

HOUSE BILL No. 5414

January 16, 2018, Introduced by Reps. Hoitenga, Sheppard, Lucido, Rendon, Bizon, LaFave, Chirkun, Dianda, Hornberger, Phelps, Alexander, Johnson, Lower, Cole, VanSingel, Leutheuser, Hernandez and Glenn and referred to the Committee on Judiciary.

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 5b, 5c, 5d, 5e, and 5l (MCL 28.425b, 28.425c, 28.425d, 28.425e, and 28.425l), sections 5b and 5l as amended by 2017 PA 95 and sections 5c, 5d, and 5e as amended by 2015 PA 3; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5b. (1) To obtain a **STANDARD OR LIFETIME** license to carry
2 a concealed pistol, an individual shall apply to the county clerk

1 in the county in which the individual resides. The applicant shall
2 file the application with the county clerk in the county in which
3 the applicant resides during the county clerk's normal business
4 hours. The application must be on a form provided by the director
5 of the department of state police and allow the applicant to
6 designate whether the applicant seeks an emergency license, **A**
7 **STANDARD LICENSE, OR A LIFETIME LICENSE**. The applicant shall sign
8 the application under oath. The county clerk or his or her
9 representative shall administer the oath. An application under this
10 subsection is not considered complete until an applicant submits
11 all of the required information and fees and has fingerprints taken
12 under subsection (9). An application under this subsection is
13 considered withdrawn if an applicant does not have fingerprints
14 taken under subsection (9) within 45 days of the date an
15 application is filed under this subsection. A completed application
16 and all receipts issued under this section expire 1 year from the
17 date of application. The county clerk shall issue the applicant a
18 receipt for his or her application at the time the application is
19 submitted containing the name of the applicant, the applicant's
20 state-issued driver license or personal identification card number,
21 the date and time the receipt is issued, the amount paid, the name
22 of the county in which the receipt is issued, an impression of the
23 county seal, and the statement, "This receipt was issued for the
24 purpose of applying for a concealed pistol license and for
25 obtaining fingerprints related to that application. This receipt
26 does not authorize an individual to carry a concealed pistol in
27 this state.". The application must contain all of the following:

1 (a) The applicant's legal name, date of birth, the address of
2 his or her primary residence, and his or her state-issued driver
3 license or personal identification card number.

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

6 (c) A statement by the applicant authorizing the department of
7 state police to access any record needed to perform the
8 verification in subsection (6).

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

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

16 (i) Any felony.

17 (ii) A misdemeanor listed under subsection (7)(h) if the
18 applicant was convicted of that misdemeanor in the 8 years
19 immediately preceding the date of the application, or a misdemeanor
20 listed under subsection (7)(i) if the applicant was convicted of
21 that misdemeanor in the 3 years immediately preceding the date of
22 the application.

23 (f) A statement by the applicant whether he or she has been
24 dishonorably discharged from the United States Armed Forces.

25 (g) If an applicant does not have a digitized photograph on
26 file with the secretary of state, a passport-quality photograph of
27 the applicant provided by the applicant at the time of application.

1 (h) A certificate stating that the applicant has completed the
2 training course prescribed by this act.

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

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

16 (4) The county clerk shall retain a copy of each application
17 for a license to carry a concealed pistol as an official record.
18 One year after the expiration of a concealed pistol license, the
19 county clerk may destroy the record and a name index of the record
20 ~~shall~~**MUST** be maintained in the database created in section 5e.

21 (5) Each applicant shall pay a nonrefundable application and
22 licensing fee of \$100.00 **FOR A STANDARD LICENSE OR \$150.00 FOR A**
23 **LIFETIME LICENSE**, by any method of payment accepted by that county
24 for payments of other fees and penalties. Except as provided in
25 subsection (9), no other charge, fee, cost, or assessment,
26 including any local charge, fee, cost, or assessment, is required
27 of the applicant except as specifically authorized in this act. The

1 applicant shall pay the application and licensing fee to the
2 county. The county treasurer shall deposit \$26.00 of each
3 application and licensing fee collected under this section in the
4 concealed pistol licensing fund of that county created in section
5 5x. The county treasurer shall forward the balance remaining to the
6 state treasurer. The state treasurer shall deposit the balance of
7 the fee in the general fund to the credit of the department of
8 state police. The department of state police shall use the money
9 received under this act to process the fingerprints and to
10 reimburse the Federal Bureau of Investigation for the costs
11 associated with processing fingerprints submitted under this act.
12 The balance of the money received under this act must be credited
13 to the department of state police.

14 (6) The department of state police shall verify the
15 requirements of subsection (7) (d), (e), (f), (h), (i), (j), (k),
16 and (m) through the law enforcement information network and the
17 national instant criminal background check system and shall report
18 to the county clerk all statutory disqualifications, if any, under
19 this act that apply to an applicant.

20 (7) The county clerk shall issue and ~~shall~~ send by first-class
21 mail a license to an applicant to carry a concealed pistol within
22 the period required under this act if the county clerk determines
23 that all of the following circumstances exist:

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

25 (b) The applicant is a citizen of the United States or is an
26 alien lawfully admitted into the United States, is a legal resident
27 of this state, and has resided in this state for not less than the

1 6 months immediately preceding the date of application. The county
2 clerk shall waive the 6-month residency requirement for an
3 emergency license under section 5a(4) if the applicant is a
4 petitioner for a personal protection order issued under section
5 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236,
6 MCL 600.2950 and 600.2950a, or if the county sheriff determines
7 that there is clear and convincing evidence to believe that the
8 safety of the applicant or the safety of a member of the
9 applicant's family or household is endangered by the applicant's
10 inability to immediately obtain a license to carry a concealed
11 pistol. If the applicant holds a valid concealed pistol license
12 issued by another state at the time the applicant's residency in
13 this state is established, the county clerk shall waive the 6-month
14 residency requirement and the applicant may apply for a concealed
15 pistol license at the time the applicant's residency in this state
16 is established. For the purposes of this section, an individual is
17 considered a legal resident of this state if any of the following
18 apply:

19 (i) The individual has a valid, lawfully obtained driver
20 license issued under the Michigan vehicle code, 1949 PA 300, MCL
21 257.1 to 257.923, or official state personal identification card
22 issued under 1972 PA 222, MCL 28.291 to 28.300.

23 (ii) The individual is lawfully registered to vote in this
24 state.

25 (iii) The individual is on active duty status with the United
26 States Armed Forces and is stationed outside of this state, but the
27 individual's home of record is in this state.

1 (iv) The individual is on active duty status with the United
2 States Armed Forces and is permanently stationed in this state, but
3 the individual's home of record is in another state.

4 (c) The applicant has knowledge and has had training in the
5 safe use and handling of a pistol by the successful completion of a
6 pistol safety training course or class that meets the requirements
7 of section 5j. **FOR AN APPLICANT APPLYING FOR A LIFETIME LICENSE, A
8 COPY OF A VALID STANDARD LICENSE OR A STANDARD LICENSE THAT EXPIRED
9 NOT MORE THAN 1 YEAR BEFORE APPLYING FOR THE LIFETIME LICENSE IS
10 PROOF OF COMPLIANCE WITH SECTION 5J.**

11 (d) Based solely on the report received from the department of
12 state police under subsection (6), the applicant is not the subject
13 of an order or disposition under any of the following:

14 (i) Section 464a of the mental health code, 1974 PA 258, MCL
15 330.1464a.

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

18 (iii) Sections 2950 and 2950a of the revised judicature act of
19 1961, 1961 PA 236, MCL 600.2950 and 600.2950a.

20 (iv) Section 6b of chapter V of the code of criminal
21 procedure, 1927 PA 175, MCL 765.6b, if the order has a condition
22 imposed under section 6b(3) of chapter V of the code of criminal
23 procedure, 1927 PA 175, MCL 765.6b.

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

26 (e) Based solely on the report received from the department of
27 state police under subsection (6), the applicant is not prohibited

1 from possessing, using, transporting, selling, purchasing,
2 carrying, shipping, receiving, or distributing a firearm under
3 section 224f of the Michigan penal code, 1931 PA 328, MCL 750.224f.

4 (f) Based solely on the report received from the department of
5 state police under subsection (6), the applicant has never been
6 convicted of a felony in this state or elsewhere, and a felony
7 charge against the applicant is not pending in this state or
8 elsewhere at the time he or she applies for a license described in
9 this section.

10 (g) The applicant has not been dishonorably discharged from
11 the United States Armed Forces.

12 (h) Based solely on the report received from the department of
13 state police under subsection (6), the applicant has not been
14 convicted of a misdemeanor violation of any of the following in the
15 8 years immediately preceding the date of application and a charge
16 for a misdemeanor violation of any of the following is not pending
17 against the applicant in this state or elsewhere at the time he or
18 she applies for a license described in this section:

19 (i) Section 617a (failing to stop when involved in a personal
20 injury accident), section 625 as punishable under subsection (9)(b)
21 of that section (operating while intoxicated, second offense),
22 section 625m as punishable under subsection (4) of that section
23 (operating a commercial vehicle with alcohol content, second
24 offense), section 626 (reckless driving), or a violation of section
25 904(1) (operating while license suspended or revoked, second or
26 subsequent offense) of the Michigan vehicle code, 1949 PA 300, MCL
27 257.617a, 257.625, 257.625m, 257.626, and 257.904.

1 (ii) Section 185(7) of the aeronautics code of the state of
2 Michigan, 1945 PA 327, MCL 259.185 (operating aircraft while under
3 the influence of intoxicating liquor or a controlled substance with
4 prior conviction).

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

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

11 (v) Section 80176 as punishable under section 80177(1)(b)
12 (operating vessel under the influence of intoxicating liquor or a
13 controlled substance, second offense), section 81134 as punishable
14 under subsection (8)(b) of that section (operating ORV under the
15 influence of intoxicating liquor or a controlled substance, second
16 or subsequent offense), or section 82127 as punishable under
17 section 82128(1)(b) (operating snowmobile under the influence of
18 intoxicating liquor or a controlled substance, second offense) of
19 the natural resources and environmental protection act, 1994 PA
20 451, MCL 324.80176, 324.80177, 324.81134, 324.82127, and 324.82128.

21 (vi) Section 7403 of the public health code, 1978 PA 368, MCL
22 333.7403 (possession of controlled substance, controlled substance
23 analogue, or prescription form).

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

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

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

1 (fourth degree criminal sexual conduct) of the Michigan penal code,
2 1931 PA 328, MCL 750.81, 750.81a, 750.115, 750.136b, 750.145n,
3 750.157b, 750.215, 750.223, 750.224d, 750.226a, 750.227c, 750.229,
4 750.232a, 750.233, 750.234, 750.234d, 750.234e, 750.234f, 750.235,
5 750.235a, 750.236, 750.237, 750.237a, 750.335a, 750.411h, and
6 750.520e.

7 ~~(x) Former section 228 of the Michigan penal code, 1931 PA~~
8 ~~328.~~

9 (x) ~~(xi)~~ Section 1 (reckless, careless, or negligent use of a
10 firearm resulting in injury or death), section 2 (careless,
11 reckless, or negligent use of a firearm resulting in property
12 damage), or section 3a (reckless discharge of a firearm) of 1952 PA
13 45, MCL 752.861, 752.862, and 752.863a.

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

18 (i) Based solely on the report received from the department of
19 state police under subsection (6), the applicant has not been
20 convicted of a misdemeanor violation of any of the following in the
21 3 years immediately preceding the date of application unless the
22 misdemeanor violation is listed under subdivision (h) and a charge
23 for a misdemeanor violation of any of the following is not pending
24 against the applicant in this state or elsewhere at the time he or
25 she applies for a license described in 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) Based solely on the report received from the department of
10 state police under subsection (6), the applicant has not been found
11 guilty but mentally ill of any crime and has not offered a plea of
12 not guilty of, or been acquitted of, any crime by reason of
13 insanity.

14 (k) Based solely on the report received from the department of
15 state police under subsection (6), the applicant is not currently
16 and has never been subject to an order of involuntary commitment in
17 an inpatient or outpatient setting due to mental illness.

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

24 (m) Based solely on the report received from the department of
25 state police under subsection (6), the applicant is not under a
26 court order of legal incapacity in this state or elsewhere.

27 (n) The applicant has a valid state-issued driver license or

1 personal identification card.

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

13 (9) An individual, after submitting an application and paying
14 the fee prescribed under subsection (5), shall request that
15 classifiable fingerprints be taken by a county clerk, the
16 department of state police, a county sheriff, a local police
17 agency, or other entity, if the county clerk, department of state
18 police, county sheriff, local police agency, or other entity
19 provides fingerprinting capability for the purposes of this act. An
20 individual who has had classifiable fingerprints taken under
21 section 5a(4) does not need additional fingerprints taken under
22 this subsection. **AN INDIVIDUAL APPLYING FOR A LIFETIME LICENSE
23 WHOSE FINGERPRINTS ARE ON FILE FROM OBTAINING A STANDARD LICENSE
24 DOES NOT NEED ADDITIONAL FINGERPRINTS TAKEN UNDER THIS SUBSECTION.**
25 If the individual requests that classifiable fingerprints be taken
26 by the county clerk, department of state police, county sheriff, a
27 local police agency, or other entity, the individual shall also pay

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

- 21 (a) The name of the individual.
- 22 (b) The date and time the receipt is issued.
- 23 (c) The amount paid.
- 24 (d) The name of the entity providing the fingerprint services.
- 25 (e) The individual's state-issued driver license or personal
26 identification card number.
- 27 (f) The statement "This receipt was issued for the purpose of

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

11 (10) The fingerprints must be taken, under subsection (9), in
12 a manner prescribed by the department of state police. The county
13 clerk, county sheriff, local police agency, or other entity shall
14 immediately forward the fingerprints taken by that entity to the
15 department of state police for comparison with fingerprints already
16 on file with the department of state police. The department of
17 state police shall immediately forward the fingerprints to the
18 Federal Bureau of Investigation. Within 5 business days after
19 completing the verification under subsection (6), the department
20 shall send the county clerk a list of an individual's statutory
21 disqualifications under this act. Except as provided in section
22 5a(4), the county clerk shall not issue a concealed pistol license
23 until he or she receives the report of statutory disqualifications
24 prescribed in this subsection. If an individual's fingerprints are
25 not classifiable, the department of state police shall, at no
26 charge, take the individual's fingerprints again or provide for the
27 comparisons under this subsection to be conducted through

1 alternative means. The county clerk shall not issue a notice of
2 statutory disqualification because an individual's fingerprints are
3 not classifiable by the Federal Bureau of Investigation.

4 (11) The county clerk shall send by first-class mail a notice
5 of statutory disqualification for a license under this act to an
6 individual if the individual is not qualified under subsection (7)
7 to receive that license.

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

11 (13) Subject to subsection (10), the department of state
12 police shall complete the verification required under subsection
13 (6) and the county clerk shall issue a license or a notice of
14 statutory disqualification within 45 days after the date the
15 individual has classifiable fingerprints taken under subsection
16 (9). The county clerk shall include an indication on the license if
17 an individual is exempt from the prohibitions against carrying a
18 concealed pistol on premises described in section 5o if the
19 applicant provides acceptable proof that he or she qualifies for
20 that exemption. If the county clerk receives notice from a county
21 sheriff or chief law enforcement officer that a licensee is no
22 longer a member of a sheriff's posse, an auxiliary officer, or a
23 reserve officer, the county clerk shall notify the licensee that he
24 or she shall surrender the concealed pistol license indicating that
25 the individual is exempt from the prohibitions against carrying a
26 concealed pistol on premises described in section 5o. The licensee
27 shall, within 30 days after receiving notice from the county clerk,

1 surrender the license indicating that the individual is exempt from
2 the prohibitions against carrying a concealed pistol on premises
3 described in section 5o and obtain a replacement license after
4 paying the fee required under subsection (15). If the county clerk
5 issues a notice of statutory disqualification, the county clerk
6 shall within 5 business days do all of the following:

7 (a) Inform the individual in writing of the reasons for the
8 denial or disqualification. Information under this subdivision
9 ~~shall~~**MUST** include all of the following:

10 (i) A statement of each statutory disqualification identified.

11 (ii) The source of the record for each statutory
12 disqualification identified.

13 (iii) The contact information for the source of the record for
14 each statutory disqualification identified.

15 (b) Inform the individual in writing of his or her right to
16 appeal the denial or notice of statutory disqualification to the
17 circuit court as provided in section 5d.

18 (c) Inform the individual that he or she should contact the
19 source of the record for any statutory disqualification to correct
20 any errors in the record resulting in the statutory
21 disqualification.

22 (14) If a license or notice of statutory disqualification is
23 not issued under subsection (13) within 45 days after the date the
24 individual has classifiable fingerprints taken under subsection
25 (9), the receipt issued under subsection (9) serves as a concealed
26 pistol license for purposes of this act when carried with a state-
27 issued driver license or personal identification card and is valid

1 until a license or notice of statutory disqualification is issued
2 by the county clerk.

3 (15) If an individual licensed under this act to carry a
4 concealed pistol moves to a different county within this state, his
5 or her license remains valid until it expires or is otherwise
6 suspended or revoked under this act. An individual may notify a
7 county clerk **IN WRITING OR IN PERSON** that he or she has moved to a
8 different address within this state for the purpose of receiving
9 the notice under section 5l(1). A license to carry a concealed
10 pistol that is lost, stolen, defaced, or replaced for any other
11 reason, ~~may~~**INCLUDING ADDING OR REMOVING AN EXEMPTION FROM SECTION**
12 **5o, MUST** be replaced by the issuing county clerk for a replacement
13 fee of \$10.00. **A COUNTY CLERK SHALL ALLOW AN INDIVIDUAL TO OBTAIN A**
14 **REPLACEMENT LICENSE BY MAIL WITHOUT REQUIRING THE INDIVIDUAL TO**
15 **APPEAR IN PERSON. IF AN INDIVIDUAL WISHES TO TRANSFER A LICENSE TO**
16 **A NEW COUNTY OF RESIDENCE, THE COUNTY CLERK OF THAT NEW COUNTY OF**
17 **RESIDENCE SHALL CHARGE THAT INDIVIDUAL A FEE OF \$25.00 AND ISSUE A**
18 **NEW LICENSE TO THE INDIVIDUAL. THE COUNTY CLERK IS RESPONSIBLE FOR**
19 **NOTIFYING THE PREVIOUS COUNTY CLERK THAT HE OR SHE IS NO LONGER**
20 **RESPONSIBLE FOR MAINTAINING THE LICENSE.** A county clerk shall
21 deposit a ~~replacement~~ fee under this subsection in the concealed
22 pistol licensing fund of that county created in section 5x.

23 (16) If a license issued under this act is suspended or
24 revoked, the license is forfeited and the individual shall return
25 the license to the county clerk forthwith by mail or in person. The
26 county clerk shall retain a suspended or revoked license as an
27 official record 1 year after the expiration of the license, unless

1 the license is reinstated or a new license is issued. The county
2 clerk shall notify the department of state police if a license is
3 suspended or revoked. The department of state police shall enter
4 that suspension or revocation into the law enforcement information
5 network. An individual who fails to return a license as required
6 under this subsection after he or she was notified that his or her
7 license was suspended or revoked is guilty of a misdemeanor
8 punishable by imprisonment for not more than 93 days or a fine of
9 not more than \$500.00, or both.

10 (17) An applicant or an individual licensed under this act to
11 carry a concealed pistol may be furnished a copy of his or her
12 application under this section upon request and the payment of a
13 reasonable fee not to exceed \$1.00. The county clerk shall deposit
14 any fee collected under this subsection in the concealed pistol
15 licensing fund of that county created in section 5x.

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

20 (19) A county clerk issuing an initial **STANDARD OR LIFETIME**
21 license, **REPLACEMENT STANDARD OR LIFETIME LICENSE**, or renewal
22 **STANDARD** license under this act shall mail the license to the
23 licensee by first-class mail in a sealed envelope. Upon payment of
24 the fee under subsection (15), a county clerk shall issue a
25 replacement license in person at the time of application for a
26 replacement license. A county clerk may also deliver a replacement
27 license by first-class mail if the individual submits to the clerk

1 a written request and a copy of the individual's state-issued
2 driver license or personal identification card.

3 (20) A county clerk, county sheriff, county prosecuting
4 attorney, police department, or the department of state police is
5 not liable for civil damages as a result of issuing a license under
6 this act to an individual who later commits a crime or a negligent
7 act.

8 (21) An individual licensed under this act to carry a
9 concealed pistol may voluntarily surrender that license without
10 explanation. A county clerk shall retain a surrendered license as
11 an official record for 1 year after the license is surrendered. If
12 an individual voluntarily surrenders a license under this
13 subsection, the county clerk shall notify the department of state
14 police. The department of state police shall enter into the law
15 enforcement information network that the license was voluntarily
16 surrendered and the date the license was voluntarily surrendered.

17 **(22) AN INDIVIDUAL MAY OBTAIN BOTH A STANDARD LICENSE AND A**
18 **LIFETIME LICENSE UNDER THIS SECTION.**

19 **(23)** ~~(22)~~—As used in this section:

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

21 (i) For a retired police officer or retired law enforcement
22 officer, the officer's retired identification or a letter from a
23 law enforcement agency stating that the retired police officer or
24 law enforcement officer retired in good standing.

25 (ii) For an individual who is employed or contracted by an
26 entity described under section 5o(1) to provide security services,
27 a letter from that entity stating that the employee is required by

1 his or her employer or the terms of a contract to carry a concealed
2 firearm on the premises of the employing or contracting entity and
3 his or her employee identification.

4 (iii) For an individual who is licensed as a private
5 investigator or private detective under the professional
6 investigator licensure act, 1965 PA 285, MCL 338.821 to 338.851,
7 his or her license.

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

12 (v) For an individual who is a retired corrections officer of
13 a county sheriff's department, a letter from the county sheriff's
14 office stating that the retired corrections officer retired in good
15 standing and that the individual has received county sheriff
16 approved weapons training.

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

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

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

25 (ix) For an individual who is a parole, probation, or
26 corrections officer, or absconder recovery unit member, of the
27 department of corrections, his or her employee identification and

1 proof that the individual obtained a Michigan department of
2 corrections weapons permit.

3 (x) For an individual who is a retired parole, probation, or
4 corrections officer, or retired absconder recovery unit member, of
5 the department of corrections, a letter from the department of
6 corrections stating that the retired parole, probation, or
7 corrections officer, or retired absconder recovery unit member,
8 retired in good standing and proof that the individual obtained a
9 Michigan department of corrections weapons permit.

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

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

15 (xiii) For a retired federal law enforcement officer, the
16 identification required under the law enforcement officers safety
17 act or a letter from a law enforcement agency stating that the
18 retired federal law enforcement officer retired in good standing.

19 (xiv) For an individual who is a peace officer, his or her
20 employee identification.

21 (b) "Convicted" means a final conviction, the payment of a
22 fine, a plea of guilty or nolo contendere if accepted by the court,
23 or a finding of guilt for a criminal law violation or a juvenile
24 adjudication or disposition by the juvenile division of probate
25 court or family division of circuit court for a violation that if
26 committed by an adult would be a crime.

27 (c) "Felony" means, except as otherwise provided in this

1 subdivision, that term as defined in section 1 of chapter I of the
2 code of criminal procedure, 1927 PA 175, MCL 761.1, or a violation
3 of a law of the United States or another state that is designated
4 as a felony or that is punishable by death or by imprisonment for
5 more than 1 year. Felony does not include a violation of a penal
6 law of this state that is expressly designated as a misdemeanor.

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

11 (e) "Misdemeanor" means a violation of a penal law of this
12 state or violation of a local ordinance substantially corresponding
13 to a violation of a penal law of this state that is not a felony or
14 a violation of an order, rule, or regulation of a state agency that
15 is punishable by imprisonment or a fine that is not a civil fine,
16 or both.

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

20 Sec. 5c. (1) A license to carry a concealed pistol ~~shall~~**MUST**
21 be in a form, with the same dimensions as a Michigan operator
22 license, prescribed by the department of state police. ~~Beginning~~
23 ~~December 1, 2015, the~~**THE** license ~~shall~~**MUST** be constructed of
24 ~~plastic laminated paper or hard plastic. No~~**AN** additional fee ~~shall~~
25 **MUST NOT** be charged for the license unless otherwise prescribed in
26 this act. ~~A fee not to exceed \$10.00 may be charged for an optional~~
27 ~~hard plastic license only if the county clerk also provides the~~

1 ~~option of obtaining a plastic laminated paper license at no charge.~~
2 ~~A county clerk shall deposit a fee collected under this subsection~~
3 ~~in the concealed pistol licensing fund of that county created in~~
4 ~~section 5x. The license shall **MUST** contain all of the following:~~

5 (a) The licensee's full name and date of birth.

6 (b) A photograph and a physical description of the licensee.

7 (c) A statement of the effective dates of the license.

8 (d) An indication of exceptions authorized by this act
9 applicable to the licensee.

10 (e) The licensee's state-issued driver license or personal
11 identification card number.

12 (f) The premises on which carrying a concealed pistol is
13 prohibited under section 5o.

14 (g) The peace officer disclosure required under section 5f(3).

15 (h) An indication whether the license is a ~~duplicate~~ **STANDARD,**
16 **A LIFETIME,** or an emergency license.

17 (i) If the license is an emergency license, an indication that
18 the emergency license does not exempt the individual from complying
19 with all applicable laws for the purchase of firearms.

20 (2) The department of state police or a county clerk shall not
21 require a licensee's signature to appear on a license to carry a
22 concealed pistol.

23 (3) Subject to section 5o and except as otherwise provided by
24 law, a license to carry a concealed pistol issued by the county
25 clerk authorizes the licensee to do all of the following:

26 (a) Carry a pistol concealed on or about his or her person
27 anywhere in this state.

1 (b) Carry a pistol in a vehicle, whether concealed or not
2 concealed, anywhere in this state.

3 (4) The secretary of state shall make a digitized photograph
4 taken of the applicant for a driver license or personal
5 identification card available to the department for use under this
6 act. The department shall provide the photograph of the applicant
7 received from the secretary of state to the county clerk who shall
8 use the photograph on the individual's license unless the applicant
9 does not have a digitized photograph on file with the secretary of
10 state. If an applicant does not have a digitized photograph on file
11 with the secretary of state, the applicant shall provide a
12 passport-quality photograph of the applicant as provided under
13 section 5b(1).

14 Sec. 5d. (1) If the county clerk issues a notice of statutory
15 disqualification, fails to provide a receipt that complies with
16 section 5b(1) or 5l(3), **FAILS TO ISSUE A LICENSE WITH AN EXEMPTION**
17 **AS PROVIDED IN SECTION 5B(13)**, or fails to issue a license to carry
18 a concealed pistol as provided in this act, the department of state
19 police fails to provide a receipt that complies with section 5l(3),
20 or the county clerk, department of state police, county sheriff,
21 local police agency, or other entity fails to provide a receipt
22 that complies with section 5b(9), the applicant may appeal the
23 notice of statutory disqualification, the failure to provide a
24 receipt, **THE FAILURE TO ISSUE A LICENSE WITH AN EXEMPTION**, or the
25 failure to issue the license to the circuit court in the judicial
26 circuit in which he or she resides. The appeal of the notice of
27 statutory disqualification, failure to provide a receipt, **FAILURE**

1 **TO ISSUE A LICENSE WITH AN EXEMPTION**, or failure to issue a license
2 ~~shall~~**MUST** be determined by a review of the record for error.

3 (2) If the court determines that the notice of statutory
4 disqualification, failure to provide a receipt that complies with
5 section 5b(1) or (9) or 5l(3), **FAILURE TO ISSUE A LICENSE WITH AN**
6 **EXEMPTION**, or failure to issue a license was clearly erroneous or
7 was arbitrary and capricious, the court shall order the county
8 clerk to issue a license or receipt as required by this act. ~~For~~
9 ~~applications submitted after November 30, 2015, if~~ **IF** the court
10 determines that the notice of statutory disqualification, failure
11 to provide a receipt that complies with section 5b(1) or (9) or
12 5l(3), **FAILURE TO ISSUE A LICENSE WITH AN EXEMPTION**, or failure to
13 issue a license was clearly erroneous, the court may order an
14 entity to refund any filing fees the applicant incurred in filing
15 the appeal, according to the degree of responsibility of that
16 entity.

17 (3) ~~For applications submitted before December 1, 2015, if the~~
18 ~~court determines that the decision of the concealed weapon~~
19 ~~licensing board to deny issuance of a license to an applicant was~~
20 ~~arbitrary and capricious, the court shall order this state to pay~~
21 ~~1/3 and the county in which the concealed weapon licensing board is~~
22 ~~located to pay 2/3 of the actual costs and actual attorney fees of~~
23 ~~the applicant in appealing the denial. For applications submitted~~
24 ~~on or after December 1, 2015, if~~ **IF** the court under subsection (2)
25 determines that the notice of statutory disqualification, failure
26 to provide a receipt that complies with section 5b(1) or (9) or
27 5l(3), **FAILURE TO ISSUE A LICENSE WITH AN EXEMPTION**, or failure to

1 issue a license to an applicant was arbitrary and capricious, the
2 court shall order the county clerk, the entity taking the
3 fingerprints, or the state to pay the actual costs and actual
4 attorney fees of the applicant in appealing the notice of statutory
5 disqualification, failure to provide a receipt that complies with
6 section 5b(1) or (9) or 5l(3), **FAILURE TO ISSUE A LICENSE WITH AN**
7 **EXEMPTION**, or failure to issue a license, according to the degree
8 of responsibility of the county clerk, the entity taking the
9 fingerprints, or the state.

10 (4) If the court determines that an applicant's appeal was
11 frivolous, the court shall order the applicant to pay the actual
12 costs and actual attorney fees of the county clerk, entity taking
13 the fingerprints, or the state in responding to the appeal.

14 Sec. 5e. (1) The department of state police shall create and
15 maintain a computerized database of individuals who apply under
16 this act for a license to carry a concealed pistol. The database
17 ~~shall~~**MUST** contain only the following information as to each
18 individual:

19 (a) The individual's name, date of birth, address, county of
20 residence, and state-issued driver license or personal
21 identification card number.

22 (b) If the individual is licensed to carry a concealed pistol
23 in this state, the license number and date of expiration, **IF**
24 **APPLICABLE**.

25 (c) Except as provided in subsection (2), if the individual
26 was denied a license to carry a concealed pistol after July 1, 2001
27 or issued a notice of statutory disqualification, a statement of

1 the reasons for that denial or notice of statutory
2 disqualification.

3 (d) A statement of all criminal charges pending and criminal
4 convictions obtained against the individual during the license
5 period.

6 (e) A statement of all determinations of responsibility for
7 civil infractions of this act pending or obtained against the
8 individual during the license period.

9 (f) The status of the individual's application or license.

10 (2) If an individual who was denied a license to carry a
11 concealed pistol after July 1, 2001 or issued a notice of statutory
12 disqualification is subsequently issued a license to carry a
13 concealed pistol, the department of state police shall delete from
14 the computerized database the previous reasons for the denial or
15 notice of statutory disqualification.

16 (3) The department of state police shall enter the information
17 described in subsection (1) (a), (b), and (f) into the law
18 enforcement information network.

19 (4) Information in the database ~~shall~~ **MUST** only be accessed
20 and disclosed according to an access protocol that includes the
21 following requirements:

22 (a) That the requestor of the firearms records uses the law
23 enforcement information network or another system that maintains a
24 record of the requestor's identity, time, and date that the request
25 was made.

26 (b) Requires the requestor in an intentional query by name of
27 the firearms records to attest that the firearms records were

1 sought under 1 of the lawful purposes provided in section 1b(2).

2 (5) The department of state police shall by January 1 of each
3 year file with the secretary of the senate and the clerk of the
4 house of representatives, and post on the department of state
5 police's internet website, an annual report setting forth all of
6 the following information for the state for the previous fiscal
7 year:

8 (a) The number of concealed pistol applications received.

9 (b) The number of concealed pistol licenses issued.

10 (c) The number of statutorily disqualified applicants.

11 (d) Categories for statutory disqualification under
12 subdivision (c).

13 (e) The number of concealed pistol licenses suspended or
14 revoked.

15 (f) Categories for suspension or revocation under subdivision
16 (e).

17 (g) The number of applications pending at the time the report
18 is made.

19 (h) The mean and median amount of time and the longest and
20 shortest amount of time used by the Federal Bureau of Investigation
21 to supply the fingerprint comparison report required in section
22 5b(10). The department may use a statistically significant sample
23 to comply with this subdivision.

24 (i) The total number of individuals licensed to carry a
25 concealed pistol found responsible for a civil violation of this
26 act, the total number of civil violations of this act categorized
27 by offense, the total number of individuals licensed to carry a

1 concealed pistol convicted of a crime, and the total number of
2 those criminal convictions categorized by offense.

3 (j) The number of suicides by individuals licensed to carry a
4 concealed pistol.

5 (k) The total amount of revenue the department of state police
6 has received under this act.

7 (l) Actual costs incurred per ~~initial and renewal~~ license by
8 the department of state police under this act, itemized by each
9 statutory section of this act.

10 (m) A list of expenditures made by the department of state
11 police from money received under this act, regardless of purpose.

12 (n) Actual costs incurred per permit for each county clerk.

13 (o) The number of times the database was accessed, categorized
14 by the purpose for which the database was accessed.

15 Sec. 5/. (1) A **STANDARD** license to carry a concealed pistol,
16 including a renewal license, is valid until the applicant's date of
17 birth that falls not less than 4 years or more than 5 years after
18 the license is issued or renewed, as applicable. **A LIFETIME LICENSE**
19 **IS VALID UNTIL THAT LICENSE IS SUSPENDED OR REVOKED AS PROVIDED**
20 **UNDER THIS ACT.** The county clerk shall notify the licensee that his
21 or her **STANDARD** license is about to expire and may be renewed as
22 provided in this section. The notification must be sent by the
23 county clerk to the last known address of the licensee as shown on
24 the records of the county clerk. The notification must be sent in a
25 sealed envelope by first-class mail not less than 3 months or more
26 than 6 months before the expiration date of the current license.
27 Except as provided in this section, a renewal of a **STANDARD** license

1 under section 5b must be issued in the same manner as an original
2 license issued under section 5b. An applicant is eligible for a
3 renewal of a **STANDARD** license under this section if his or her
4 license is not expired, or expired within a 1-year period before
5 the date of application under this section. **A HOLDER OF A LIFETIME**
6 **LICENSE MAY APPLY FOR A STANDARD LICENSE AT ANY TIME, AND THAT**
7 **APPLICATION MUST BE TREATED AS IF IT WERE A RENEWAL OF A STANDARD**
8 **LICENSE.** Each applicant who submits an application for a renewal
9 license to a county clerk under this section shall pay an
10 application and licensing fee of \$115.00 by any method of payment
11 accepted by that county for payments of other fees and penalties.
12 No other charge, fee, cost, or assessment, including any local
13 charge, fee, cost, or assessment, is required of the applicant
14 except as specifically authorized in this act. The applicant shall
15 pay the application and licensing fee to the county. The county
16 treasurer shall deposit \$36.00 of each fee collected under this
17 subsection in the concealed pistol licensing fund of that county
18 created in section 5x. The county treasurer shall forward the
19 balance remaining to the state treasurer. The state treasurer shall
20 deposit the balance of the fee in the general fund to the credit of
21 the department of state police.

22 (2) Subject to subsections (9) and (10), an application to
23 renew a license to carry a concealed pistol may be submitted not
24 more than 6 months before the expiration of the current license. No
25 later than December 1, 2018, the department of state police shall
26 provide a system for an applicant to submit his or her application
27 to renew a **STANDARD** license to carry a concealed pistol online or

1 by first-class mail and shall accept those applications on behalf
2 of the county clerk as required under this act at no additional
3 charge. Each applicant who submits a renewal license online or by
4 first-class mail to the department of state police under this
5 section shall pay an application and licensing fee of \$115.00 by
6 any method of payment accepted by the department of state police.
7 No other charge, fee, cost, or assessment is required of the
8 applicant except as specifically authorized in this act. The
9 applicant shall pay the application and licensing fee to the state.
10 The state treasurer shall forward \$36.00 of each fee collected
11 under this subsection to the county treasurer who shall deposit the
12 \$36.00 in the concealed pistol licensing fund of that county
13 created in section 5x. The state treasurer shall deposit the
14 balance of the fee in the general fund to the credit of the
15 department of state police. The department of state police shall
16 notify the county clerk of the county in which the applicant
17 resides of a properly submitted online application or application
18 by first-class mail received by the department. If the county clerk
19 issues a renewal license under this section, the county clerk shall
20 send the license to the licensee by first-class mail in a sealed
21 envelope. If the county clerk issues the renewal, the effective
22 date of the renewal license is the date of expiration of the
23 current license or the date of approval or issue of the renewal,
24 whichever is later, and the date of expiration is the applicant's
25 date of birth which is not less than 4 years or more than 5 years
26 from the effective date of the license.

27 (3) The department of state police shall complete the

1 verification required under section 5b(6) and the county clerk
2 shall issue a renewal license or a notice of statutory
3 disqualification within 30 days after the date the renewal
4 application was received. Beginning on the date the department of
5 state police establishes a system under subsection (2), the
6 department of state police shall provide an applicant a digital
7 receipt, or a receipt by first-class mail if requested, for his or
8 her renewal application submitted online at the time the
9 application is received by the department of state police.

10 Beginning on the date the department of state police establishes a
11 system under subsection (2), the department of state police shall
12 mail an applicant a receipt by first-class mail for his or her
13 renewal application submitted by first-class mail at the time the
14 application is received by the department of state police. The
15 receipt issued under this subsection to an individual applying for
16 a renewal license whose current license is not expired at the time
17 of application must contain all of the following:

18 (a) The name of the applicant.

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

20 (c) The amount paid.

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

23 (e) The statement "This receipt was issued for the purpose of
24 renewal of a concealed pistol license. As provided in section 5/ of
25 1927 PA 372, MCL 28.425/, this receipt shall serve as a concealed
26 pistol license for the individual named in the receipt when carried
27 with the expired license and is valid until a license or notice of

1 statutory disqualification is issued by the county clerk. This
2 receipt does not exempt the individual named in the receipt from
3 complying with all applicable laws for the purchase of firearms.".

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

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

7 (4) The receipt issued under subsection (3) to an individual
8 applying for a renewal license whose license is expired must
9 contain all of the following:

10 (a) The name of the applicant.

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

12 (c) The amount paid.

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

15 (e) The statement "This receipt was issued for the purpose of
16 renewal of a concealed pistol license. As provided in section 5/ of
17 1927 PA 372, MCL 28.425/, if a license or notice of statutory
18 disqualification is not issued within 30 days after the date this
19 receipt was issued, this receipt shall serve as a concealed pistol
20 license for the individual named in the receipt when carried with
21 an official state-issued driver license or personal identification
22 card. The receipt is valid as a license until a license or a notice
23 of statutory disqualification is issued by the county clerk. This
24 receipt does not exempt the individual named in the receipt from
25 complying with all applicable laws for the purchase of firearms.".

26 (5) Until November 30, 2018, a member of the United States
27 Armed Forces, the United States Armed Forces Reserve, or the

1 Michigan National Guard who is on orders to a duty station outside
2 of this state may submit his or her application to renew a license
3 to carry a concealed pistol by first-class mail, containing the
4 required fee, a notarized application, the licensee's address of
5 record within the state, the licensee's orders to report to a duty
6 station outside of this state, and if the licensee desires to have
7 his or her application receipt, renewal license, or any other
8 notices mailed to his or her address of assignment or deployment, a
9 letter requesting that action including the address of assignment
10 or deployment. If the county clerk issues a renewal license under
11 this section, the county clerk shall send the license to the
12 licensee by first-class mail in a sealed envelope. If the licensee
13 is a member of the United States Armed Forces, the United States
14 Armed Forces Reserve, or the Michigan National Guard who is on
15 orders to a duty station outside of this state and requests that
16 his or her license be sent to the address of assignment or
17 deployment, the county clerk shall mail the license to the licensee
18 at the address of assignment or deployment provided in the renewal
19 application. Until November 30, 2018, if a renewal application is
20 submitted by a member of the United States Armed Forces, the United
21 States Armed Forces Reserve, or the Michigan National Guard who is
22 on orders to a duty station outside of this state, the county clerk
23 shall mail a receipt to the licensee by first-class mail.

24 (6) If an individual applies for a renewal license before the
25 expiration of his or her license, the expiration date of the
26 current license is extended until the renewal license or notice of
27 statutory disqualification is issued. The county clerk shall notify

1 the department of state police in a manner prescribed by the
2 department of state police after he or she receives an application
3 for renewal. The department of state police shall immediately enter
4 into the law enforcement information network the date that
5 application for renewal was submitted and that the renewal
6 application is pending.

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

16 (8) The educational requirements under section 5b(7)(c) are
17 waived for an applicant who is a retired police officer or retired
18 law enforcement officer.

19 (9) The educational requirements under section 5b(7)(c) for an
20 applicant who is applying for a renewal of a license under this act
21 are waived except that the applicant shall certify that he or she
22 has completed at least 3 hours' review of the training described
23 under section 5b(7)(c) and has had at least 1 hour of firing range
24 time in the 6 months immediately preceding the subsequent
25 application. The educational and firing range requirements of this
26 subsection are met if the applicant certifies on the renewal
27 application form that he or she has complied with the requirements

1 of this subsection. An applicant is not required to verify the
2 statements made under this subsection and is not required to obtain
3 a certificate or undergo training other than as required by this
4 subsection.

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

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

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

17 Enacting section 1. Section 5h of 1927 PA 372, MCL 28.425h, is
18 repealed.