

## **FAQ – Pistol Registration, Purchase, and Transfers for Michigan Residents**

### **What is a License to Purchase and is one needed in every case where a pistol is acquired?**

MCL 28.422 A License to Purchase is a license required prior to acquisition of a pistol. The acquisition can be either by a purchase, gift, or inheritance. A License to Purchase is not needed for anyone with a valid Michigan Concealed Pistol License, for firearms dealers purchasing from wholesalers, or for relics, curios, antiques, etc., not made for modern ammunition. Someone with a valid Michigan Concealed Pistol License must, however, complete a Pistol Sales Record when acquiring a pistol.

### **What are the steps necessary to purchase and legally possess a pistol in Michigan without a concealed pistol license?**

MCL 28.422 The prospective purchaser can appear at any local law enforcement agency in the State of Michigan and, after successfully passing the background and Criminal History check, can obtain a License to Purchase. The purchaser must sign a notarized sworn statement that they meet the Michigan qualifications to purchase/obtain a pistol. At the time of the purchase, the purchaser and the seller complete the form. The License to Purchase must be returned in person or by mail to the issuing agency within 10 days from acquiring the pistol.

### **How old do I have to be in order to legally own a pistol in Michigan?**

MCL 28.422 Eighteen (18) years of age. However, Federal law prohibits a federally licensed firearms dealer from selling a pistol to anyone under the age of twenty-one (21).

### **I inherited a pistol from my relative. What procedure do I follow to gain legal possession of this gun in Michigan?**

MCL 28.422 Unless you have a valid Concealed Pistol License issued after July 1, 2001, you must obtain a License to Purchase. Michigan statutes provide that the next of kin or personal representative of the estate has the authority to sign as seller indicating "Estate of \_\_\_\_" in the seller portions of the form. If you are the next of kin or personal representative and are keeping the pistol, you will sign as both the seller (indicating "Estate of \_\_\_\_") and as the purchaser.

### **I am giving my registered pistols to my son who lives in another state. How do I get the pistols out of my name?**

There are no provisions in the statute; however, send a letter to the Michigan State Police, Firearms Records Unit, PO Box 30634, Lansing, Michigan 48909-0634, advising of the transaction. The letter must include a description of the pistols, your son's name and address, and the date of transaction in order for the Firearms Records Unit to update their records. Your son must comply with the weapons laws of his own state. There are federal restrictions regarding transfer of ownership across state lines.

### **I have a replica of an antique pistol. Is a License to Purchase or Pistol Sales Record required in Michigan? Is it necessary that I obtain a Michigan Concealed Pistols License?**

MCL 28.422 No, antique pistols made before 1898 and replicas of antiques that use black powder, matchlock, flintlock, percussion cap or similar type of ignition system do not require a License to Purchase. The pistol is still subject to all concealed pistol licensing laws.

### **I have just moved to Michigan from another state. How much time do I have to register my pistols?**

MCL 28.422 Upon establishing legal residency, you should immediately contact your local law enforcement agency, pass the background check, and complete the License to Purchase form. In the "seller's" box, you will note "Purchased in the State of \_\_\_\_" and sign your name.

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**I am on leave from military service. Does this exempt me from having to register the pistols I brought with me to Michigan?**

MCL 28.422 No, you have 30 days in which to pass the background check and obtain a License to Purchase after your arrival into the state.

**I lost my Michigan pistol registration (Safety Inspection Certificate). How do I go about getting another one?**

The Safety Inspection requirement in the law, previously MCL 28.429 has been repealed. As long as the gun was previously registered in your name and is on file with the Michigan State Police, you are not required to complete any additional paperwork. It is not a requirement that you carry your Safety Inspection Certificate or License to Purchase on you when carrying, using or transporting the gun, once 30 days from the date of purchase has expired. There are no Safety Inspection Certificate forms available to issue you a new one. You may make a request through the Michigan State Police, Freedom of Information Unit, P.O. Box 30634, Lansing, Michigan 48933 for a copy of your registration.

**Does a person have to be a United States citizen in order to purchase a pistol?**

Although MCL 28.422 states a person must be a citizen of the United States to purchase a pistol, the Michigan Court of Appeals ruled this as unconstitutional. Per Federal law, you must be a legal resident alien, having resided in this state for 90 days.

**I found a pistol in an old house that I was fixing up. Can I get it registered in my name?**

You should take it to your local police agency and they can check on the history of the pistol. They will, of course, check to make sure it is not stolen, and also for any previous registered owner. If the pistol was not previously registered, it is considered contraband, and cannot be registered to you. If there was a previous registered owner, attempts should be made to contact that person. If contact is made, the pistol will either be turned over to them, or they will sign off as seller on a License to Purchase issued to you. If attempts at making contact are futile, you can get a License to Purchase and the pistol can be released to you.

**Are there any fees for the following Michigan forms?**

- **License to Purchase:** MCL 28.423 was repealed by PA 381 of 2000 eliminating the \$5 processing fee for obtaining a License to Purchase. However, you may be charged a fee to notarize the application for a License to Purchase. MCL 28.422A local police or sheriff may charge up to \$1.00 for the cost of providing, to the owner, a copy of information that was entered in the pistol entry database.
- **Pistol Sales Record:** MCL 28.422aA local police or sheriff may charge up to \$1.00 for the cost of providing, to the owner, a copy of information that was entered in the pistol entry database.
- **License to Carry a Concealed Pistol:** MCL 28.425b(5) The application fee is \$105 payable to the county clerk at the time the application is filed. Fingerprinting at the county sheriff's office is included in this cost.