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Senate Bill 59 (Substitute S-3 as reported)
Sponsor: Senator Mike Green
Committee: Natural Resources, Environment and Great Lakes

CONTENT

The bill would amend the handgun licensure law to do the following:

- Effective January 1, 2013, eliminate county concealed weapon licensing boards and transfer their duties and functions to county sheriffs.
- Refer to a "licensing authority" rather than a concealed weapon licensing board.
- Allow an applicant for a concealed pistol license (CPL) or a licensee who was a certified firearms instructor or who completed additional training to seek an exemption from a prohibition against carrying a concealed pistol on certain premises (no-carry zones).
- Reduce the timeline for processing an initial or renewal CPL application.
- Authorize a licensing authority to require a CPL applicant to appear before it only if the authority had reason to believe the applicant might not qualify for a license.
- Require the application fee to be partially refunded to an individual whose application was not processed within the prescribed timeline.
- Require each county to establish a concealed pistol licensing fund for administration of the law.
- Require immediate reinstatement of a suspended CPL when the suspension period expired, and prescribe a maximum fee of \$10 for the reinstatement and return of a license.
- Revise provisions related to the appeal of a license denial.
- Revise the information that must be included in an annual report to the Legislature by the Michigan Department of State Police (MSP).
- Revise requirements for the pistol safety training course required for a CPL.
- Require the county clerk to notify a licensee before his or her CPL expired.
- Require the MSP to give to each licensing authority copies of a compilation of the State's firearms laws; information regarding the rights and responsibilities of applicants, licensees, and licensing authorities; and forms to appeal a CPL denial, suspension, or revocation.

The bill also would repeal a section allowing a concealed weapon licensing board to issue a license for the use of gas ejecting devices to protect people and property.

MCL 28.421 et al.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have a minimal fiscal impact upon the Department of State Police compared to current concealed weapon licensing law costs. Minor additional costs would result from new requirements to add information to the CPL and to provide hard copies of a compilation of all firearms laws of the State to licensing authorities in sufficient quantity to meet demand. These costs most likely would be offset by the elimination of the current

requirement that a representative of the State Police be a member of each concealed pistol licensing board. Under the law, the Department receives \$64 from each \$105 application fee; \$49.25 of that is to cover the costs of the required fingerprint background checks of each applicant.

The remaining \$41 from the \$105 application fee is distributed to the credit of the county clerk (\$26) and to the credit of the county sheriff (\$15). Under the bill, these funds would go to the county concealed pistol licensing fund, and would help offset the administrative costs on the part of county government as required under the bill, but could fall short in compensating fully the costs incurred by sheriff's departments, where costs can vary widely. According to the Michigan Sheriff's Association, each application under the bill would require a minimum of one hour of a sheriff's deputy's time, which has been estimated by the Sheriff's Association to cost between \$25 and \$45, depending upon the department, an amount that could be well above the \$15 provided to them from an application fee under the bill. This cost would be offset by the removal of the requirement that the sheriff's department participate in county concealed weapon licensing boards and review panels. It is also unclear what the financial burden might be on the counties if they were responsible for payments required by successful court actions based on licensing decisions made under the bill.

Date Completed: 3-22-12

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.