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## BILL ANALYSIS



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Senate Bill 366 (as introduced 5-3-17)  
Sponsor: Senator Wayne Schmidt  
Committee: Judiciary

Date Completed: 5-22-17

### **CONTENT**

**The bill would amend the handgun licensure law to do the following:**

- **Allow an individual who was at least 18 years old but less than 21 years old to apply for a provisional concealed pistol license (CPL).**
- **Require a provisional CPL to indicate that it was provisional.**
- **Specify that a provisional CPL would be valid only until the licensee turned 21 years old.**

#### Obtaining a Provisional CPL

To obtain a CPL, an individual must apply to the county clerk in the county where he or she resides. The application must be on a form provided by the Director of the Michigan Department of State Police (MSP) and allow the applicant to designate whether he or she seeks an emergency CPL. Under the bill, the application would have to allow the applicant to designate whether he or she was applying for an emergency license or a provisional license.

The county clerk must issue and send by first-class mail a CPL to an applicant if the county clerk determines that he or she is 21 years of age or older, and is otherwise qualified to receive it. Under the bill, if the applicant were applying for a provisional license, he or she would have to be at least 18 but less than 21 years old.

#### Information Required on a CPL

A CPL must include the following information:

- The licensee's full name and date of birth.
- A photograph and a physical description of the licensee.
- A statement of the license's effective dates.
- Exceptions authorized by the law applicable to the licensee.
- The licensee's State-issued driver license or personal identification card number.
- The premises on which carrying a concealed pistol is prohibited.
- The requirement that an individual who is carrying a CPL must disclose that fact to a peace officer who stops the individual.
- If the license is an emergency license, an indication that the emergency license does not exempt the individual from complying with all applicable laws for the purchase of firearms.

The license also must include an indication whether the CPL is a duplicate or an emergency license. Under the bill, the license would have to indicate whether the CPL was a duplicate, an emergency license, or a provisional license.

A CPL, including a renewal license, is valid until the applicant's date of birth that is not less than four years or more than five years after the license is issued or renewed, as applicable. Under the bill, a provisional license would be valid only until the applicant turned 21 years old.

MCL 28.425b et al.

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bill would increase the number of individuals eligible to apply for a concealed pistol license by establishing a provisional license for individuals who are at least 18 years of age and not more than 21 years of age. Assuming that this increased applications for a concealed pistol license, the costs and revenue of county clerks and the Michigan State Police (MSP) would increase by unknown, but offsetting amounts. Revenue from concealed pistol license applications (\$100 each) and renewals (\$115 each) is divided pursuant to statute between the county where the application is made and the MSP. The county share of the revenue (\$26 for an application fee and \$36 for a renewal fee) is required to be deposited into the county concealed pistol licensing fund and may be used only for costs associated administration of the handgun licensure law. The remaining fee revenue goes to the MSP and is limited to paying costs for processing fingerprints under the handgun licensure law, including costs payable to the Federal Bureau of Investigation and associated administrative expenses.

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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.