

SUBSTITUTE FOR
HOUSE BILL NO. 4042

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 2006 PA 184.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5/. (1) ~~A license to carry a concealed pistol issued~~
2 ~~before July 1, 2003 is valid for 3 years and a license to carry a~~
3 ~~concealed pistol issued on or after July 1, 2003 but before July 1,~~

1 ~~2006 is valid for 5 years, and a~~ A license to carry a concealed
2 ~~pistol issued on or after July 1, 2006~~ is valid until the
3 applicant's date of birth that falls not less than 4 years or more
4 than 5 years after the license is issued. ~~A license that is~~
5 ~~renewed before the immediately preceding license term expires, but~~
6 ~~not more than 1 year before the immediately preceding license term~~
7 ~~expires, shall bear an issue date that is identical to the~~
8 ~~expiration date of the preceding license. A~~ **EXCEPT AS PROVIDED IN**
9 **SUBSECTIONS (6) AND (7),** A renewal of a license under section 5b
10 shall, except as provided in this section, be issued in the same
11 manner as an original license issued under section 5b.

12 (2) The concealed weapon licensing board shall issue or deny
13 issuance of a renewal license within 60 days after the application
14 for renewal is properly submitted. The county clerk shall issue the
15 applicant a receipt for his or her renewal application at the time
16 the application is submitted. The receipt shall contain all of the
17 following:

18 (a) The name of the applicant.

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

20 (c) The amount paid.

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

22 (e) A statement of whether the applicant qualifies for an
23 extension under subsection (3).

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

25 (g) An impression of the county seal.

26 (3) If the concealed weapon licensing board fails to deny or
27 issue a renewal license to the person within 60 days as required

1 under subsection (2), the expiration date of the current license is
2 extended by 180 days or until the renewal license is issued,
3 whichever occurs first. This subsection does not apply unless the
4 person pays the renewal fee at the time the renewal application is
5 submitted and the person has submitted a receipt from a police
6 agency that confirms that a background check has been requested by
7 the applicant.

8 (4) A person carrying a concealed pistol after the expiration
9 date of his or her license pursuant to an extension under
10 subsection (3) shall keep the receipt issued by the county clerk
11 under subsection (2) and his or her expired license in his or her
12 possession at all times that he or she is carrying the pistol. For
13 the purposes of this act, the receipt is considered to be part of
14 the license to carry a concealed pistol until a renewal license is
15 issued or denied. Failing to have the receipt and expired license
16 in possession while carrying a concealed pistol or failing to
17 display the receipt to a peace officer upon request is a violation
18 of this act.

19 (5) The educational requirements under section 5b(7)(c) are
20 waived for an applicant who is a retired police officer or retired
21 law enforcement officer.

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

1 application.

2 (7) BEGINNING JANUARY 1, 2007, AN APPLICANT WHO IS APPLYING
3 FOR A RENEWAL OF A LICENSE ISSUED UNDER SECTION 5B IS NOT REQUIRED
4 TO HAVE FINGERPRINTS TAKEN AGAIN UNDER SECTION 5B(9) IF ALL OF THE
5 FOLLOWING CONDITIONS HAVE BEEN MET:

6 (A) THERE HAS BEEN ESTABLISHED A SYSTEM FOR THE DEPARTMENT OF
7 STATE POLICE TO SAVE AND MAINTAIN IN ITS AUTOMATED FINGERPRINT
8 IDENTIFICATION SYSTEM (AFIS) DATABASE ALL FINGERPRINTS THAT ARE
9 SUBMITTED TO THE DEPARTMENT OF STATE POLICE UNDER SECTION 5B.

10 (B) THE APPLICANT'S FINGERPRINTS HAVE BEEN SUBMITTED TO AND
11 MAINTAINED BY THE DEPARTMENT OF STATE POLICE AS DESCRIBED IN
12 SUBDIVISION (A) FOR ONGOING COMPARISON WITH THE AUTOMATED
13 FINGERPRINT IDENTIFICATION SYSTEM (AFIS) DATABASE.