

Legislative Analysis



CCW CERTIFICATE LANGUAGE

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House Bill 5698 (Substitute H-1)

Sponsor: Rep. Sal Rocca

Committee: Conservation and Outdoor Recreation

First Analysis (5-6-04)

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

FISCAL IMPACT: House Bill 5698 would have no fiscal impact on State or 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, who are 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 require the course completion certificate, signed by the instructor, to explicitly state, "This course complies with section 5j of 1927 PA 372", and continue 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.

In addition, the bill would prohibit a concealed weapons licensing board from requiring a specific form, color, wording, or other content in the certificate other than what is required above, 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 can be obtained. When county licensing boards place additional requirements on the form and content of the course completion certificate, they essentially contravene the purpose of law. Moreover, the lack of uniformity among the counties can be problematic for safety course instructors if they have to have several different course completion certificates to meet the demands of the 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.

POSITIONS:

The Michigan State Police supports the bill. (5-5-04)

The Michigan Coalition of Responsible Gun Owners supports the bill. (5-5-04)

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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.