



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 505 (Substitute S-1 as reported)
Sponsor: Senator Roger Kahn, M.D.
Committee: Judiciary

CONTENT

The bill would amend the handgun licensure Act to exempt State court judges and retired judges who are licensed under the Act from prohibitions against carrying a concealed pistol on certain premises. The bill would take effect 90 days after it was enacted.

The Act prohibits a person who is licensed to carry a concealed pistol, or who is exempt from licensure, from carrying a concealed pistol on specified premises (other than their parking areas), including a sports stadium, tavern, place of worship, hospital, entertainment facility with a seating capacity of 2,500 or more, college or university dormitory or classroom, and school (except in a vehicle while dropping off or picking up a student). A first violation is a civil infraction, a second is a misdemeanor, and a third is a felony.

The prohibition does not apply to certain people who are licensed under the Act, including a retired police officer, a private investigator, and an on-duty corrections officer. The bill also would exempt a State court judge or State court retired judge who is licensed under the Act. "State court judge" would mean a judge of the district court, circuit court, probate court, or Court of Appeals, or a justice of the Michigan Supreme Court who is serving by election or appointment.

The concealed weapon licensing board could require a State court retired judge to obtain and carry a letter from the Judicial Tenure Commission stating that the judge is in good standing.

MCL 28.421 & 28.425o

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. There have been no felony convictions for carrying a concealed pistol on no-carry premises for a third or subsequent violation since the current penalties were enacted in 2000. There are no data on misdemeanor convictions. To the extent that the bill would reduce convictions, local governments would incur decreased costs of misdemeanor probation and incarceration in local facilities, which vary by county. The State would incur decreased costs of felony probation at an annual average cost of \$2,000, as well as the cost of incarceration in a State facility at an average annual cost of \$31,000.

Date Completed: 12-12-07

Fiscal Analyst: Lindsay Hollander

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Analysis available @ <http://www.michiganlegislature.org>

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