



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 747 (as introduced 8-19-09)
Sponsor: Senator Randy Richardville
Committee: Judiciary

Date Completed: 12-8-09

CONTENT

The bill would amend the handgun licensure law to delete a provision prohibiting an individual licensed to carry a concealed pistol from carrying it on the premises of a college or university dormitory or classroom.

The law prohibits an individual who is licensed to carry a concealed pistol from carrying a concealed pistol on the premises of certain facilities, commonly called no-carry zones. ("Premises" does not include the parking areas of those facilities.) The list of facilities includes a dormitory or classroom of a community college, college, or university. The bill would delete that item from the list.

A person who violates the prohibition is responsible for a State civil infraction and may be fined up to \$500. The person also is subject to a mandatory six-month suspension of his or her license to carry a concealed pistol. A second violation is a misdemeanor punishable by a maximum fine of \$1,000, and mandatory revocation of the individual's license to carry a concealed pistol. A third or subsequent violation is a felony punishable by up to four years' imprisonment and/or a maximum fine of \$5,000, and mandatory license revocation.

The prohibition against carrying a concealed pistol in a no-carry zone does not apply to any of the following:

- A licensee under the handgun licensure law who is a retired police officer or retired law enforcement officer.
- An individual licensed under the law who is employed or contracted by an entity in a no-carry zone to provide security services and is required by his or her employer or the terms of a contract to carry a concealed firearm on the premises of that entity.
- An individual licensed as a private investigator or private detective.
- Any of the following who is licensed under the handgun licensure law: a corrections officer of a county sheriff's department; a Department of State Police motor carrier officer or Capitol security officer; a member of a sheriff's posse; a police or sheriff's department auxiliary officer or reserve officer; or a Department of Corrections parole or probation officer.
- A State court judge or State court retired judge who is licensed under the law.

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Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many individuals have previously been found responsible for or convicted of carrying a concealed weapon on a college campus. To the extent that the bill would preclude such findings of responsibility or convictions, the State would forego any civil infraction fines and public libraries would forego any criminal fines that would have been collected under current law. To the extent that the bill would reduce the number of offenders sentenced to prison terms, the State could realize savings through reduced incarceration costs. At present, the average annual cost of incarceration in a State facility is approximately \$34,000.

Fiscal Analyst: Matthew Grabowski

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