

Legislative Analysis



EXPAND PURCHASE LICENSE EXEMPTIONS FOR FIREARMS MANUFACTURERS AND DEALERS

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House Bill 5473 (Substitute H-1)

House Bill 5520 without amendment

Sponsor: Rep. Jase Bolger

Committee: Tourism, Outdoor Recreation and Natural Resources

Complete to 2-24-10

A SUMMARY OF HOUSE BILLS 5473 & 5520 AS REPORTED FROM COMMITTEE

House Bills 5473 and 5520 would expand pistol purchase license exemptions for authorized agents of licensed firearms manufacturers and dealers.

Generally speaking, Section 2 of Michigan's handgun licensure law prohibits persons from purchasing, carrying, possessing, or transporting a pistol in Michigan without first having obtained a license for it. The license described in Section 2 is often referred to informally as a "purchase license."

Section 12 currently exempts the "regular and ordinary transportation of a pistol as merchandise by an authorized agent of a person licensed to manufacture firearms or a licensed dealer" from the Section 2 licensure requirement. House Bill 5473 would expand this exception to allow authorized agents of firearms manufacturers and licensed firearms dealers to not only *transport* a pistol as merchandise without a license under Section 2 but to also *possess* a pistol as merchandise without a Section 2 license for it. (MCL 28.432)

Section 2a currently exempts Michigan concealed pistol license holders from needing a Section 2 license to purchase, carry, possess, or transport a pistol in Michigan.

House Bill 5520 would expand this exemption to apply also to federally licensed firearms dealers. CPL holders who obtain a new pistol are currently required to complete and submit a record of the acquisition that includes their CPL license number. The bill would likewise require federally licensed firearms dealers who obtain a new pistol to complete and submit a record that contains their dealer license number. A "federally licensed firearms dealer" is defined as "a person who holds a Type 01 dealer license under 19 USC 923." House Bill 5520 would take effect on January 1, 2010, and is tie-barred to House Bill 5473, meaning that it would not take effect unless that bill is also enacted into law. (MCL 28.422a)

FISCAL IMPACT:

The bills would not have a fiscal impact on the state or local government.

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