

MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Law Enforcement Officers Safety Act (LEOSA) and the Michigan Retired Law Enforcement Officer's Firearm Carry Act

Frequently Asked Questions

- 1. Now that I can carry under the federal LEOSA privilege, do I need to maintain a Michigan concealed pistol license?** No, however you may want to examine the advantages and disadvantages of carrying under a LEOSA Certificate versus a Michigan Concealed Pistol License before making a decision to seek one or the other (see **"Michigan Concealed Pistol License or Certification Under the Law Enforcement Officers Safety Act (LEOSA): which do I choose?"**).
- 2. Can I legally carry a concealed firearm, simultaneously, under both a LEOSA Certificate and a Michigan Concealed Pistol License (CPL)?** There is nothing in law that prevents a retiree from having a current Michigan CPL as well as a current LEOSA Certificate.
- 3. I am retired and have accumulated over 15 aggregate years of law enforcement service from more than one law enforcement employer. Unfortunately, I do not have rights to retirement benefits from any of my former employers. Can I still be certified under LEOSA?** No. LEOSA specifies that eligible law enforcement retirees must have an aggregate of 15 or more years of law enforcement service, and they must have non-forfeitable rights to benefits under the employer's retirement plan.
- 4. I am retired and have accumulated more than 15 years of law enforcement service. I do not collect a pension at this time but I am eligible for one and entitled to the benefits. Can I still be certified under LEOSA?** Yes. LEOSA specifies that eligible law enforcement retirees must have an aggregate of 15 or more years of service and have non-forfeitable rights to benefits under the employer's pension plan. The fact that you are not currently collecting those benefits is not a factor.
- 5. Can I carry a concealed firearm under a LEOSA Certificate in a bar or a casino?** No, you may not carry under a LEOSA Certificate in a bar or a casino. If you hold a Michigan Concealed Pistol License that designates you as exempt from pistol free zone restrictions, you may carry in a bar; however, you may not carry concealed weapons in a Michigan casino under a LEOSA Certificate or a Michigan Concealed Pistol License.
- 6. Can my former employer certify me under LEOSA, so that I don't have to go through the MCOLES process?** Yes. Law enforcement employers are allowed to certify their own retirees under LEOSA. They are not authorized to certify retirees from other agencies. It is recommended that agencies utilizing this option certify their employees to the MCOLES Active Duty Standard and comply with all provisions of LEOSA.
- 7. What am I obliged to do if I am stopped by a law enforcement officer while I'm carrying a concealed firearm under a LEOSA Certificate?** A certificate holder who is carrying a concealed firearm and who is stopped by a peace officer must immediately disclose to the peace officer that he or she is carrying a concealed firearm.

- 8. One of my ex-wives got a Michigan personal protection order against me. Am I still eligible to carry under LEOSA?** No. As long as the order is in effect, you are not eligible to carry under a LEOSA Certificate. If you are subject to a court order from any state that restrains you from harassing, stalking or threatening an intimate partner or the child of the intimate partner, or includes a finding that you represent a credible threat to the physical safety of an intimate partner or the partner's child, you are ineligible.
- 9. After I retired, I was convicted of misdemeanor drunk driving. Am I still eligible to carry under LEOSA?** Yes. LEOSA requires that Certificate holders are not prohibited by Federal law from receiving a firearm. Federal law restricts convicted felons, from certification under LEOSA. Generally speaking, misdemeanants are not restricted; however, persons who have been convicted of a misdemeanor crime of domestic violence are restricted. Federal law also restricts LEOSA certification of persons who are addicted to controlled substances, persons who have been adjudicated as having a mental disorder, and persons who were dishonorably discharged from the Armed Forces.
- 10. I live in Florida half of the year, but I still have my Michigan home. I want to get a LEOSA Certificate. Should I get it through the state of Florida or Michigan?** You must obtain your LEOSA Certificate in your state of residence. If you are licensing your automobile in Michigan and/or still maintain a Michigan driver license or a Michigan personal identification card, Michigan is your state of residence. If you do not possess a Michigan driver license or Michigan personal identification card, you are ineligible for LEOSA certification through the state of Michigan.
- 11. I have a lifetime concealed pistol license issued by the state of Indiana to retired law enforcement officers. I now live in Michigan. Do I need to obtain either a Michigan Concealed Pistol License (CPL) or a LEOSA Certificate in order to legally carry a concealed firearm?** Yes. As a Michigan resident, it would be necessary for you to obtain either the Michigan CPL or a LEOSA Certificate.
- 12. The agency that I retired from will not issue the letter that MCOLES requires to assure that I am a legitimate law enforcement retiree who is eligible for certification under LEOSA. Will MCOLES be able to certify me under LEOSA without the letter?** No. MCOLES cannot issue LEOSA certifications without the involvement of the retiree's former employer. This includes cases where the former employer is located in another state and the applicant now resides in Michigan.
- 13. The agency that I retired from is no longer in existence. What should I do?** For purposes of LEOSA certification, MCOLES will accept the MCOLES template letter from the local unit of government under which the former law enforcement agency existed, assuring that the retiree is a legitimate law enforcement retiree who is eligible for certification under LEOSA.
- 14. The agency I retired from issued me a retiree identification card. Do I need to carry this as well as the identification provided with the MCOLES issued LEOSA Certificate?** The MCOLES issued LEOSA Certificate is a plastic card with identification on the opposite side. This along with a Michigan driver license or Michigan personal identification card will suffice for purposes of carrying a concealed firearm under the LEOSA Certificate. The agency issued identification provides further verification of the retiree's status and is, therefore, advisable to carry.