



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4435 (Substitute S-1 as reported)
Sponsor: Representative Joel Johnson
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend the handgun licensure law to exclude a Department of Corrections (DOC) corrections officer, a retired DOC corrections, parole, or probation officer, or a retired sheriff's department corrections officer, from the prohibition against carrying a concealed pistol on certain premises (commonly called weapon-free or no-carry zones).

The law prohibits a person who is licensed to carry a concealed pistol, or who is exempt from licensure, from carrying a concealed pistol on the premises of certain facilities or property (excluding the parking areas).

The law makes an exception to this prohibition for various categories of individuals. The bill also would exempt active or retired DOC corrections, parole, or probation officers and retired sheriff's department corrections officers. The concealed weapon licensing board could require a letter from the sheriff's department or the Department of Corrections, as applicable, stating that the retired corrections, parole, or probation officer retired in good standing.

(A violation of the no-carry zone prohibition is a State civil infraction punishable by a maximum fine of \$500, and suspension of the individual's license to carry a concealed pistol six months. A second violation is a misdemeanor punishable by a maximum fine of \$1,000, and revocation of the individual's license to carry a concealed pistol. A third or subsequent violation is a felony punishable by up to four years' imprisonment and/or a maximum fine of \$5,000, and license revocation.)

MCL 28.425o

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate, but likely negligible, fiscal impact on State and local government. By extending the exemptions from the weapon-free zone law to retired corrections, parole, or probation officers, and active corrections officers of the Department of Corrections, it is possible that the bill could result in a marginal decrease in the number of individuals who would be found in violation of the statute. This would marginally decrease civil infraction and penal fine revenue, and also marginally or likely negligibly decrease State and local incarceration costs associated with repeat offenders.

The bill would have no fiscal impact on State or local law enforcement agencies.

Date Completed: 10-19-12

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