

**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
25 to a violation of a penal law of this state that is not a felony or

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

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

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

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

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

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

1 laws of this state, and who is otherwise eligible to possess a
2 firearm under this act.

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

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

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

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

1 or her service as a police officer or law enforcement officer or
2 actively maintained a Michigan commission on law enforcement
3 standards or equivalent state certification or license **FROM THIS**
4 **STATE OR ANOTHER STATE** for not less than 10 consecutive years.

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

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

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

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

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

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

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

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

1 election in a manner prescribed by that department.

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

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

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

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

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

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

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

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

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

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

14 Sec. 5a. (1) ~~Beginning December 1, 2015, the county concealed~~
15 ~~weapon licensing boards are eliminated. Each county concealed~~
16 ~~weapon licensing board shall transfer all license applications and~~
17 ~~official documents in its possession to the county clerk of the~~
18 ~~county in which the board is located no later than November 30,~~
19 ~~2015. All pending applications remain in place, are considered to~~
20 ~~have a December 1, 2015 application date, and shall be processed by~~
21 ~~the county clerk as provided in this act. If an applicant has an~~
22 ~~initial or renewal application that is pending on December 1, 2015,~~
23 ~~that applicant may request a receipt from the county clerk that~~
24 ~~meets the requirements of section 5b(9) or 5/(3). The county clerk~~
25 ~~shall issue that receipt by first class mail unless requested in~~
26 ~~person. The receipt is effective on the date the county clerk~~
27 ~~issues that receipt. The county clerk shall not charge any~~

1 ~~additional fee for receiving or processing an application~~
2 ~~previously submitted to the county concealed weapon licensing~~
3 ~~board, except as otherwise provided in this act.~~ A license to carry
4 a concealed pistol issued by a concealed weapon licensing board
5 before December 1, 2015 is valid and remains in effect until the
6 expiration of that license or as otherwise provided by law.

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

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

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

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

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

17 (4) A county clerk shall issue an emergency license to carry a
18 concealed pistol to an ~~applicant~~ **INDIVIDUAL** if the individual has
19 obtained a personal protection order issued under section 2950 or
20 2950a of the revised judicature act of 1961, 1961 PA 236, MCL
21 600.2950 and 600.2950a, or to an ~~applicant~~ **THAT INDIVIDUAL** if a
22 county sheriff determines that there is clear and convincing
23 evidence to believe the safety of the ~~applicant~~ **INDIVIDUAL** or the
24 safety of a member of the ~~applicant's~~ **INDIVIDUAL'S** family or
25 household is endangered by the ~~applicant's~~ **INDIVIDUAL'S** inability
26 to immediately obtain a license to carry a concealed pistol. Clear
27 and convincing evidence includes, but is not limited to, an

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

1 **AN EMERGENCY LICENSE, THAT INDIVIDUAL'S EMERGENCY LICENSE IS NO**
2 **LONGER VALID.** A county sheriff who makes a determination under this
3 section, performs a criminal record check, and takes the
4 applicant's fingerprints may charge a fee not to exceed \$15.00. A
5 county clerk may charge a fee not to exceed \$10.00 for printing an
6 emergency license. A county clerk shall deposit a fee collected by
7 the county clerk under this subsection in the concealed pistol
8 licensing fund of that county created in section 5x. ~~An~~ **EXCEPT AS**
9 **OTHERWISE PROVIDED IN THIS SUBSECTION, AN** emergency license ~~is~~
10 ~~unrestricted and~~ is valid for 45 days or until the county clerk
11 issues ~~a license or~~ a notice of statutory disqualification,
12 whichever occurs first. Except as otherwise provided in this act,
13 an emergency license is, for all other purposes of this act, a
14 license to carry a concealed pistol. The county clerk shall include
15 an indication on the license if an individual is exempt from the
16 prohibitions against carrying a concealed pistol on premises
17 described in section 50 if the applicant provides acceptable proof
18 that he or she qualifies for that exemption. An individual shall
19 not obtain more than 1 emergency license in any 5-year period. If a
20 county clerk issues a notice of statutory disqualification to an
21 applicant who received an emergency license under this section, the
22 applicant shall immediately surrender the emergency license to the
23 county clerk by mail or in person if that emergency license has not
24 expired. An individual who fails to surrender a license as required
25 by this subsection after he or she is notified of a statutory
26 disqualification is guilty of a misdemeanor punishable by
27 imprisonment for not more than 93 days or a fine of not more than

1 \$500.00, or both.

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

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

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

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

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

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

17 (c) ~~Until November 30, 2015, a statement by the applicant~~
18 ~~authorizing the concealed weapon licensing board to access any~~
19 ~~record, including any medical record, pertaining to the applicant's~~
20 ~~qualifications for a license to carry a concealed pistol under this~~
21 ~~act. The applicant may request that information received by the~~
22 ~~concealed weapon licensing board under this subdivision be reviewed~~
23 ~~in a closed session. If the applicant requests that the session be~~
24 ~~closed, the concealed weapon licensing board shall close the~~
25 ~~session only for purposes of this subdivision. The applicant and~~
26 ~~his or her representative have the right to be present in the~~
27 ~~closed session. Beginning December 1, 2015, a~~ **A** statement by the

1 applicant authorizing the department of state police to access any
2 record needed to perform the verification in subsection (6).

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

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

10 (i) Any felony.

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

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

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

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

26 (G) ~~(i) Until November 30, 2015, a passport quality photograph~~
27 ~~of the applicant provided by the applicant at the time of~~

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

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

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

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

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

26 (5) ~~Until November 30, 2015, each applicant shall pay a~~
27 ~~nonrefundable application and licensing fee of \$105.00 by any~~

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

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

- 22 ~~—— (a) The person's home of record.~~
23 ~~—— (b) Permanent active duty assignment in this state.~~

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

1 act if the ~~concealed weapon licensing board or county clerk~~
2 determines that all of the following circumstances exist:

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

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

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

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

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

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

25 (iv) The ~~person~~ **INDIVIDUAL** is on active duty status with the
26 United States ~~armed forces~~ **ARMED FORCES** and is permanently
27 stationed in this state, but the ~~person's~~ **INDIVIDUAL'S** home of

1 record is in another state.

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

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

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

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

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

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

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

22 (e) ~~The~~ **BASED SOLELY ON THE REPORT RECEIVED FROM THE**
23 **DEPARTMENT OF STATE POLICE UNDER SUBSECTION (6), THE** applicant is
24 not prohibited from possessing, using, transporting, selling,
25 purchasing, carrying, shipping, receiving, or distributing a
26 firearm under section 224f of the Michigan penal code, 1931 PA 328,
27 MCL 750.224f.

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

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

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

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

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

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

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

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

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

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

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

26 (viii) Section 7 of 1978 PA 33, MCL 722.677 (displaying
27 sexually explicit matter to minors).

1 (ix) Section 81 (assault or domestic assault), section 81a(1)
2 or (2) (aggravated assault or aggravated domestic assault), section
3 115 (breaking and entering or entering without breaking), section
4 136b(7) (fourth degree child abuse), section 145n (vulnerable adult
5 abuse), section 157b(3)(b) (solicitation to commit a felony),
6 section 215 (impersonating peace officer or medical examiner),
7 section 223 (illegal sale of a firearm or ammunition), section 224d
8 (illegal use or sale of a self-defense spray), section 226a (sale
9 or possession of a switchblade), section 227c (improper
10 transportation of a loaded firearm), section 229 (accepting a
11 pistol in pawn), ~~section 232 (failure to register the purchase of a~~
12 ~~firearm or a firearm component)~~, section 232a (improperly obtaining
13 a pistol, making a false statement on an application to purchase a
14 pistol, or using false identification to purchase a pistol),
15 section 233 (intentionally aiming a firearm without malice),
16 section 234 (intentionally discharging a firearm aimed without
17 malice), section 234d (possessing a firearm on prohibited
18 premises), section 234e (brandishing a firearm in public), section
19 234f (possession of a firearm by an individual less than 18 years
20 of age), section 235 (intentionally discharging a firearm aimed
21 without malice causing injury), section 235a (parent of a minor who
22 possessed a firearm in a weapon free school zone), section 236
23 (setting a spring gun or other device), section 237 (possessing a
24 firearm while under the influence of intoxicating liquor or a
25 controlled substance), section 237a (weapon free school zone
26 violation), section 335a (indecent exposure), section 411h
27 (stalking), or section 520e (fourth degree criminal sexual conduct)

1 of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a,
2 750.115, 750.136b, 750.145n, 750.157b, 750.215, 750.223, 750.224d,
3 750.226a, 750.227c, 750.229, ~~750.232~~, 750.232a, 750.233, 750.234,
4 750.234d, 750.234e, 750.234f, 750.235, 750.235a, 750.236, 750.237,
5 750.237a, 750.335a, 750.411h, and 750.520e.

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

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

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

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

26 (i) Section 625 (operating under the influence), section 625a
27 (refusal of commercial vehicle operator to submit to a chemical

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

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

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

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

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

20 (vi) Section 167 (disorderly person), section 174
21 (embezzlement), section 218 (false pretenses with intent to
22 defraud), section 356 (larceny), section 356d (second degree retail
23 fraud), section 359 (larceny from a vacant building or structure),
24 section 362 (larceny by conversion), section 362a (larceny -
25 defrauding lessor), section 377a (malicious destruction of
26 property), section 380 (malicious destruction of real property),
27 section 535 (receiving or concealing stolen property), or section

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

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

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

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

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

25 (m) ~~The~~ **BASED SOLELY ON THE REPORT RECEIVED FROM THE**
26 **DEPARTMENT OF STATE POLICE UNDER SUBSECTION (6), THE** applicant is
27 not under a court order of legal incapacity in this state or

1 elsewhere.

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

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

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

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

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

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

14 (10) The fingerprints ~~shall~~ **MUST** be taken, under subsection
15 (9), in a manner prescribed by the department of state police. The
16 ~~fingerprints taken by a county clerk, county sheriff, local police~~
17 ~~agency, or other entity shall be immediately forwarded~~ **FORWARD THE**
18 **FINGERPRINTS TAKEN BY THAT ENTITY** to the department of state police
19 for comparison with fingerprints already on file with the
20 department of state police. The department of state police shall
21 immediately forward the fingerprints to the Federal Bureau of
22 Investigation. ~~Until November 30, 2015, within 10 days after~~
23 ~~receiving a report of the fingerprints from the Federal Bureau of~~
24 ~~Investigation, the department of state police shall provide a copy~~
25 ~~to the submitting sheriff's department or local police agency as~~
26 ~~appropriate and the clerk of the appropriate concealed weapon~~
27 ~~licensing board. Beginning December 1, 2015, within~~ **WITHIN 5**

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

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

1 **INDIVIDUAL** if the applicant ~~INDIVIDUAL~~ is not qualified under
2 subsection (7) to receive that license.

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

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

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

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

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

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

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

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

27 (c) ~~Beginning December 1, 2015, inform~~ **INFORM** the applicant

1 **INDIVIDUAL** that he or she should contact the source of the record
2 for any statutory disqualification to correct any errors in the
3 record resulting in the statutory disqualification.

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

1 disqualification is issued by the county clerk.

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

14 (16) If a license issued under this act is suspended or
15 revoked, the license is forfeited and the individual shall return
16 the license to the county clerk forthwith by mail or in person.
17 ~~Beginning December 1, 2015, the~~ **THE** county clerk shall retain a
18 suspended or revoked license as an official record 1 year after the
19 expiration of the license, unless the license is reinstated or a
20 new license is issued. ~~Beginning December 1, 2015, the~~ **THE** county
21 clerk shall notify the department of state police if a license is
22 suspended or revoked. ~~Beginning December 1, 2015, the~~ **THE**
23 department of state police shall enter that suspension or
24 revocation into the law enforcement information network. An
25 individual who fails to return a license as required under this
26 subsection after he or she was notified that his or her license was
27 suspended or revoked 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 (17) An applicant or an individual licensed under this act to
4 carry a concealed pistol may be furnished a copy of his or her
5 application under this section upon request and the payment of a
6 reasonable fee not to exceed \$1.00. The county clerk shall deposit
7 any fee collected under this subsection in the concealed pistol
8 licensing fund of that county created in section 5x.

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

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

24 (20) A county clerk, county sheriff, county prosecuting
25 attorney, police department, or the department of state police is
26 not liable for civil damages as a result of ~~the issuance of~~ **ISSUING**
27 a license under this act to an individual who later commits a crime

1 or a negligent act.

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

13 (22) As used in this section:

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

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

19 (ii) For an individual who is employed or contracted by an
20 entity described under section 50(1) to provide security services,
21 a letter from that entity stating that the employee is required by
22 his or her employer or the terms of a contract to carry a concealed
23 firearm on the premises of the employing or contracting entity and
24 his or her employee identification.

25 (iii) For an individual who is licensed as a private
26 investigator or private detective under the professional
27 investigator licensure act, 1965 PA 285, MCL 338.821 to 338.851,

1 his or her license.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (ii) Ammunition knowledge, and the fundamentals of pistol

1 shooting.

2 (iii) Pistol shooting positions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 Sec. 5/. (1) A license to carry a concealed pistol, including
25 a renewal license, is valid until the applicant's date of birth
26 that falls not less than 4 years or more than 5 years after the
27 license is issued or renewed, as applicable. ~~Beginning December 1,~~

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

1 department of state police.

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

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

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

1 receipt issued under this subsection ~~shall~~ **TO AN INDIVIDUAL**
 2 **APPLYING FOR A RENEWAL LICENSE WHOSE CURRENT LICENSE IS NOT EXPIRED**
 3 **AT THE TIME OF APPLICATION 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) ~~Beginning December 1, 2015, the~~ **THE** applicant's state-
 8 issued driver license or personal identification card number.

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

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

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

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

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

27 **(A) THE NAME OF THE APPLICANT.**

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

2 (C) THE AMOUNT PAID.

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

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

16 (5) ~~(4)~~ Until November 30, 2018, a member of the United States
17 ~~armed forces, ARMED FORCES~~, the United States ~~armed forces reserve,~~
18 **ARMED FORCES RESERVE**, or the Michigan National Guard who is on
19 orders to a duty station outside of this state may submit his or
20 her application to renew a license to carry a concealed pistol by
21 first-class mail, containing the required fee, a notarized
22 application, the licensee's address of record within the state, the
23 licensee's orders to report to a duty station outside of this
24 state, and if the licensee desires to have his or her application
25 receipt, renewal license, or any other notices mailed to his or her
26 address of assignment or deployment, a letter requesting that
27 action including the address of assignment or deployment. If the

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

17 (6) ~~(5) Until November 30, 2015, if the concealed weapon~~
18 ~~licensing board fails to deny or issue a renewal license to the~~
19 ~~person within 60 days as required under subsection (4), the~~
20 ~~expiration date of the current license is extended by 180 days or~~
21 ~~until the renewal license is issued, whichever occurs first. This~~
22 ~~subsection does not apply unless the person pays the renewal fee at~~
23 ~~the time the renewal application is submitted and the person has~~
24 ~~submitted a receipt from a police agency that confirms that a~~
25 ~~background check has been requested by the applicant. Beginning~~
26 ~~December 1, 2015, if~~ **IF** an individual applies for a renewal license
27 before the expiration of his or her license, the expiration date of

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

10 (7) ~~(6)~~—A person carrying a concealed pistol after the
11 expiration date of his or her license under an extension under
12 subsection ~~(5)~~—(6) shall keep the receipt issued by the county
13 clerk under subsection (3) and his or her expired license in his or
14 her possession at all times that he or she is carrying the pistol.
15 For the purposes of this act, the receipt is considered to be part
16 of the license to carry a concealed pistol until a renewal license
17 is issued or denied or a notice of statutory disqualification is
18 issued.

19 (8) ~~(7)~~—The educational requirements under section 5b(7)(c)
20 are waived for an applicant who is a retired police officer or
21 retired law enforcement officer.

22 (9) ~~(8)~~—The educational requirements under section 5b(7)(c)
23 for an applicant who is applying for a renewal of a license under
24 this act are waived except that the applicant shall certify that he
25 or she has completed at least 3 hours' review of the training
26 described under section 5b(7)(c) and has had at least 1 hour of
27 firing range time in the 6 months immediately preceding the

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

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

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

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

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

25 (a) A school or school property except that a parent or legal
26 guardian of a student of the school is not precluded from carrying
27 a concealed pistol while in a vehicle on school property, if he or

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

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

8 (c) A sports arena or stadium.

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

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

27 (f) An entertainment facility with a seating capacity of 2,500

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

5 (g) A hospital.

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

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

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

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

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

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

24 (b) An individual who is licensed under this act and who is
25 employed or contracted by an entity described under subsection (1)
26 to provide security services and is required by his or her employer
27 or the terms of a contract to carry a concealed firearm on the

1 premises of the employing or contracting entity.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (a) The issuing agency has determined through the federal
26 national instant criminal background check system ~~(NICS)~~ that the
27 applicant is not prohibited under federal law from possessing or

1 transporting a firearm.

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

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

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

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

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

25 (2) If a county clerk is notified by a law enforcement agency,
26 prosecuting official, or court that an individual licensed to carry
27 a concealed pistol is charged with a felony or **CHARGED WITH A**

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

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

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

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

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

1 for his or her application at the time the application is
2 submitted. The receipt ~~shall~~**MUST** contain all of the following:

3 (a) The name of the applicant.

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

5 (c) The amount paid.

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

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

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

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

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

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

1 state police shall enter the order or amended order into the law
2 enforcement information network.

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

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

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

21 Enacting section 1. Sections 232 and 421 of the Michigan penal
22 code, 1931 PA 328, MCL 750.232 and 750.421, are repealed.