAL IS LICENSED TO
14 CARRY A CONCEALED WEAPON IN THIS STATE.

15 SEC. 5F. (1) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT
16 TO CARRY A CONCEALED WEAPON SHALL HAVE HIS OR HER LICENSE IN HIS
17 OR HER POSSESSION AT ALL TIMES HE OR SHE IS CARRYING A CONCEALED
18 WEAPON.

19 (2) AN INDIVIDUAL WHO IS LICENSED UNDER THIS ACT TO CARRY A
20 CONCEALED WEAPON SHALL SHOW THE LICENSE TO A PEACE OFFICER UPON
21 REQUEST BY THAT PEACE OFFICER.

22 (3) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS RESPONSIBLE
23 FOR A CIVIL VIOLATION AND MAY BE FINED NOT MORE THAN \$100.00.

24 (4) A WEAPON CARRIED IN VIOLATION OF THIS SECTION IS SUBJECT
25 TO SEIZURE BY A PEACE OFFICER WITHOUT PROCESS. IF A PEACE OFFI-
26 CER SEIZES A WEAPON UNDER THIS SUBSECTION, THE INDIVIDUAL HAS 7
27 DAYS IN WHICH TO DISPLAY HIS OR HER LICENSE TO THE PEACE OFFICER

1 OR THE LAW ENFORCEMENT ENTITY THAT EMPLOYS THE PEACE OFFICER. IF
2 THE INDIVIDUAL DISPLAYS HIS OR HER LICENSE TO THE PEACE OFFICER
3 OR LAW ENFORCEMENT ENTITY BEFORE THE EXPIRATION OF THE 7-DAY
4 PERIOD, THE PEACE OFFICER OR LAW ENFORCEMENT ENTITY SHALL IMMEDI-
5 ATELY RETURN THE WEAPON TO THE INDIVIDUAL. IF THE INDIVIDUAL
6 DOES NOT DISPLAY HIS OR HER LICENSE BEFORE THE EXPIRATION OF THE
7 7-DAY PERIOD, THE WEAPON IS SUBJECT TO FORFEITURE AS PROVIDED IN
8 SECTION 5G.

9 (5) A LAW ENFORCEMENT AGENCY THAT INTENTIONALLY OR NEGLI-
10 GENTLY LOSES OR DAMAGES A WEAPON SEIZED UNDER THIS SECTION IS
11 CIVILLY LIABLE FOR THAT LOSS OR DAMAGE IF THE WEAPON IS NOT
12 ORDERED FORFEITED UNDER SECTION 5G.

13 SEC. 5G. (1) EXCEPT AS PROVIDED IN SECTION 5F AND SUBSEC-
14 TION (2), A WEAPON CARRIED IN VIOLATION OF THIS ACT IS SUBJECT TO
15 SEIZURE AND FORFEITURE IN THE SAME MANNER THAT PROPERTY IS
16 SUBJECT TO SEIZURE AND FORFEITURE UNDER SECTIONS 4701 TO 4709 OF
17 THE REVISED JUDICATURE ACT OF 1961, ACT NO. 236 OF THE PUBLIC
18 ACTS OF 1961, BEING SECTIONS 600.4701 TO 600.4709 OF THE MICHIGAN
19 COMPILED LAWS.

20 (2) IF A WEAPON CARRIED IN VIOLATION OF THIS ACT IS SEIZED
21 AND FORFEITED PURSUANT TO THIS SECTION, THE WEAPON SHALL BE DIS-
22 POSED OF ONLY AS FOLLOWS:

23 (A) THE LAW ENFORCEMENT AGENCY THAT SEIZED THE WEAPON MAY
24 RETAIN IT FOR OFFICIAL USE OR TRANSFER THE WEAPON TO ANOTHER LAW
25 ENFORCEMENT AGENCY FOR OFFICIAL USE BY THAT AGENCY.

26 (B) IF THE WEAPON IS NOT RETAINED OR TRANSFERRED UNDER
27 SUBDIVISION (A), THE WEAPON SHALL BE TRANSFERRED TO THE

1 DEPARTMENT OF STATE POLICE FOR DISPOSAL AS PRESCRIBED BY THE
2 DIRECTOR OF THE DEPARTMENT OF STATE POLICE.

3 (3) A LAW ENFORCEMENT AGENCY THAT INTENTIONALLY OR NEGLI-
4 GENTLY LOSES OR DAMAGES A WEAPON SEIZED UNDER THIS SECTION IS
5 CIVILLY LIABLE FOR THAT LOSS OR DAMAGE IF THE WEAPON IS NOT
6 ORDERED FORFEITED UNDER THIS SECTION.

7 SEC. 5H. AN INDIVIDUAL WHO IS LICENSED TO CARRY A CONCEALED
8 WEAPON IN THIS STATE ON THE EFFECTIVE DATE OF THE AMENDATORY ACT
9 THAT ADDED THIS SECTION MAY CARRY A CONCEALED WEAPON PURSUANT TO
10 THAT LICENSE UNTIL THE LICENSE EXPIRES OR THE INDIVIDUAL'S
11 AUTHORITY TO CARRY A CONCEALED WEAPON PURSUANT TO THAT LICENSE IS
12 OTHERWISE TERMINATED, WHICHEVER OCCURS FIRST.

13 Sec. 8. ~~The licensing board herein created by section 6-~~
14 SECRETARY OF STATE may revoke ~~any~~ A license issued ~~by it~~
15 UNDER SECTION 5A upon receiving a certificate of any magistrate
16 showing that ~~such~~ THE licensee has been convicted of violating
17 ~~any of the provisions of~~ this act, ~~or~~ has been convicted of a
18 felony, OR IS OTHERWISE INELIGIBLE TO RECEIVE A LICENSE UNDER
19 THIS ACT. ~~Such license may also be revoked whenever in the~~
20 ~~judgment of said board the reason for granting such license shall~~
21 ~~have ceased to exist, or whenever said board shall for any rea-~~
22 ~~sonable cause determine said licensee to be an unfit person to~~
23 ~~carry a pistol concealed upon his person. No such license shall~~
24 ~~be revoked except upon written complaint and then only after a~~
25 ~~hearing by said board, of which at least 7 days' notice shall be~~
26 ~~given to the licensee either by personal service or by registered~~
27 ~~mail to his last known address. The clerk of said licensing~~

1 ~~board is hereby authorized to administer an oath to any person~~
2 ~~testifying before such board at any such hearing.~~ A REVOCATION
3 UNDER THIS SECTION IS SUBJECT TO REVIEW BY THE CONCEALED WEAPON
4 LICENSING BOARD IN THE MANNER PROVIDED BY THE CONCEALED WEAPON
5 LICENSING BOARD.

6 Sec. 9a. (1) The basic pistol safety review board is cre-
7 ated in the department of state police. The board shall consist
8 of the following members:

9 (a) The director of the department of state police or his or
10 her representative.

11 (b) The director of the department of natural resources or
12 his or her representative.

13 (c) One person appointed by the governor with the advice and
14 consent of the senate representing the interests of organizations
15 involved in shooting sports.

16 (d) One person appointed by the governor with the advice and
17 consent of the senate representing the interests of a statewide
18 conservation organization.

19 (e) One person appointed by the governor with the advice and
20 consent of the senate representing the interests of the public.

21 (2) The director of the department of state police shall
22 chair the basic pistol safety board.

23 (3) The basic pistol safety board shall do all of the
24 following:

25 (a) Approve a pamphlet on basic pistol safety for distribu-
26 tion to THE SECRETARY OF STATE AND entities authorized to issue
27 licenses under section 2.

1 (b) Approve basic pistol safety questionnaires for
2 distribution to entities authorized to issue licenses under
3 section 2. The board shall approve a questionnaire under this
4 subdivision only if both of the following circumstances exist:

5 (i) The questionnaire only addresses material covered in the
6 pamphlet approved pursuant to subdivision (a).

7 (ii) The questionnaire reasonably examines the knowledge of
8 pistol safety of individuals who are required to answer
9 questionnaires.

10 (c) Upon the expiration of 90 days after the effective date
11 of the amendatory act that added this section, provide the
12 department of state police with master copies of the basic pistol
13 safety pamphlet and basic pistol safety questionnaires for print-
14 ing by the department of state police and for distribution by the
15 department of state police to THE SECRETARY OF STATE AND entities
16 authorized to issue licenses under section 2.

17 Sec. 9b. The department of state police shall print the
18 basic pistol safety pamphlet and basic pistol safety question-
19 naires approved by the basic pistol safety review board, and
20 shall distribute the pamphlet and the questionnaires free of
21 charge to THE SECRETARY OF STATE AND entities authorized to issue
22 licenses under section 2. The department of state police shall
23 distribute copies of the basic pistol safety pamphlet and the
24 questionnaires within 90 days after the department of state
25 police receives the master copies from the basic pistol safety
26 review board.

1 Sec. 9c. ~~Entities~~ THE SECRETARY OF STATE AND ENTITIES
2 authorized to issue licenses under section 2 shall distribute a
3 basic pistol safety pamphlet received by that entity from the
4 department of state police free of charge to each person who
5 requests a copy of the pamphlet.

6 Sec. 12. Sections 2 and 9 do not apply to ~~a duly~~
7 ~~authorized~~ ANY OF THE FOLLOWING:

8 (A) A police or correctional agency of the United States or
9 of ~~the~~ THIS state or any subdivision ~~thereof, nor to the~~ OF
10 THIS STATE.

11 (B) THE UNITED STATES army, air force, navy, or marine
12 corps. ~~of the United States, nor to organizations~~

13 (C) AN ORGANIZATION authorized by law to purchase or receive
14 weapons from the United States or from this state. ~~, nor to the~~

15 (D) THE national guard, armed forces reserves, or other duly
16 authorized military ORGANIZATION. ~~organizations, or to members~~
17 ~~of the above agencies or organizations for weapons used for the~~
18 ~~purposes of or incidental to such agencies or organizations, nor~~
19 ~~to a~~

20 (E) A MEMBER OF AN ENTITY OR ORGANIZATION DESCRIBED IN
21 SUBDIVISIONS (A) TO (D) FOR A WEAPON USED IN THE COURSE OF HIS OR
22 HER DUTIES WITH THAT ENTITY.

23 (F) A person holding a license to carry a pistol concealed
24 upon his OR HER person issued by another state. ~~, nor to the~~

25 (G) THE regular and ordinary transportation of ~~pistols~~ A
26 PISTOL as merchandise by AN authorized ~~agents~~ AGENT of ~~any~~ A
27 person licensed to manufacture firearms.

1 Sec. 12b. Sections 2 and 9 do not apply to a signaling
2 device ~~which is~~ approved by the United States coast guard pur-
3 suant to regulations issued under section 4488 of the Revised
4 Statutes of the United States, 46 U.S.C. 481, or under section 5
5 of the federal boat safety act of 1971, Public Law 92-75, 46
6 U.S.C. 1454.

7 Sec. 14. (1) ~~All pistols, weapons or devices~~ EXCEPT AS
8 PROVIDED IN SUBSECTION (2), A PISTOL, WEAPON, OR DEVICE carried
9 or possessed ~~contrary to~~ IN VIOLATION OF this act ~~are hereby~~
10 ~~declared~~ IS forfeited to the state ~~and~~ and shall be turned over
11 to the ~~commissioner~~ DIRECTOR of the ~~Michigan~~ DEPARTMENT OF
12 state police or his OR HER designated representative, for ~~such~~
13 disposition as ~~said commissioner may prescribe~~ THE DIRECTOR OF
14 THE DEPARTMENT OF STATE POLICE PRESCRIBES.

15 (2) A CONCEALED WEAPON CARRIED IN VIOLATION OF THIS ACT BY
16 AN INDIVIDUAL LICENSED UNDER SECTION 5 TO CARRY A CONCEALED
17 WEAPON IS SUBJECT TO SEIZURE AND FORFEITURE UNDER SECTION 5G.

18 Section 2. Sections 6 and 9d of Act No. 372 of the Public
19 Acts of 1927, being sections 28.426 and 28.429d of the Michigan
20 Compiled Laws, are repealed.

21 Section 3. This amendatory act shall take effect December
22 1, 1995.

23 Section 4. This amendatory act shall not take effect unless
24 all of the following bills of the 88th Legislature are enacted
25 into law:

26 (a) Senate Bill No. _____ or House Bill No. 4718 (request
27 no. 03507'95 c).

1 (b) Senate Bill No. _____ or House Bill No. 4719 (request
2 no. 03507'95 d).