



**House
Legislative
Analysis
Section**

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PISTOL LICENSURE

House Bill 4288

Sponsor: Rep. Alma Stallworth

Committee: Judiciary and Civil Rights

Complete to 8-29-95

A SUMMARY OF HOUSE BILL 4288 AS INTRODUCED 2-2-95

House Bill 4288 would amend the handgun licensure act to require that an individual seeking a license to own a pistol successfully complete a pistol safety training program before he or she could receive a license. The bill would also make several amendments to the requirements for an applicant to receive a license to purchase, carry, or transport a pistol. These changes would take effect April 1, 1996.

Pistol Safety Training Programs. Development of pistol safety training programs would be the responsibility of the basic pistol safety review board. Within 180 days of the effective date of the bill, the basic pistol safety review board would be required to: 1) develop one or more programs establishing standards for the provision of pistol safety training, 2) distribute copies of these programs to the all of the police and sheriff's departments in the state, 3) create a certificate of completion form to be issued upon completion of the pistol safety training course, and 4) establish pistol safety training program instructors' qualifications for individuals who have not been certified by the National Rifle Association (NRA).

Pistol safety training programs would have to be taught by an instructor certified by the National Rifle Association or by someone with qualifications established by the basic pistol safety review board and determined to be substantially similar to the NRA qualifications.

The pistol safety training programs would have to be at least equal in scope to hunter safety courses and would have to contain information on the safe handling and use of pistols, the safe storage of pistols, the names and description of different types of pistols, and the responsibilities of owning a pistol, as well as a requirement that the person seeking certification must fire a pistol at a firing range while under the direct supervision of a firearms instructor as part of the training. Each training program would have to be able to be taught in a single session of at least two hours and no more than six hours.

The state's sheriff's departments would be required to provide a pistol safety training program at least once a month and as often as necessary to ensure that licenses can be issued in a timely manner to those persons seeking them. The state's police departments would not be required to offer pistol safety training programs, but could choose to offer such programs as often as each department deemed appropriate. Any police or sheriff's department which offered such a program would be required to issue a certificate of completion, on a form prescribed by the basic pistol safety review board, to every individual who successfully completed the program. The sheriff's or police department would be

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allowed to charge a fee to those individuals taking the training program, as long as the fee did not exceed the expense of providing the program.

Other provisions. The bill would remove the requirement barring an individual from receiving a permit because he or she was subject to an order entered into the law enforcement information network (LEIN) under MCL 552.14, which allows the court to enter a personal protection order for a person affected by spousal abuse. Further, under current law, a person cannot be issued a license if he or she falls under a provision prohibiting certain people from owning a weapon because of convictions for committing or attempting to commit certain crimes. The bill would prohibit the issuance of a license until after a computerized criminal record check through the LEIN system verified that the person was not subject to this prohibition. (Under MCL 552.224f, depending upon the nature of the offense for which the individual was convicted, he or she is barred from transporting, possessing, or distributing firearms for either three or five years after he or she has paid all the fines associated with the crime, completed his or her term of imprisonment, and completed all the terms and conditions of his or her parole. Where the crime involved was punishable by four or more years of imprisonment, the person is barred for three years beyond his or her completion of the conditions of his or her punishment. Where the individual was convicted of committing a felony which involved the use of physical force, controlled substances, explosives, the unlawful possession or distribution of a firearm, or burglary, breaking and entering or arson, the convicted person must wait until five years after he or she has completed his or her term of incarceration.)

MCL 28.422 and 28.429b