

HOUSE BILL No. 5471

November 29, 2001, Introduced by Reps. Jacobs, Stewart, Kolb, Plakas, Hale, Dennis, Lipsey, Murphy, Lockwood, Richner and Godchaux and referred to the Committee on Criminal Justice.

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 5o (MCL 28.425o), as added by 2000 PA 381.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5o. (1) An individual licensed under this act to carry
2 a concealed pistol, or who is exempt from licensure under section
3 12a(f), shall not carry a concealed pistol on the premises of any
4 of the following:

1 (a) A school or school property except that a parent or
2 legal guardian of a student of the school is not precluded from
3 carrying a concealed pistol while in a vehicle on school proper-
4 ty, if he or she is dropping the student off at the school or
5 picking up the child from the school. As used in this section,
6 "school" and "school property" mean those terms as defined in
7 section 237a of the Michigan penal code, 1931 PA 328,
8 MCL 750.237a.

9 (b) A public or private day care center, public or private
10 child caring agency, or public or private child placing agency.

11 (c) A sports arena or stadium.

12 (d) A dining room, lounge, or bar area of a premises
13 licensed under the Michigan liquor control code of 1998, 1998
14 PA 58, MCL 436.1101 to 436.2303. This subdivision shall not
15 apply to an owner or employee of the premises.

16 (e) Any property or facility owned or operated by a church,
17 synagogue, mosque, temple, or other place of worship, unless the
18 presiding official or officials of the church, synagogue, mosque,
19 temple, or other place of worship permit the carrying of con-
20 cealed pistol on that property or facility.

21 (f) An entertainment facility that the individual knows or
22 should know has a seating capacity of 2,500 or more individuals
23 or that has a sign above each public entrance stating in letters
24 not less than 1-inch high a seating capacity of 2,500 or more
25 individuals.

26 (g) A hospital.

1 (h) A dormitory or classroom of a community college,
2 college, or university.

3 (I) A PUBLIC LIBRARY.

4 (2) An individual licensed under this act to carry a con-
5 cealed pistol, or who is exempt from licensure under section
6 12a(f), shall not carry a concealed pistol in violation of
7 R 432.1212 or a successor rule of the Michigan administrative
8 code promulgated pursuant to the Michigan gaming control and rev-
9 enue act, the initiated law of 1996, MCL 432.201 to 432.226.

10 (3) An individual who violates this section is responsible
11 for a civil violation OR guilty of a crime as follows:

12 (a) Except as provided in subdivisions (b) and (c), the
13 individual is responsible for a civil violation and may be fined
14 not more than \$500.00. The court shall order the individual's
15 license to carry a concealed pistol suspended for 6 months.

16 (b) For a second violation the individual is guilty of a
17 misdemeanor punishable by a fine of not more than \$1,000.00. The
18 court shall order the individual's license to carry a concealed
19 pistol revoked.

20 (c) For a third or subsequent violation the individual is
21 guilty of a felony punishable by imprisonment for not more than 4
22 years or a fine of not more than \$5,000.00, or both. The court
23 shall order the individual's license to carry a concealed pistol
24 revoked.