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House Bill 5473 (Substitute H-1 as passed by the House)
House Bill 5520 (as passed by the House)
Sponsor: Representative Jase Bolger
House Committee: Tourism, Outdoor Recreation and Natural Resources
Senate Committee: Judiciary

Date Completed: 9-14-10

CONTENT

The bills would amend the handgun licensure law to do the following:

- **Exempt federally licensed firearms dealers from the law's requirement for a license to purchase, carry, possess, or transport a pistol.**
- **Require federally licensed firearms dealers to complete records of pistol purchases.**
- **Allow the authorized agent of a licensed firearms manufacturer or dealer to possess a pistol without a license.**

The bills are tie-barred and each bill would take effect 90 days after it was enacted.

House Bill 5473 (H-1)

The law requires a person to obtain a license in order to purchase, carry, possess, or transport a pistol in Michigan. This requirement does not apply to various individuals or entities listed in the law. One of the exceptions is for 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.

The bill would refer to the regular and ordinary possession and transportation of a pistol as merchandise by such a person.

House Bill 5520

Under the law, a person who is licensed to carry a concealed pistol is not required to obtain a separate license to purchase, carry, possess, or transport a pistol. If he or she purchases or otherwise acquires a pistol, the person must complete a record in quadruplicate on a form provided by the Department of State Police. The record must include the purchaser's concealed weapon license number. The seller may keep one copy of the record and the purchaser must send two copies to the police department of the city, village, or township where he or she lives or, if the local unit does not have a police department, to the county sheriff.

Under the bill, a federally licensed firearms dealer also would not be required to obtain a license to purchase, carry, possess, or transport a pistol. The dealer would be subject to

the requirements to complete a form and forward copies to a police department or county sheriff when purchasing or otherwise acquiring a pistol. The form would have to include the purchaser's dealer license number.

The bill would define "federally licensed firearms dealer" as an individual who holds a Type 01 dealer license under 18 USC 923. (That section requires a person to obtain a license from the U.S. Attorney General in order to engage in the business of importing, manufacturing, or dealing in firearms; specifies licensure criteria; and imposes record-keeping, reporting, and other requirements on licensees.)

MCL 28.432 (H.B. 5473)
28.422a (H.B. 5520)

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

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

Fiscal Analyst: Bruce Baker

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