



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 370 (Substitute S-2 as reported by the Committee of the Whole)
Senate Bill 371 (Substitute S-1 as reported)
Sponsor: Senator Randy Richardville (S.B. 370)
 Senator Alan L. Cropsey (S.B. 371)
Committee: Judiciary

CONTENT

Senate Bill 370 (S-2) would amend the handgun licensure Act to do the following:

- Repeal Section 9, which requires a person within Michigan who owns or comes into possession of a pistol to present it for safety inspection to the commissioner or chief of police of the city, township, or village where he or she resides.
- Require a person licensed to purchase a pistol to return two copies of a completed license to a licensing authority within 10 days after the date the pistol was purchased (as currently required) or obtained.
- Require an individual who purchased a pistol to forward two copies of the sales record to the police department of the city, village, or township, or to the sheriff of the county, in which the purchaser resided within 10 days following the purchase; and require the police department or sheriff to forward a copy to the State Police within 48 hours after receiving the copies.
- Allow a licensee to return the copies of the license to the licensing authority, and allow a purchaser to forward copies of the sales record to the police or sheriff, in person or by first-class or certified mail sent within the 10-day period.
- Provide that a licensee who failed to return copies of the license or an individual who failed to forward copies of the sales record would be responsible for a State civil infraction and could be fined up to \$250.
- Require the court to notify the State Police of a State civil infraction determination and to notify the concealed weapons licensing board that issued the license if the infraction involved an individual with a concealed weapon license.
- Allow a licensee to carry, use, possess, and transport the pistol only while he or she was in possession of his or her copy of the license, for 30 days beginning on the date of purchase.
- Require licensing authorities or police departments and county sheriffs with the ability to enter data electronically into the pistol entry database to enter license or sales record information required by the State Police into the database, and require those without the ability to enter data electronically to provide that information to the State Police.
- Require licensing authorities or police departments and county sheriffs to continue to provide to the State Police pistol descriptions required under Section 9 of the Act.
- Allow licensees to obtain a copy of the information in the database to verify its accuracy.
- Prohibit a person from not possessing a pistol in this State without first having obtained a license for it.

Senate Bill 371 (S-1) would repeal Section 228 of the Michigan Penal Code, under which it is a misdemeanor punishable by up to 90 days' imprisonment and/or a maximum fine of \$100 to fail to have a pistol inspected as required under Section 9 of the handgun licensure Act.

The bills are tie-barred and would take effect 180 days after the date they were enacted.

MCL 28.422 et al. (S.B. 370)
MCL 750.224b & 750.231a (S.B. 371)

Legislative Analyst: Craig Laurie

FISCAL IMPACT

Senate Bill 370 (S-2) would result in minor fiscal savings for local and State law enforcement agencies by reducing administrative duties concerning the inspection of firearms and associated record-keeping, in an amount that cannot be determined.

Senate Bill 371 (S-1) would have an indeterminate fiscal impact on local government. There are no data to indicate how many offenders will be convicted of failing to have a pistol inspected as currently required, absent the bill. To the extent that the bill would result in decreased convictions, local governments would incur decreased costs of incarceration in local facilities, which vary by county. Public libraries would receive less penal fine revenue.

Date Completed: 6-16-08

Fiscal Analyst: Bruce Baker
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.