

Legislative Analysis



CCW CERTIFICATE LANGUAGE

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House Bill 5698 as enrolled

Public Act 254 of 2004

Sponsor: Rep. Sal Rocca

House Committee: Conservation and Outdoor Recreation

Senate Committee: Judiciary

Second Analysis (12-27-04)

BRIEF SUMMARY: The bill would standardize the language on the certificate of completion issued by CCW training courses and prohibit county licensing boards from placing additional requirements on such certificates.

FISCAL IMPACT: The bill would have no fiscal impact on the state or on local governments.

THE APPARENT PROBLEM:

The concealed weapons law, Public Act 372 of 1927, requires certain applicants for a CCW license to take a pistol training and safety course as a condition of receiving a CCW license. Those required to take the course include all new applicants for a CCW license and individuals licensed prior to July 1, 2001, when renewing the license for the first time under the amended law. An individual's application must include a certificate, signed by the course instructor, stating that the applicant has completed the training course prescribed by the act and that the course complies with the act.

Reportedly, county licensing boards have placed requirements on these course completion certificates beyond what is required under the CCW law. These additional requirements have included a certain font-size, typeface, color, and specific language. In some cases, boards have denied a CCW application because the certificate does not meet its own standards, which go beyond what state law minimally requires.

THE CONTENT OF THE BILL:

House Bill 5698 would amend the concealed weapons law, Public Act 372 of 1927, to require the course completion certificate signed by a training and safety course instructor to explicitly state, "This course complies with section 5j of 1927 PA 372", and to include a statement attesting that the individual has successfully completed the course. The bill would also require the certificate to include the printed name of the course instructor in addition to the instructor's signature.

The bill also would prohibit a concealed weapons licensing board from requiring a certificated to have a specific form, color, wording, or other content beyond required in the state law, and would require the board to accept as valid a certificate issued prior to

the bill's effective date that contains an inaccurate reference to section 5j, but otherwise complies with the act.

MCL 28.425j

ARGUMENTS:

For:

Recent amendments to the concealed weapons law were enacted to provide some consistency and uniformity in the process by which a concealed weapons permit is obtained. When county licensing boards place additional requirements on the form and content of the course completion certificate, they essentially contravene the purpose of state law. Moreover, the lack of uniformity among the counties can be problematic for safety course instructors if they are forced to have several different course completion certificates to meet the demands of the local licensing boards. In addition, the bill assists county records officials by requiring the name of the course instructor to be clearly printed on the certificate. In many instances, the instructor's signature can be totally illegible, leaving county officials with virtually no way of checking the validity of the certificate and the safety course.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.