



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

## BILL ANALYSIS



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

Senate Bill 584 (Substitute S-1 as reported)  
Senate Bill 585 (Substitute S-1 as reported)  
Senate Bill 586 (as reported without amendment)  
Sponsor: Senator Arlan Meekhof (S.B. 584)  
          Senator Phil Pavlov (S.B. 585)  
          Senator Mike Shirkey (S.B. 586)  
Committee: Government Operations

**CONTENT**

Senate Bill 584 (S-1) would amend provisions of the handgun licensure law that prohibit carrying a concealed pistol on certain premises (commonly called no-carry zones) and exempt certain people from the prohibition, to expand the exemptions and to prohibit a person licensed to carry a concealed pistol from openly carrying it in a no-carry zone, subject to several exceptions. Specifically, the bill would do the following:

- Add an exemption for an individual who held a concealed pistol license (CPL), or was applying for an initial or renewal CPL or an exemption, if he or she requested the exemption on his or her license application and met certain educational requirements.
- Require the individual either to certify that he or she had completed at least eight hours of training that met specified conditions, or to be certified as a firearms instructor.
- Require at least three hours of review, instead of eight hours of training, if the individual had been granted an exemption and were applying for a renewal license with an exemption, or if he or she were an firearms instructor.
- Require the county clerk to issue or deny the exemption within 10 days after receiving the application.
- Provide that an individual who was granted an exemption at the time he or she applied for an original or renewal license would not be required to pay an additional fee.
- Provide that an individual could be required to pay up to \$20 if he or she applied for an exemption at any time other than when he or she applied for an original or renewal license.
- Require the application for a CPL to allow the applicant to designate whether he or she was seeking an exemption from the no-carry zone prohibition.
- Require a no-carry zone exemption to appear as an indorsement on the face of a license.
- Allow an applicant for an exemption to appeal to the circuit court if a clerk failed to provide an exemption, and require the court to order the clerk to pay the applicant's costs and attorney fees if the court found that the failure was arbitrary and capricious.
- Specify that nothing in Section 5o (which includes the no-carry zone prohibition and the exemptions from it) would prohibit a private property owner from prohibiting an individual from carrying a pistol on the premises of property described in Section 5o.
- Specify that nothing in Section 5o would prohibit a college or university with authority under the State Constitution to enact and enforce an ordinance regulating the possession, carrying, use, or transportation of a pistol, from enacting or enforcing such an ordinance.

The bill would prohibit an individual who was licensed to carry a concealed pistol from intentionally displaying or openly carrying a pistol on premises listed in Section 5o unless one of the following applied:

- The individual owned the premises.
- The individual was employed or contracted by the owner or other person with control over the premises and the possession of the pistol was to provide security services for the premises or was otherwise in the scope of the individual's official duties.
- The individual was acting with the express written consent of the owner of the premises or an agent of the owner.

Senate Bill 585 (S-1) would amend the sentencing guidelines in the Code of Criminal Procedure to change a Michigan Compiled Laws citation to a section of the handgun licensure law that Senate Bill 584 (S-1) would amend.

Senate Bill 586 would amend Public Act 319 of 1990, which prohibits local units of government from enacting firearm regulations except as allowed by Federal or State law, to do the following:

- Expand the definition of "local unit of government" to include a school district, community college district, public library, and any other political subdivision of the State, in addition to a city, village, township, and county.
- Provide that the Act would not prohibit the board of a school district or intermediate school district from adopting policies regarding the possession of firearms by students of the district.

MCL 28.425a et al. (S.B. 584)  
 777.11b (S.B. 585)  
 123.1101 & 123.1102 (S.B. 586)

Legislative Analyst: Suzanne Lowe

**FISCAL IMPACT**

Senate Bill 584 (S-1) would increase the responsibilities of county clerks related to concealed weapons licenses and would provide an option for additional revenue to pay for those costs. It would increase State costs by a minimal amount.

County clerks would be authorized to charge a fee of not more than \$20 that would cover both processing an application for a no-carry zone license indorsement and issuing a replacement license within 10 days if the application were submitted except with an application for an original or renewal concealed pistol license. Any additional revenue collected due to the new fee would have to be deposited in the county's concealed pistol licensing fund, which may be used only for costs related to the administration of the handgun licensure law. The cost and revenue associated with the proposal would depend on the volume of applications, the local decision to charge a fee of up to \$20 per application, and the level of the fee established.

The bill also would allow appeals to the circuit court based on denial of an application for an exemption from the no-carry zone prohibition. If a county lost the appeal because the court found an error by the county, the court could order the refund of the appellant's filing fees. If the court found that the denial of the exemption was arbitrary and capricious, the court would have to order the county to pay costs and attorney fees for the appellant. This provision could increase the costs of courts and counties by an indeterminate but likely minimal amount, depending on the number and outcome of appeals.

The bill also would increase the costs of the Department of State Police, which would be required to change forms for applications for concealed pistol licenses to include the request for an exemption from the prohibition against carrying concealed pistols in no-carry zones. This one-time minimal cost likely would be absorbed within the Department's existing appropriations.

Senate Bills 585 (S-1) and 586 would have no fiscal impact on State or local government.

Date Completed: 11-8-17

Fiscal Analyst: Ryan Bergan  
Kathryn Summers

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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.