

House Bill 4530 (Substitute H-2 as discharged)
Sponsor: Representative Michael Green
House Committee: Conservation and Outdoor Recreation
Senate Committee: Hunting, Fishing and Forestry

CONTENT

The bill would amend the handgun licensure Act to revise requirements for applying for a license to carry a concealed pistol; require a concealed weapon licensing board to issue a license if the requirements were met; set a \$49 application fee; require county sheriffs, local law enforcement agencies, and county clerks to provide concealed weapon application kits to individuals wishing apply for a license; require the Legislative Service Bureau to compile the State's firearms laws for distribution to applicants; require a licensing board to issue or deny a license within 13 days after receiving the applicant's fingerprint comparison report or within 43 days after the application was submitted; require the destruction of applicants' fingerprints; allow the appeal of license denials to the circuit court; require an applicant to document knowledge or training in the safe use and handling of a pistol; provide that a license would be valid for five years; provide for the issuance of a temporary license for up to 180 days; provide for licensing exemptions; require the State Police to create and maintain a computerized database of applicants, and report annually to the Legislature; allow an owner or lessee of certain establishments to prohibit concealed pistols on that property; impose penalties for violations pertaining to the carrying of concealed pistols while under the influence of liquor or a controlled substance; and repeal provisions pertaining to license fees, concealed weapon licensing boards, firearm forfeiture, and renewal fees. The bill would take effect September 30, 1999.

MCL 28.421 et. al

Legislative Analyst: N. Nagata

FISCAL IMPACT

The bill would require the Department of State Police to create and maintain a computerized database of applicants, which could result in the Department having to assume computer programming and labor costs of approximately \$100,000. In addition, the bill provides that the Department would receive funds from license applications (\$29 of a \$49 fee), which falls \$8 short of the cost involved in providing required fingerprint comparisons. Should concealed license applications reach 100,000 in a given year, this would result in an added cost to the Department of \$800,000.

The bill also would require that local county sheriffs verify an applicant's eligibility for a license, at a cost that cannot be determined. However, the bill specifies that \$20 of each \$49 application fee would go to the county's general fund. The county also would receive \$35 for each license renewal fee.

The bill also would have an indeterminate fiscal impact on State and local government due to the cost of enforcement and incarceration and/or the receipt of fine revenue. There are no data available to indicate how many people would be convicted of the following acts prohibited by the bill:

- Making a false statement on a sales record.
- Intentionally making a material false statement on an application for a concealed pistol permit.
- Granting a certificate of completion to an individual who did not satisfactorily complete training or presenting a certificate to the licensing board.

Conviction for these crimes would result in a felony with a maximum term of four years' incarceration and/or a fine of \$2,500.

The bill also would criminalize carrying a concealed weapon while being intoxicated or under the influence of

a controlled substance. The sanction for this offense would vary according to bodily alcohol content, with a maximum sentence of 93 days and/or a fine of \$100 and revocation of the concealed pistol permit. There are no data to indicate how many individuals could be convicted of this crime.

Senate Fiscal Agency

In addition, there are no data available to indicate how many people could be convicted of carrying a concealed

weapon on premises such as a school, church, library, or business that received 60% or more of its revenue

from the sale of alcoholic liquor, if the owner had posted signs that concealed weapons were prohibited. The sanction for a first violation would be up to 93 days in jail and/or a fine of \$100, for a second conviction up to one year in jail and/or \$500, and for a subsequent conviction up to four years and/or \$2,500.

The Legislative Service Bureau would incur costs related to compiling firearms laws and providing copies of the compilation. The cost would depend on the number of individuals who applied for a license. Estimated costs amount to approximately \$35,000.

Date Completed: 5-26-99

Fiscal Analyst: B. Baker
K. Firestone
B. Bowerman

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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.