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## BILL ANALYSIS

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Senate Bill 343 (as introduced 5-1-13)  
Sponsor: Senator Rick Jones  
Committee: Judiciary

Date Completed: 5-21-13

**CONTENT**

**The bill would amend the handgun licensure law to exclude a concealed pistol licensee, who was a retired Federal law enforcement officer, from provisions prohibiting a licensee from carrying a concealed pistol on certain premises.**

The law prohibits a person who is licensed to carry a concealed pistol, or who is exempt from licensure, from carrying a concealed pistol on the premises (excluding the parking areas) of any of the following (commonly called weapon-free or no-carry zones):

- A school or school property, except for a student's parent or legal guardian while in a vehicle on school property, if he or she is dropping off or picking up the student.
- A public or private child care center or day care center, child caring institution, or child placing agency.
- A sports arena or stadium.
- A licensed bar or tavern whose primary source of income is the sale of liquor by the glass for on-premises consumption.
- Any property or facility owned or operated by a church, synagogue, mosque, temple, or other place of worship, unless its presiding official or officials permit the carrying of a concealed pistol on the property or facility.
- An entertainment facility with a seating capacity of 2,500 or more that the person knows or should know has such a seating capacity or that has a sign stating that capacity.
- A hospital.
- A dormitory or classroom of a community college, college, or university.

A violation is a State civil infraction punishable by a maximum fine of \$500, and a mandatory six-month suspension of the individual's license to carry a concealed pistol. A second violation is a misdemeanor punishable by a maximum fine of \$1,000, and revocation of the individual's license to carry a concealed pistol. A third or subsequent violation is a felony punishable by up to four years' imprisonment and/or a maximum fine of \$5,000, and license revocation.

The law lists individuals to whom the prohibition described above does not apply, including a licensed individual who is a retired police officer or retired law enforcement officer. Under the bill, the prohibition also would not apply to an individual who was licensed under the law and was a retired Federal law enforcement officer.

Currently, the concealed weapon licensing board may require a letter from the law enforcement agency stating that the retired police officer or law enforcement officer retired

in good standing. The bill would extend this to a retired Federal law enforcement officer, and would allow the board to require a letter or other documentation.

The law defines "retired police officer" or "retired law enforcement officer" an individual who was a police officer or law enforcement officer who was certified under the Commission on Law Enforcement Standards Act and retired in good standing from his or her employment as a police officer or law enforcement officer. The bill would define "retired federal law enforcement officer" as an individual who was an officer or agent employed by a law enforcement agency of the U.S. government whose primary responsibility was enforcing laws of the United States, who was required to carry a firearm in the course of his or her duties as a law enforcement officer, and who retired in good standing from his or her employment as a Federal law enforcement officer.

MCL 28.421 & 28.425o

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bill would have an indeterminate, but likely negligible, fiscal impact on State and local government. By extending the exemptions from the weapon-free zone to retired Federal law enforcement officers, it is possible that the bill could result in a marginal decrease in the number of individuals who would be found in violation of the statute. This would marginally decrease civil infraction and penal fine revenue, and also marginally or negligibly decrease State and local incarceration costs associated with repeat offenders.

Fiscal Analyst: Dan O'Connor

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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.