

HOUSE BILL NO. 6432

October 11, 2022, Introduced by Reps. Steckloff, Kuppa, Breen, Haadsma, Yaroch and Aiyash
and referred to the Committee on Military, Veterans and Homeland Security.

A bill to amend 1927 PA 372, entitled

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices; to prohibit the buying, selling, or carrying of certain firearms, gas ejecting devices, and electro-muscular disruption devices without a license or other authorization; to provide for the forfeiture of firearms and electro-muscular disruption devices 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 5f (MCL 28.425f), as amended by 2015 PA 3.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5f. (1) An individual who is licensed to carry a
2 concealed pistol shall have his or her license to carry that pistol
3 and his or her state-issued driver license or personal
4 identification card in his or her possession at all times he or she
5 is carrying a concealed pistol or a portable device that uses
6 electro-muscular disruption technology.

7 (2) An individual who is licensed to carry a concealed pistol
8 and who is carrying a concealed pistol or a portable device that
9 uses electro-muscular disruption technology shall show both of the
10 following to a peace officer upon request by that peace officer:

11 (a) His or her license to carry a concealed pistol.

12 (b) His or her state-issued driver license or personal
13 identification card.

14 (3) An individual licensed under this act to carry a concealed
15 pistol and who is carrying a concealed pistol or a portable device
16 that uses electro-muscular disruption technology and who is stopped
17 by a peace officer **or who encounters, in his or her official**
18 **capacity, a firefighter or emergency medical services personnel**
19 shall immediately disclose to the peace officer, **firefighter, or**
20 **emergency medical services personnel** that he or she is carrying a
21 pistol or a portable device that uses electro-muscular disruption
22 technology concealed upon his or her person or in his or her
23 vehicle.

24 (4) An individual who violates subsection (1) or (2) is
25 responsible for a state civil infraction and shall be fined

1 \$100.00.

2 (5) An individual who violates subsection (3) is responsible
3 for a state civil infraction and shall be fined as follows:

4 (a) For a first offense, by a fine of \$500.00 and by the
5 individual's license to carry a concealed pistol being suspended
6 for 6 months.

7 (b) For a subsequent offense within 3 years ~~of~~**after** a prior
8 offense, by a fine of \$1,000.00 and by the individual's license to
9 carry a concealed pistol being revoked.

10 (6) If an individual is found responsible for a state civil
11 infraction under subsection (5), the peace officer, **firefighter, or**
12 **emergency medical services personnel** shall notify the department of
13 state police of that civil infraction. The department of state
14 police shall notify the county clerk who issued the license, who
15 shall suspend or revoke that license. The county clerk shall send
16 notice by first-class mail of that suspension or revocation to the
17 individual's last known address as indicated in the records of the
18 county clerk. The department of state police shall immediately
19 enter that suspension or revocation into the law enforcement
20 information network.

21 (7) A pistol or portable device that uses electro-muscular
22 disruption technology carried in violation of this section is
23 subject to immediate seizure by a peace officer. If a peace officer
24 seizes a pistol or portable device that uses electro-muscular
25 disruption technology under this subsection, the individual has 45
26 days in which to display his or her license or documentation to an
27 authorized employee of the law enforcement entity that employs the
28 peace officer. If the individual displays his or her license or
29 documentation to an authorized employee of the law enforcement

1 entity that employs the peace officer within the 45-day period, the
2 authorized employee of that law enforcement entity shall return the
3 pistol or portable device that uses electro-muscular disruption
4 technology to the individual unless the individual is prohibited by
5 law from possessing a firearm or portable device that uses electro-
6 muscular disruption technology. If the individual does not display
7 his or her license or documentation within the 45-day period, the
8 pistol or portable device that uses electro-muscular disruption
9 technology is subject to forfeiture as provided in section 5g. A
10 pistol or portable device that uses electro-muscular disruption
11 technology is not subject to immediate seizure under this
12 subsection if both of the following circumstances exist:

13 (a) The individual has his or her state-issued driver license
14 or personal identification card in his or her possession when the
15 violation occurs.

16 (b) The peace officer verifies through the law enforcement
17 information network that the individual is licensed to carry a
18 concealed pistol.

19 (8) As used in this section: ~~"peace~~

20 (a) **"Emergency medical services personnel" means that term as**
21 **defined in section 20904 of the public health code, 1978 PA 368,**
22 **MCL 333.20904.**

23 (b) **"Firefighter" means that term as defined in section 1 of**
24 **the fire prevention code, 1941 PA 207, MCL 29.1.**

25 (c) **"Peace officer" includes a motor carrier officer appointed**
26 **under section 6d of 1935 PA 59, MCL 28.6d, and security personnel**
27 **employed by the state under section 6c of 1935 PA 59, MCL 28.6c.**