

# SENATE BILL No. 1058

January 14, 2010, Introduced by Senator JELINEK and referred to the Committee on Judiciary.

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,"

by amending section 5/ (MCL 28.425/), as amended by 2008 PA 406.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 5/. (1) A license to carry a concealed pistol issued on or  
2 after July 1, 2003 but before July 1, 2006 is valid for 5 years.

3           (2) A license to carry a concealed pistol issued or renewed on  
4 or after July 1, 2006 is valid until the applicant's date of birth

1 that falls ~~not less than 4 years or more than 5 years~~ **IN THE FIFTH**  
2 **YEAR** after the license is issued or renewed, as applicable. ~~Except~~  
3 ~~as provided in subsections (7) and (8), a~~ **THE** renewal of a license  
4 **ISSUED** under section 5b shall, except as provided in this section,  
5 be issued in the same manner as an original license issued under  
6 section 5b.

7 (3) The concealed weapon licensing board shall issue or deny  
8 issuance of a renewal license within 60 days after the application  
9 for renewal is properly submitted. The county clerk shall issue the  
10 applicant a receipt for his or her renewal application at the time  
11 the application is submitted. The receipt shall contain all of the  
12 following:

13 (a) The name of the applicant.

14 (b) The date and time the receipt is issued.

15 (c) The amount paid.

16 (d) A statement that the receipt is for a license renewal.

17 (e) A statement of whether the applicant qualifies for an  
18 extension under subsection (4).

19 (f) The name of the county in which the receipt is issued.

20 (g) An impression of the county seal.

21 (4) If the concealed weapon licensing board fails to deny or  
22 issue a renewal license to the person within 60 days as required  
23 under subsection (3), the expiration date of the current license is  
24 extended by 180 days or until the renewal license is issued,  
25 whichever occurs first. This subsection does not apply unless the  
26 person pays the renewal fee at the time the renewal application is  
27 submitted and the person has submitted a receipt from a police

1 agency that confirms that a background check has been requested by  
2 the applicant.

3 (5) A person carrying a concealed pistol after the expiration  
4 date of his or her license pursuant to an extension under  
5 subsection (4) shall keep the receipt issued by the county clerk  
6 under subsection (3) and his or her expired license in his or her  
7 possession at all times that he or she is carrying the pistol. For  
8 the purposes of this act, the receipt is considered to be part of  
9 the license to carry a concealed pistol until a renewal license is  
10 issued or denied. Failing to have the receipt and expired license  
11 in possession while carrying a concealed pistol or failing to  
12 display the receipt to a peace officer upon request is a violation  
13 of this act.

14 (6) The educational requirements under section 5b(7)(c) are  
15 waived for an applicant who is a retired police officer or retired  
16 law enforcement officer.

17 (7) The educational requirements under section 5b(7)(c) for an  
18 applicant who is applying for a renewal of a license under this act  
19 are waived except that the applicant shall certify that he or she  
20 has completed at least 3 hours' review of the training described  
21 under section 5b(7)(c) and has had at least 1 hour of firing range  
22 time in the 6 months immediately preceding the subsequent  
23 application.

24 (8) Beginning January 1, 2007, an applicant who is applying  
25 for a renewal of a license issued under section 5b is not required  
26 to have fingerprints taken again under section 5b(9) if all of the  
27 following conditions have been met:

1           (a) ~~There~~ **A SYSTEM** has been established ~~a system~~ for the  
2 department of state police to save and maintain in its automated  
3 fingerprint identification system (AFIS) database all fingerprints  
4 that are submitted to the department of state police under section  
5 5b.

6           (b) The applicant's fingerprints have been submitted to and  
7 maintained by the department of state police as described in  
8 subdivision (a) for ongoing comparison with the automated  
9 fingerprint identification system (AFIS) database.