



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bills 370 and 371 (as introduced 3-22-07)  
Sponsor: Senator Randy Richardville (S.B. 370)  
          Senator Alan L. Cropsey (S.B. 371)  
Committee: Judiciary

Date Completed: 6-9-08

## **CONTENT**

**Senate Bill 370 would amend the handgun licensure Act to do the following:**

- Repeal Section 9 of the Act, which requires a person who owns or comes into possession of a pistol to present it to police for a safety inspection.**
- Require the Director of the Michigan Department of State Police (MSP) and each sheriff, police commissioner, and chief of police to destroy all records of safety inspections within one year after the bill's effective date.**

**Senate Bill 371 would amend the Michigan Penal Code to repeal Section 228 of the Code, which prescribes a penalty for failure to have a pistol inspected as required by Section 9 of the handgun licensure Act.**

Senate Bill 371 is tie-barred to Senate Bill 370.

### **Senate Bill 370**

Section 9 of the handgun licensure Act requires a person within Michigan who owns or comes into possession of a pistol to present it for safety inspection to the commissioner or chief of police of the city, township, or village where he or she resides, or to the commissioner's or chief's duly authorized deputy. If the person lives in a part of the county not included within a city, township, or village having an organized police department, he or she must present the pistol for safety inspection to the sheriff or a duly authorized deputy. If the person presenting the pistol is eligible to possess it, a certificate of inspection must be issued in triplicate. The original must be delivered to the registrant, and the duplicates must be mailed within 48 hours to the MSP Director and kept as a permanent official record. The triplicate form must be retained and filed in the office of the sheriff, commissioner, or chief. The bill would repeal Section 9.

The bill also would require the MSP Director, and each sheriff, police commissioner, and chief of police, within one year after the bill's effective date, to destroy all records of safety inspections under Section 9 that are maintained by their respective law enforcement agencies.

The concealed pistol licensing provision and the pistol inspection requirement of the Act do not apply to certain individuals, situations, and weapons. The bill would delete references to Section 9 in those exceptions.

### **Senate Bill 371**

Under Section 228 of the Penal Code, it is a misdemeanor punishable by up to 90 days' imprisonment and/or a maximum fine of \$100 to fail to have a pistol inspected as required under Section 9 of the handgun licensure Act. The bill would repeal Section 228.

The bill also would delete references to Section 9 in provisions dealing with the sale, offering for sale, or possession of certain weapons and in a provision dealing with the lawful transport of a licensed pistol en route to or from a law enforcement agency for the purpose of have a safety inspection performed.

MCL 28.432 et al. (S.B. 370)  
750.224b & 750.231a (S.B. 371)

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

#### **Senate Bill 370**

The bill would result in minor fiscal savings for local and State law enforcement agencies by reducing administrative duties concerning the inspection of firearms and associated record-keeping, in an amount that cannot be determined.

#### **Senate Bill 371**

The bill would have an indeterminate fiscal impact on local government. There are no data to indicate how many offenders will be convicted of failing to have a pistol inspected as currently required, absent the bill. To the extent that the bill would result in decreased convictions, local governments would incur decreased costs of incarceration in local facilities, which vary by county. Public libraries would receive less penal fine revenue.

Fiscal Analyst: Bruce Baker  
Lindsay Hollander

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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.