

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4146**

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 2, 2b, 5b, and 8 (MCL 28.422, 28.422b, 28.425b, and 28.428), sections 2 and 2b as amended by 2023 PA 19



and sections 5b and 8 as amended by 2017 PA 95.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) Except as otherwise provided in this act, a person
2 shall not do either of the following:

3 (a) Purchase, carry, possess, or transport a pistol in this
4 state without first having obtained a license for the pistol as
5 prescribed in this section.

6 (b) Purchase a firearm that is not a pistol in this state
7 without first having obtained a license for the firearm as
8 prescribed in this section. This subdivision does not apply to the
9 purchase or acquisition of a firearm that occurred before the
10 effective date of the amendatory act that added this subdivision.

11 (2) An individual who brings a firearm into this state who is
12 on leave from active duty with the Armed Forces of the United
13 States or who has been discharged from active duty with the Armed
14 Forces of the United States shall obtain a license for the firearm
15 not later than 30 days after the individual arrives in this state.

16 (3) The commissioner or chief of police of a city, township,
17 or village police department ~~that~~**who** issues licenses to purchase,
18 carry, possess, or transport firearms, or the commissioner's or
19 chief's duly authorized deputy, or the sheriff or the sheriff's
20 duly authorized deputy, in the parts of a county not included in a
21 city, township, or village having an organized police department,
22 in discharging the duty to issue licenses shall with due speed and
23 diligence issue licenses to purchase, carry, possess, or transport
24 firearms to qualified applicants unless the individual has probable
25 cause to believe that the applicant would be a threat to the
26 applicant or to other individuals, or would commit an offense with
27 the firearm that would violate a law of this or another state or of



1 the United States. An applicant is qualified if all of the
2 following circumstances exist:

3 (a) The individual is not subject to an order or disposition
4 for which the individual has received notice and an opportunity for
5 a hearing, and ~~which~~**that** was entered into the law enforcement
6 information network under any of the following:

7 (i) Section 464a of the mental health code, 1974 PA 258, MCL
8 330.1464a.

9 (ii) Section 5107 of the estates and protected individuals
10 code, 1998 PA 386, MCL 700.5107, or section 444a of former 1978 PA
11 642.

12 (iii) Section 2950 of the revised judicature act of 1961, 1961
13 PA 236, MCL 600.2950.

14 (iv) Section 2950a of the revised judicature act of 1961, 1961
15 PA 236, MCL 600.2950a.

16 (v) Section 14 of 1846 RS 84, MCL 552.14.

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

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

23 **(viii) The extreme risk protection order act.**

24 (b) The individual is 18 years of age or older or, if the
25 firearm is a pistol and the seller is licensed under 18 USC 923, is
26 21 years of age or older.

27 (c) The individual is a citizen of the United States or an
28 alien lawfully admitted into the United States and is a legal
29 resident of this state. For the purposes of this section, an



1 individual is considered a legal resident of this state if any of
2 the following apply:

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

7 (ii) The individual is lawfully registered to vote in this
8 state.

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

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

15 (d) A felony charge or a criminal charge listed in section 5b
16 against the individual is not pending at the time of application.

17 (e) The individual is not prohibited from possessing, using,
18 transporting, selling, purchasing, carrying, shipping, receiving,
19 or distributing a firearm under section 224f of the Michigan penal
20 code, 1931 PA 328, MCL 750.224f.

21 (f) The individual has not been adjudged insane in this state
22 or elsewhere unless the individual has been adjudged restored to
23 sanity by court order.

24 (g) The individual is not under an order of involuntary
25 commitment in an inpatient or outpatient setting due to mental
26 illness.

27 (h) The individual has not been adjudged legally incapacitated
28 in this state or elsewhere. This subdivision does not apply to an
29 individual who has had the individual's legal capacity restored by



1 order of the court.

2 (4) An applicant for a license under this section shall sign
3 the application under oath on a form provided by the director of
4 the department of state police. A licensing authority shall issue a
5 license to purchase, carry, possess, or transport firearms in
6 triplicate on a form provided by the director of the department of
7 state police. The licensing authority shall sign any license issued
8 under this section. The licensing authority shall deliver 3 copies
9 of the license to the applicant. A license is void unless used
10 within 30 days after the date it is issued.

11 (5) If an individual purchases or otherwise acquires a
12 firearm, the seller shall fill out the license forms describing the
13 firearm, together with the date of sale or acquisition, and sign
14 the seller's name in ink indicating that the firearm was sold to or
15 otherwise acquired by the purchaser. The purchaser shall also sign
16 the purchaser's name in ink indicating the purchase or other
17 acquisition of the firearm from the seller. The seller may retain a
18 copy of the license as a record of the transaction, shall provide a
19 copy of the license to the purchaser, and, if the firearm is a
20 pistol, shall return 1 copy of the license to the licensing
21 authority not later than 10 days after the date the pistol is
22 purchased or acquired. The seller shall return the copy to the
23 licensing authority in person or by first-class mail or certified
24 mail sent in the 10-day period to the proper address of the
25 licensing authority. A seller who fails to comply with the
26 requirements of this subsection is responsible for a state civil
27 infraction and may be fined not more than \$250.00. If a seller is
28 found responsible for a state civil infraction under this
29 subsection, the court shall notify the department of state police



1 of that determination.

2 (6) Not later than 10 days after receiving the license copy
3 for a pistol returned under subsection (5), the licensing authority
4 shall electronically enter the information into the pistol entry
5 database as required by the department of state police if the
6 licensing authority has the ability to electronically enter that
7 information. If the licensing authority does not have that ability,
8 the licensing authority shall provide that information to the
9 department of state police in a manner otherwise required by the
10 department of state police. Any licensing authority that provided
11 pistol descriptions to the department of state police under former
12 section 9 of this act shall continue to provide pistol descriptions
13 to the department of state police under this subsection. Not later
14 than 48 hours after entering or otherwise providing the information
15 on the license copy returned under subsection (5) to the department
16 of state police, the licensing authority shall forward the copy of
17 the license to the department of state police. The purchaser may
18 obtain a copy of the information placed in the pistol entry
19 database under this subsection to verify the accuracy of that
20 information. The licensing authority may charge a fee not to exceed
21 \$1.00 for the cost of providing the copy. The licensee may carry,
22 use, possess, and transport the pistol for 30 days beginning on the
23 date of purchase or acquisition only while the licensee is in
24 possession of a copy of the license. However, the licensee is not
25 required to have the license in the licensee's possession while
26 carrying, using, possessing, or transporting the pistol after this
27 period.

28 (7) This section does not apply to the purchase of firearms
29 from wholesalers by dealers regularly engaged in the business of



1 selling firearms at retail, or to the sale, barter, or exchange of
2 firearms kept as relics or curios not made for modern ammunition or
3 permanently deactivated.

4 (8) This section does not prevent the transfer of ownership of
5 pistols to an heir or devisee, whether by testamentary bequest or
6 by the laws of intestacy regardless of whether the pistol is
7 entered into the pistol entry database. An individual who has
8 inherited a firearm shall obtain a license as required in this
9 section not later than 30 days after taking physical possession of
10 the firearm. The license may be signed by a next of kin of the
11 decedent or the person authorized to dispose of property under the
12 estates and protected individuals code, 1998 PA 386, MCL 700.1101
13 to 700.8206, including when the next of kin is the individual
14 inheriting the firearm. If the heir or devisee is not qualified for
15 a license under this section, the heir or devisee may direct the
16 next of kin or person authorized to dispose of property under the
17 estates and protected individuals code, 1998 PA 386, MCL 700.1101
18 to 700.8206, to dispose of the firearm in any manner that is lawful
19 and the heir or devisee considers appropriate. The person
20 authorized to dispose of property under the estates and protected
21 individuals code, 1998 PA 386, MCL 700.1101 to 700.8206, is not
22 required to obtain a license under this section if the person takes
23 temporary lawful possession of the firearm in the process of
24 disposing of the firearm pursuant to the decedent's testamentary
25 bequest or the laws of intestacy. A law enforcement agency may not
26 seize or confiscate a firearm being transferred by testamentary
27 bequest or the laws of intestacy unless the heir or devisee does
28 not qualify for obtaining a license under this section and the next
29 of kin or person authorized to dispose of property under the



1 estates and protected individuals code, 1998 PA 386, MCL 700.1101
2 to 700.8206, is unable to retain temporary possession of the
3 firearm or find alternative lawful storage. If a law enforcement
4 agency seizes or confiscates a firearm under this subsection, the
5 heir or devisee who is not qualified to obtain a license under this
6 section retains ownership interest in the firearm and, not later
7 than 30 days after being notified of the seizure or confiscation,
8 may file with a court of competent jurisdiction to direct the law
9 enforcement agency to lawfully transfer or otherwise dispose of the
10 firearm. The seizing entity or its agents shall not destroy, sell,
11 or use a firearm seized under this subsection until 30 days have
12 passed since the heir or devisee has been notified of the seizure
13 and no legal action regarding the lawful possession or ownership of
14 the seized firearm has been filed in any court and is pending. As
15 used in this subsection:

16 (a) "Devisee" means that term as defined in section 1103 of
17 the estates and protected individuals code, 1998 PA 386, MCL
18 700.1103.

19 (b) "Heir" means that term as defined in section 1104 of the
20 estates and protected individuals code, 1998 PA 386, MCL 700.1104.

21 (9) An individual who is not a resident of this state is not
22 required to obtain a license under this section if all of the
23 following conditions apply:

24 (a) The individual is licensed in the individual's state of
25 residence to purchase, carry, or transport a pistol.

26 (b) The individual is in possession of the license described
27 in subdivision (a).

28 (c) The individual is the owner of the pistol the individual
29 possesses, carries, or transports.



1 (d) The individual possesses the pistol for a lawful purpose.

2 (e) The individual is in this state for a period of 180 days
3 or less and does not intend to establish residency in this state.

4 (10) An individual who is a nonresident of this state shall
5 present the license described in subsection (9) (a) upon the demand
6 of a police officer. An individual who violates this subsection is
7 guilty of a misdemeanor punishable by imprisonment for not more
8 than 90 days or a fine of not more than \$100.00, or both.

9 (11) The licensing authority may require an individual
10 claiming active duty status with the Armed Forces of the United
11 States to provide proof of 1 or both of the following:

12 (a) The individual's home of record.

13 (b) Permanent active duty assignment in this state.

14 (12) This section does not apply to an individual who is
15 younger than the age required under subsection (3) (b) and who
16 possesses a pistol if 1 of the following conditions applies:

17 (a) The individual is not otherwise prohibited from possessing
18 that pistol and all of the following apply:

19 (i) The individual is at a recognized target range.

20 (ii) The individual possesses the pistol for the purpose of
21 target practice or instruction in the safe use of a pistol.

22 (iii) The individual is in the physical presence and under the
23 direct supervision of any of the following:

24 (A) The individual's parent.

25 (B) The individual's guardian.

26 (C) An individual who is 21 years of age or older, who is
27 authorized by the individual's parent or guardian, and who has
28 successfully completed a pistol safety training course or class
29 that meets the requirements of section 5j(1) (a), (b), or (d), and



1 received a certificate of completion.

2 (iv) The owner of the pistol is physically present.

3 (b) The individual is not otherwise prohibited from possessing
4 that pistol, the individual possesses the pistol for the purpose of
5 hunting, and the individual is in compliance with all applicable
6 hunting laws.

7 (13) This section does not apply to an individual who
8 possesses a pistol if all of the following conditions apply:

9 (a) The individual is not otherwise prohibited from possessing
10 a pistol.

11 (b) The individual is at a recognized target range or shooting
12 facility.

13 (c) The individual possesses the pistol for the purpose of
14 target practice or instruction in the safe use of a pistol.

15 (d) The owner of the pistol is physically present and
16 supervising the use of the pistol.

17 (14) A person ~~who~~**that** forges any matter on an application for
18 a license under this section is guilty of a felony punishable by
19 imprisonment for not more than 4 years or a fine of not more than
20 \$2,000.00, or both.

21 (15) A licensing authority shall implement this section during
22 all of the licensing authority's normal business hours and shall
23 set hours for implementation that allow an applicant to use the
24 license within the time period set forth in subsection (4).

25 Sec. 2b. (1) Except as provided in subsection (5), upon entry
26 of an order or disposition into the law enforcement information
27 network under any provision of law described in section 2(3)(a),
28 the department of state police shall immediately send written
29 notice of that entry to the individual who is the subject of the



1 order or disposition by first-class mail to the last known address
2 of the individual. The notice must include at least all of the
3 following:

4 (a) The name of the individual.

5 (b) The date the order or disposition was entered into the law
6 enforcement information network.

7 (c) A statement that the individual cannot obtain a license to
8 purchase a firearm or obtain a concealed weapon license until the
9 order or disposition is removed from the law enforcement
10 information network.

11 (d) A statement that the individual may request that the state
12 police correct or expunge inaccurate information entered into the
13 law enforcement information network.

14 (2) An individual who is the subject of an order entered into
15 the law enforcement information network under any provision of law
16 described in section 2(3)(a) may request that the department of
17 state police do either of the following:

18 (a) Amend an inaccuracy in the information entered into the
19 law enforcement information network under any provision of law
20 described in section 2(3)(a).

21 (b) Expunge the individual's name and other information
22 concerning the individual from the law enforcement information
23 network regarding 1 or more specific entries in the law enforcement
24 information network under any provision of law described in section
25 2(3)(a) because 1 or more of the following circumstances exist:

26 (i) The individual is not subject to an order of involuntary
27 commitment in an inpatient or outpatient setting due to mental
28 illness.

29 (ii) The individual is not subject to an order or disposition



1 determining that the individual is legally incapacitated.

2 (iii) The individual is not subject to a personal protection
3 order issued under any of the following:

4 (A) Section 2950 of the revised judicature act of 1961, 1961
5 PA 236, MCL 600.2950.

6 (B) Section 2950a of the revised judicature act of 1961, 1961
7 PA 236, MCL 600.2950a.

8 (C) Section 14 of 1846 RS 84, MCL 552.14.

9 (iv) The individual is not subject to an order for release
10 subject to protective conditions that prohibits the purchase or
11 possession of a firearm by the individual issued under section 6b
12 of chapter V of the code of criminal procedure, 1927 PA 175, MCL
13 765.6b.

14 (v) **The individual is not subject to an extreme risk**
15 **protection order issued under the extreme risk protection order**
16 **act.**

17 (3) Before the expiration of 30 days after a request is made
18 to amend an inaccuracy in the law enforcement information network
19 under subsection (2)(a) or to expunge 1 or more specific entries
20 from the law enforcement information network under subsection
21 (2)(b)(i) to ~~(iv)~~, **(v)**, the department of state police shall conduct
22 an investigation concerning the accuracy of the information
23 contained in the law enforcement information network, either grant
24 or deny the request and provide the individual with written notice
25 of that grant or denial. The department of state police shall
26 include in a notice of denial a statement specifying the basis of
27 the denial, and that an individual may appeal the denial in
28 accordance with the administrative procedures act of 1969, 1969 PA
29 306, MCL 24.201 to 24.328.



1 (4) If the department of state police denies a request by an
2 individual for amendment or expunction under subsection (2), or
3 fails to act within 30 days after receiving the request under
4 subsection (2), the individual may request a hearing before a
5 hearing officer appointed by the department of state police for a
6 determination of whether information entered into the law
7 enforcement information network should be amended or expunged
8 because it is inaccurate or false. The department of state police
9 shall conduct the hearing in accordance with the administrative
10 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

11 (5) The department of state police shall not send written
12 notice of an entry of an order or disposition into the law
13 enforcement information network as required for a personal
14 protection order issued under section 2950 or 2950a of the revised
15 judiciary act of 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, **or**
16 **an extreme risk protection order issued under the extreme risk**
17 **protection order act**, until the department has received notice that
18 the respondent of the order has been served with or has received
19 notice of the personal protection order **or extreme risk protection**
20 **order**.

21 Sec. 5b. (1) To obtain a license to carry a concealed pistol,
22 an individual shall apply to the county clerk in the county in
23 which the individual resides. The applicant shall file the
24 application with the county clerk in the county in which the
25 applicant resides during the county clerk's normal business hours.
26 The application must be on a form provided by the director of the
27 department of state police and allow the applicant to designate
28 whether the applicant seeks an emergency license. The applicant
29 shall sign the application under oath. The county clerk or ~~his or~~



1 ~~her~~ **the county clerk's** representative shall administer the oath. An
2 application under this subsection is not considered complete until
3 an applicant submits all of the required information and fees and
4 has fingerprints taken under subsection (9). An application under
5 this subsection is considered withdrawn if an applicant does not
6 have fingerprints taken under subsection (9) within 45 days ~~of~~
7 **after** the date an application is filed under this subsection. A
8 completed application and all receipts issued under this section
9 expire 1 year ~~from~~ **after** the date of application. The county clerk
10 shall issue the applicant a receipt for ~~his or her~~ **the applicant's**
11 application at the time the application is submitted containing the
12 name of the applicant, the applicant's state-issued driver license
13 or personal identification card number, the date and time the
14 receipt is issued, the amount paid, the name of the county in which
15 the receipt is issued, an impression of the county seal, and the
16 statement, "This receipt was issued for the purpose of applying for
17 a concealed pistol license and for obtaining fingerprints related
18 to that application. This receipt does not authorize an individual
19 to carry a concealed pistol in this state.". The application must
20 contain all of the following:

21 (a) The applicant's legal name, date of birth, the address of
22 ~~his or her~~ **the applicant's** primary residence, and ~~his or her~~ **the**
23 **applicant's** state-issued driver license or personal identification
24 card number.

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

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



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

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

8 (i) Any felony.

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

15 (f) A statement by the applicant whether ~~he or she~~ **the**
16 **applicant** has been dishonorably discharged from the **Armed Forces of**
17 **the** United States. ~~Armed Forces.~~

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

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

23 (2) The county clerk shall not require the applicant to submit
24 any additional forms, documents, letters, or other evidence of
25 eligibility for obtaining a license to carry a concealed pistol
26 except as set forth in subsection (1) or as otherwise provided for
27 in this act. The application form must contain a conspicuous
28 warning that the application is executed under oath and that
29 intentionally making a material false statement on the application



1 is a felony punishable by imprisonment for not more than 4 years or
2 a fine of not more than \$2,500.00, or both.

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

7 (4) The county clerk shall retain a copy of each application
8 for a license to carry a concealed pistol as an official record.
9 One year after the expiration of a concealed pistol license, the
10 county clerk may destroy the record and a name index of the record
11 ~~shall~~**must** be maintained in the database created in section 5e.

12 (5) Each applicant shall pay a nonrefundable application and
13 licensing fee of \$100.00 by any method of payment accepted by that
14 county for payments of other fees and penalties. Except as provided
15 in subsection (9), no other charge, fee, cost, or assessment,
16 including any local charge, fee, cost, or assessment, is required
17 of the applicant except as specifically authorized in this act. The
18 applicant shall pay the application and licensing fee to the
19 county. The county treasurer shall deposit \$26.00 of each
20 application and licensing fee collected under this section in the
21 concealed pistol licensing fund of that county created in section
22 5x. The county treasurer shall forward the balance remaining to the
23 state treasurer. The state treasurer shall deposit the balance of
24 the fee in the general fund to the credit of the department of
25 state police. The department of state police shall use the money
26 received under this act to process the fingerprints and to
27 reimburse the Federal Bureau of Investigation for the costs
28 associated with processing fingerprints submitted under this act.
29 The balance of the money received under this act must be credited



1 to the department of state police.

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

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

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

13 (b) The applicant is a citizen of the United States or is an
14 alien lawfully admitted into the United States, is a legal resident
15 of this state, and has resided in this state for not less than the
16 6 months immediately preceding the date of application. The county
17 clerk shall waive the 6-month residency requirement for an
18 emergency license under section 5a(4) if the applicant is a
19 petitioner for a personal protection order issued under section
20 2950 or 2950a of the revised judicature act of 1961, 1961 PA 236,
21 MCL 600.2950 and 600.2950a, or if the county sheriff determines
22 that there is clear and convincing evidence to believe that the
23 safety of the applicant or the safety of a member of the
24 applicant's family or household is endangered by the applicant's
25 inability to immediately obtain a license to carry a concealed
26 pistol. If the applicant holds a valid concealed pistol license
27 issued by another state at the time the applicant's residency in
28 this state is established, the county clerk shall waive the 6-month
29 residency requirement and the applicant may apply for a concealed



1 pistol license at the time the applicant's residency in this state
2 is established. For the purposes of this section, an individual is
3 considered a legal resident of this state if any of the following
4 apply:

5 (i) The individual has a valid, lawfully obtained driver
6 license issued under the Michigan vehicle code, 1949 PA 300, MCL
7 257.1 to 257.923, or official state personal identification card
8 issued under 1972 PA 222, MCL 28.291 to 28.300.

9 (ii) The individual is lawfully registered to vote in this
10 state.

11 (iii) The individual is on active duty status with the **Armed**
12 **Forces of the** United States ~~Armed Forces~~ and is stationed outside
13 of this state, but the individual's home of record is in this
14 state.

15 (iv) The individual is on active duty status with the **Armed**
16 **Forces of the** United States ~~Armed Forces~~ and is permanently
17 stationed in this state, but the individual's home of record is in
18 another state.

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

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

26 (i) Section 464a of the mental health code, 1974 PA 258, MCL
27 330.1464a.

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



1 (iii) Sections 2950 and 2950a of the revised judicature act of
2 1961, 1961 PA 236, MCL 600.2950 and 600.2950a.

3 (iv) Section 6b of chapter V of the code of criminal procedure,
4 1927 PA 175, MCL 765.6b, if the order has a condition imposed under
5 section 6b(3) of chapter V of the code of criminal procedure, 1927
6 PA 175, MCL 765.6b.

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

9 (vi) **The extreme risk protection order act.**

10 (e) Based solely on the report received from the department of
11 state police under subsection (6), the applicant is not prohibited
12 from possessing, using, transporting, selling, purchasing,
13 carrying, shipping, receiving, or distributing a firearm under
14 section 224f of the Michigan penal code, 1931 PA 328, MCL 750.224f.

15 (f) Based solely on the report received from the department of
16 state police under subsection (6), the applicant has never been
17 convicted of a felony in this state or elsewhere, and a felony
18 charge against the applicant is not pending in this state or
19 elsewhere at the time ~~he or she~~ **the applicant** applies for a license
20 described in this section.

21 (g) The applicant has not been dishonorably discharged from
22 the **Armed Forces of the** United States. ~~Armed Forces.~~

23 (h) Based solely on the report received from the department of
24 state police under subsection (6), the applicant has not been
25 convicted of a misdemeanor violation of any of the following in the
26 8 years immediately preceding the date of application and a charge
27 for a misdemeanor violation of any of the following is not pending
28 against the applicant in this state or elsewhere at the time ~~he or~~
29 ~~she~~ **the applicant** applies for a license described in this section:



1 (i) Section 617a (failing to stop when involved in a personal
 2 injury accident), section 625 as punishable under subsection (9)(b)
 3 of that section (operating while intoxicated, second offense),
 4 section 625m as punishable under subsection (4) of that section
 5 (operating a commercial vehicle with alcohol content, second
 6 offense), section 626 (reckless driving), or a violation of section
 7 904(1) (operating while license suspended or revoked, second or
 8 subsequent offense) of the Michigan vehicle code, 1949 PA 300, MCL
 9 257.617a, 257.625, 257.625m, 257.626, and 257.904.

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

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

17 (iv) Section 10 of the motor fuels quality act, 1984 PA 44, MCL
 18 290.650 (hindering, obstructing, assaulting, or committing bodily
 19 injury upon director or authorized representative).

20 (v) Section 80176 as punishable under section 80177(1)(b)
 21 (operating vessel under the influence of intoxicating liquor or a
 22 controlled substance, second offense), section 81134 as punishable
 23 under subsection (8)(b) of that section (operating ORV under the
 24 influence of intoxicating liquor or a controlled substance, second
 25 or subsequent offense), or section 82127 as punishable under
 26 section 82128(1)(b) (operating snowmobile under the influence of
 27 intoxicating liquor or a controlled substance, second offense) of
 28 the natural resources and environmental protection act, 1994 PA
 29 451, MCL 324.80176, 324.80177, 324.81134, 324.82127, and 324.82128.



1 (vi) Section 7403 of the public health code, 1978 PA 368, MCL
2 333.7403 (possession of controlled substance, controlled substance
3 analogue, or prescription form).

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

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

10 (ix) Section 81 (assault or domestic assault), section 81a(1)
11 or (2) (aggravated assault or aggravated domestic assault), section
12 115 (breaking and entering or entering without breaking), section
13 136b(7) (fourth degree child abuse), section 145n (vulnerable adult
14 abuse), section 157b(3)(b) (solicitation to commit a felony),
15 section 215 (impersonating peace officer or medical examiner),
16 section 223 (illegal sale of a firearm or ammunition), section 224d
17 (illegal use or sale of a self-defense spray), ~~section 226a (sale~~
18 ~~or possession of a switchblade)~~, section 227c (improper
19 transportation of a loaded firearm), section 229 (accepting a
20 pistol in pawn), section 232a (improperly obtaining a pistol,
21 making a false statement on an application to purchase a pistol, or
22 using false identification to purchase a pistol), section 233
23 (intentionally aiming a firearm without malice), section 234
24 (intentionally discharging a firearm aimed without malice), section
25 234d (possessing a firearm on prohibited premises), section 234e
26 (brandishing a firearm in public), section 234f (possession of a
27 firearm by an individual less than 18 years of age), section 235
28 (intentionally discharging a firearm aimed without malice causing
29 injury), section 235a (parent of a minor who possessed a firearm in



1 a weapon free school zone), section 236 (setting a spring gun or
 2 other device), section 237 (possessing a firearm while under the
 3 influence of intoxicating liquor or a controlled substance),
 4 section 237a (weapon free school zone violation), section 335a
 5 (indecent exposure), section 411h (stalking), or section 520e
 6 (fourth degree criminal sexual conduct) of the Michigan penal code,
 7 1931 PA 328, MCL 750.81, 750.81a, 750.115, 750.136b, 750.145n,
 8 750.157b, 750.215, 750.223, 750.224d, ~~750.226a~~, 750.227c, 750.229,
 9 750.232a, 750.233, 750.234, 750.234d, 750.234e, 750.234f, 750.235,
 10 750.235a, 750.236, 750.237, 750.237a, 750.335a, 750.411h, and
 11 750.520e.

12 ~~(x) Former section 228 of the Michigan penal code, 1931 PA~~
 13 ~~328.~~

14 (x) ~~(xi)~~ Section 1 (reckless, careless, or negligent use of a
 15 firearm resulting in injury or death), section 2 (careless,
 16 reckless, or negligent use of a firearm resulting in property
 17 damage), or section 3a (reckless discharge of a firearm) of 1952 PA
 18 45, MCL 752.861, 752.862, and 752.863a.

19 (xi) ~~(xii)~~ A violation of a law of the United States, another
 20 state, or a local unit of government of this state or another state
 21 substantially corresponding to a violation described in
 22 subparagraphs (i) to ~~(xi)~~ (x).

23 (i) Based solely on the report received from the department of
 24 state police under subsection (6), the applicant has not been
 25 convicted of a misdemeanor violation of any of the following in the
 26 3 years immediately preceding the date of application unless the
 27 misdemeanor violation is listed under subdivision (h) and a charge
 28 for a misdemeanor violation of any of the following is not pending
 29 against the applicant in this state or elsewhere at the time ~~he or~~



1 ~~she~~**the applicant** applies for a license described in this section:

2 (i) Section 625 (operating under the influence), section 625a
3 (refusal of commercial vehicle operator to submit to a chemical
4 test), section 625k (ignition interlock device reporting
5 violation), section 625l (circumventing an ignition interlock
6 device), or section 625m punishable under subsection (3) of that
7 section (operating a commercial vehicle with alcohol content) of
8 the Michigan vehicle code, 1949 PA 300, MCL 257.625, 257.625a,
9 257.625k, 257.625l, and 257.625m.

10 (ii) Section 185 of the aeronautics code of the state of
11 Michigan, 1945 PA 327, MCL 259.185 (operating aircraft under the
12 influence).

13 (iii) Section 81134 (operating ORV under the influence or
14 operating ORV while visibly impaired), or section 82127 (operating
15 a snowmobile under the influence) of the natural resources and
16 environmental protection act, 1994 PA 451, MCL 324.81134 and
17 324.82127.

18 (iv) Part 74 of the public health code, 1978 PA 368, MCL
19 333.7401 to 333.7461 (controlled substance violation).

20 (v) Section 353 of the railroad code of 1993, 1993 PA 354, MCL
21 462.353, punishable under subsection (3) of that section (operating
22 locomotive under the influence).

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



1 section 535 (receiving or concealing stolen property), or section
2 540e (malicious use of telecommunications service or device) of the
3 Michigan penal code, 1931 PA 328, MCL 750.167, 750.174, 750.218,
4 750.356, 750.356d, 750.359, 750.362, 750.362a, 750.377a, 750.380,
5 750.535, and 750.540e.

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

10 (j) Based solely on the report received from the department of
11 state police under subsection (6), the applicant has not been found
12 guilty but mentally ill of any crime and has not offered a plea of
13 not guilty of, or been acquitted of, any crime by reason of
14 insanity.

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

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

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

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



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

12 (9) An individual, after submitting an application and paying
13 the fee prescribed under subsection (5), shall request that
14 classifiable fingerprints be taken by a county clerk, the
15 department of state police, a county sheriff, a local police
16 agency, or other entity, if the county clerk, department of state
17 police, county sheriff, local police agency, or other entity
18 provides fingerprinting capability for the purposes of this act. An
19 individual who has had classifiable fingerprints taken under
20 section 5a(4) does not need additional fingerprints taken under
21 this subsection. If the individual requests that classifiable
22 fingerprints be taken by the county clerk, department of state
23 police, county sheriff, a local police agency, or other entity, the
24 individual shall also pay a fee of \$15.00 by any method of payment
25 accepted for payments of other fees and penalties. A county clerk
26 shall deposit any fee it accepts under this subsection in the
27 concealed pistol licensing fund of that county created in section
28 5x. The county clerk, department of state police, county sheriff,
29 local police agency, or other entity shall take the fingerprints



1 within 5 business days after the request. County clerks, the
 2 department of state police, county sheriffs, local police agencies,
 3 and other entities shall provide reasonable access to
 4 fingerprinting services during normal business hours as is
 5 necessary to comply with the requirements of this act if the county
 6 clerk, department of state police, county sheriff, local police
 7 agency, or other entity provides fingerprinting capability for the
 8 purposes of this act. The entity providing fingerprinting services
 9 shall issue the individual a receipt at the time ~~his or her~~ **the**
 10 **individual's** fingerprints are taken. The county clerk, department
 11 of state police, county sheriff, local police agency, or other
 12 entity shall not provide a receipt under this subsection unless the
 13 individual requesting the fingerprints provides an application
 14 receipt received under subsection (1). A receipt under this
 15 subsection must contain all of the following:

- 16 (a) The name of the individual.
- 17 (b) The date and time the receipt is issued.
- 18 (c) The amount paid.
- 19 (d) The name of the entity providing the fingerprint services.
- 20 (e) The individual's state-issued driver license or personal
 21 identification card number.
- 22 (f) The statement "This receipt was issued for the purpose of
 23 applying for a concealed pistol license. As provided in section 5b
 24 of 1927 PA 372, MCL 28.425b, if a license or notice of statutory
 25 disqualification is not issued within 45 days after the date this
 26 receipt was issued, this receipt shall serve as a concealed pistol
 27 license for the individual named in the receipt when carried with
 28 an official state-issued driver license or personal identification
 29 card. The receipt is valid as a license until a license or notice



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

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

29 (12) A license to carry a concealed pistol that is issued



1 based upon an application that contains a material false statement
2 is void from the date the license is issued.

3 (13) Subject to subsection (10), the department of state
4 police shall complete the verification required under subsection
5 (6) and the county clerk shall issue a license or a notice of
6 statutory disqualification ~~within~~ **not later than** 45 days after the
7 date the individual has classifiable fingerprints taken under
8 subsection (9). The county clerk shall include an indication on the
9 license if an individual is exempt from the prohibitions against
10 carrying a concealed pistol on premises described in section 50 if
11 the applicant provides acceptable proof that ~~he or she~~ **the**
12 **applicant** qualifies for that exemption. If the county clerk
13 receives notice from a county sheriff or chief law enforcement
14 officer that a licensee is no longer a member of a sheriff's posse,
15 an auxiliary officer, or a reserve officer, the county clerk shall
16 notify the licensee that ~~he or she~~ **the licensee** shall surrender the
17 concealed pistol license indicating that the individual is exempt
18 from the prohibitions against carrying a concealed pistol on
19 premises described in section 50. The licensee shall, ~~within~~ **not**
20 **later than** 30 days after receiving notice from the county clerk,
21 surrender the license indicating that the individual is exempt from
22 the prohibitions against carrying a concealed pistol on premises
23 described in section 50 and obtain a replacement license after
24 paying the fee required under subsection (15). If the county clerk
25 issues a notice of statutory disqualification, the county clerk
26 shall, ~~within~~ **not later than** 5 business days **after that notice**, do
27 all of the following:

28 (a) Inform the individual in writing of the reasons for the
29 denial or disqualification. Information under this subdivision



1 ~~shall~~**must** include all of the following:

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

3 (ii) The source of the record for each statutory
4 disqualification identified.

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

7 (b) Inform the individual in writing of ~~his or her~~**the**
8 **individual's** right to appeal the denial or notice of statutory
9 disqualification to the circuit court as provided in section 5d.

10 (c) Inform the individual that ~~he or she~~**the individual** should
11 contact the source of the record for any statutory disqualification
12 to correct any errors in the record resulting in the statutory
13 disqualification.

14 (14) If a license or notice of statutory disqualification is
15 not issued under subsection (13) within 45 days after the date the
16 individual has classifiable fingerprints taken under subsection
17 (9), the receipt issued under subsection (9) serves as a concealed
18 pistol license for purposes of this act when carried with a state-
19 issued driver license or personal identification card and is valid
20 until a license or notice of statutory disqualification is issued
21 by the county clerk.

22 (15) If an individual licensed under this act to carry a
23 concealed pistol moves to a different county within this state, ~~his~~
24 ~~or her~~**the individual's** license remains valid until it expires or
25 is otherwise suspended or revoked under this act. An individual may
26 notify a county clerk that ~~he or she~~**the individual** has moved to a
27 different address within this state for the purpose of receiving
28 the notice under section 5l(1). A license to carry a concealed
29 pistol that is lost, stolen, defaced, or replaced for any other



1 reason may be replaced by the issuing county clerk for a
 2 replacement fee of \$10.00. A county clerk shall deposit a
 3 replacement fee under this subsection in the concealed pistol
 4 licensing fund of that county created in section 5x.

5 (16) If a license issued under this act is suspended or
 6 revoked, the license is forfeited and the individual shall return
 7 the license to the county clerk forthwith by mail or in person. The
 8 county clerk shall retain a suspended or revoked license as an
 9 official record 1 year after the expiration of the license, unless
 10 the license is reinstated or a new license is issued. The county
 11 clerk shall notify the department of state police if a license is
 12 suspended or revoked. The department of state police shall enter
 13 that suspension or revocation into the law enforcement information
 14 network. An individual who fails to return a license as required
 15 under this subsection after ~~he or she~~ **the individual** was notified
 16 that ~~his or her~~ **the individual's** license was suspended or revoked
 17 is guilty of a misdemeanor punishable by imprisonment for not more
 18 than 93 days or a fine of not more than \$500.00, or both.

19 (17) An applicant or an individual licensed under this act to
 20 carry a concealed pistol may be furnished a copy of ~~his or her~~ **the**
 21 **individual's** application under this section upon request and the
 22 payment of a reasonable fee not to exceed \$1.00. The county clerk
 23 shall deposit any fee collected under this subsection in the
 24 concealed pistol licensing fund of that county created in section
 25 5x.

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



1 (19) A county clerk issuing an initial license or renewal
2 license under this act shall mail the license to the licensee by
3 first-class mail in a sealed envelope. Upon payment of the fee
4 under subsection (15), a county clerk shall issue a replacement
5 license in person at the time of application for a replacement
6 license. A county clerk may also deliver a replacement license by
7 first-class mail if the individual submits to the clerk a written
8 request and a copy of the individual's state-issued driver license
9 or personal identification card.

10 (20) A county clerk, county sheriff, county prosecuting
11 attorney, police department, or the department of state police is
12 not liable for civil damages as a result of issuing a license under
13 this act to an individual who later commits a crime or a negligent
14 act.

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

24 (22) As used in this section:

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

26 (i) For a retired police officer or retired law enforcement
27 officer, the officer's retired identification or a letter from a
28 law enforcement agency stating that the retired police officer or
29 law enforcement officer retired in good standing.



1 (ii) For an individual who is employed or contracted by an
2 entity described under section 5o(1) to provide security services,
3 a letter from that entity stating that the employee is required by
4 ~~his or her~~ **the** employer or the terms of a contract to carry a
5 concealed firearm on the premises of the employing or contracting
6 entity and ~~his or her~~ **the individual's** employee identification.

7 (iii) For an individual who is licensed as a private
8 investigator or private detective under the professional
9 investigator licensure act, 1965 PA 285, MCL 338.821 to 338.851,
10 ~~his or her~~ **the individual's** license.

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

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

20 (vi) For an individual who is a motor carrier officer or
21 capitol security officer of the department of state police, ~~his or~~
22 ~~her~~ **the individual's** employee identification.

23 (vii) For an individual who is a member of a sheriff's posse,
24 ~~his or her~~ **the individual's** identification.

25 (viii) For an individual who is an auxiliary officer or reserve
26 officer of a police or sheriff's department, ~~his or her~~ **the**
27 **individual's** employee identification.

28 (ix) For an individual who is a parole, probation, or
29 corrections officer, or absconder recovery unit member, of the



1 department of corrections, ~~his or her~~ **the individual's** employee
2 identification and proof that the individual obtained a Michigan
3 department of corrections weapons permit.

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

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

14 (xii) For an individual who is a court officer, ~~his or her~~ **the**
15 **individual's** employee identification.

16 (xiii) For a retired federal law enforcement officer, the
17 identification required under ~~the law enforcement officers safety~~
18 ~~act~~ **18 USC 926C** or a letter from a law enforcement agency stating
19 that the retired federal law enforcement officer retired in good
20 standing.

21 (xiv) For an individual who is a peace officer, ~~his or her~~ **the**
22 **individual's** employee identification.

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

29 (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. 8. (1) The county clerk in the county in which a license
21 was issued to an individual to carry a concealed pistol shall
22 suspend, revoke, or reinstate a license as required under this act
23 if ordered by a court or if the county clerk is notified by a law
24 enforcement agency, prosecuting official, or court of a change in
25 the licensee's eligibility to carry a concealed pistol under this
26 act.

27 (2) If a county clerk is notified by a law enforcement agency,
28 prosecuting official, or court that an individual licensed to carry
29 a concealed pistol is charged with a felony or charged with a



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



1 suspension, revocation, or reinstatement, the source of the record
 2 supporting the suspension, revocation, or reinstatement, the length
 3 of the suspension or revocation, and whom to contact for correcting
 4 errors in the record, appealing the suspension or revocation, and
 5 reapplying for that individual's license. The department of state
 6 police shall immediately enter that suspension, revocation, or
 7 reinstatement into the law enforcement information network.

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

20 (5) Except as otherwise provided in subsections (2) and (6),
 21 if a license is suspended under this section and that license was
 22 surrendered by the licensee, upon expiration of the suspension
 23 period, the applicant may apply for a renewal license in the same
 24 manner as provided under section 5l. The county clerk or department
 25 of state police, as applicable, shall issue the applicant a receipt
 26 for ~~his or her~~ **the individual's** application at the time the
 27 application is submitted. The receipt must contain all of the
 28 following:

29 (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 applying for a renewal of a concealed pistol license following a
7 period of suspension or revocation. This receipt does not authorize
8 an individual to carry a concealed pistol in this state.".

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

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

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

20 (7) If the court orders a county clerk to suspend, revoke, or
21 reinstate a license under this section or amends a suspension,
22 revocation, or reinstatement order, the county clerk shall
23 immediately notify the department of state police in a manner
24 prescribed by the department of state police. The department of
25 state police shall enter the order or amended order into the law
26 enforcement information network.

27 (8) A suspension or revocation order or amended order issued
28 under this section is immediately effective. However, an individual
29 is not criminally liable for violating the order or amended order



1 unless ~~he or she~~ **the individual** has received notice of the order or
2 amended order.

3 (9) If an individual is carrying a pistol in violation of a
4 suspension or revocation order or amended order issued under this
5 section but has not previously received notice of the order or
6 amended order, the individual must be informed of the order or
7 amended order and be given an opportunity to properly store the
8 pistol or otherwise comply with the order or amended order before
9 an arrest is made for carrying the pistol in violation of this act.

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

17 Enacting section 1. This amendatory act does not take effect
18 unless Senate Bill No. 83 of the 102nd Legislature is enacted into
19 law.

