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BILL



ANALYSIS

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House Bill 4591 (Substitute H-1 as passed by the House)

Sponsor: Representative Frank D. Foster

House Committee: Judiciary

Senate Committee: Judiciary

Date Completed: 12-3-12

CONTENT

The bill would amend the handgun licensure law to do both of the following:

- Allow a concealed pistol license holder who was a State correctional officer or a retired Federal law enforcement officer to carry a concealed pistol in a no-carry zone.**
- Excuse from the educational requirement for obtaining a concealed pistol license a peace officer, active-duty U.S. military personnel, or a person who was honorably discharged from the U.S. military.**

No-Carry Zones

An individual who is licensed to carry a concealed pistol, or who is exempt from licensure, may not carry a concealed pistol on the premises of certain facilities (which are commonly referred to as no-carry zones). That restriction, however, does not apply to certain people, including an individual who is licensed and who is a corrections officer of a county sheriff's department. The bill also would make an exception to the no-carry zone restriction for a licensee who was a State correctional officer.

In addition, the bill would exclude from restriction an individual who was licensed under the law and who was a retired Federal law enforcement officer who carried a firearm during the course of his or her employment as a Federal officer. The concealed weapon license board could require a letter from the law enforcement agency that had employed the officer immediately before his or her retirement, stating that the officer retired in good standing. "Federal law enforcement officer" would mean an officer or agent employed by a law enforcement agency of the U.S. government whose primary responsibility is enforcing the laws of the United States.

Exemption from Educational Requirement

The law requires the concealed weapon licensing board to issue a license to carry a concealed pistol to an applicant who properly submits an application, after the board determines that certain requirements have been met. One of the requirements is that the applicant has knowledge and has had training in the safe use and handling of a pistol by the successful completion of a pistol safety training course. The educational requirement is waived for an applicant who is a retired police officer or retired law enforcement officer.

The bill also would waive the educational requirement for a peace officer, a person on active duty status with the U.S. Armed Forces, or a person who received an honorable discharge from the U.S. Armed Forces at the time of his or her separation from the military.

MCL 28.425k et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Dan O'Connor

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.