

HOUSE BILL No. 4715

May 14, 2013, Introduced by Reps. Heise, Zorn and Kesto and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 224f (MCL 750.224f), as added by 1992 PA 217.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 224f. (1) Except as provided in subsection (2), a person
2 convicted of a felony shall not possess, use, transport, sell,
3 purchase, carry, ship, receive, or distribute a firearm **OR**
4 **AMMUNITION** in this state until the expiration of 3 years after all
5 of the following circumstances exist:

6 (a) The person has paid all fines imposed for the violation.

7 (b) The person has served all terms of imprisonment imposed
8 for the violation.

9 (c) The person has successfully completed all conditions of
10 probation or parole imposed for the violation.

1 (2) A person convicted of a specified felony shall not
2 possess, use, transport, sell, purchase, carry, ship, receive, or
3 distribute a firearm **OR AMMUNITION** in this state until all of the
4 following circumstances exist:

5 (a) The expiration of 5 years after all of the following
6 circumstances exist:

7 (i) The person has paid all fines imposed for the violation.

8 (ii) The person has served all terms of imprisonment imposed
9 for the violation.

10 (iii) The person has successfully completed all conditions of
11 probation or parole imposed for the violation.

12 (b) The person's right to possess, use, transport, sell,
13 purchase, carry, ship, receive, or distribute a firearm **OR**
14 **AMMUNITION** has been restored pursuant to ~~UNDER~~ section 4 of ~~Act No.~~
15 ~~372 of the Public Acts of 1927, being section 28.424 of the~~
16 ~~Michigan Compiled Laws-1927 PA 372, MCL 28.424.~~

17 (3) A person who possesses, uses, transports, sells,
18 purchases, carries, ships, receives, or distributes a firearm **OR**
19 **AMMUNITION** in violation of this section is guilty of a felony,
20 punishable by imprisonment for not more than 5 years, or a fine of
21 not more than \$5,000.00, or both.

22 (4) This section does not apply to a conviction that has been
23 expunged or set aside, or for which the person has been pardoned,
24 unless the expunction, order, or pardon expressly provides that the
25 person shall not possess a firearm **OR AMMUNITION**.

26 (5) As used in this section, "felony" means a violation of a
27 law of this state, or of another state, or of the United States

1 that is punishable by imprisonment for 4 years or more, or an
2 attempt to violate such a law.

3 (6) As used in subsection (2), "specified felony" means a
4 felony in which 1 or more of the following circumstances exist:

5 (A) ~~(i)~~—An element of that felony is the use, attempted use, or
6 threatened use of physical force against the person or property of
7 another, or that by its nature, involves a substantial risk that
8 physical force against the person or property of another may be
9 used in the course of committing the offense.

10 (B) ~~(ii)~~—An element of that felony is the unlawful manufacture,
11 possession, importation, exportation, distribution, or dispensing
12 of a controlled substance.

13 (C) ~~(iii)~~—An element of that felony is the unlawful possession
14 or distribution of a firearm.

15 (D) ~~(iv)~~—An element of that felony is the unlawful use of an
16 explosive.

17 (E) ~~(v)~~—The felony is burglary of an occupied dwelling, or
18 breaking and entering an occupied dwelling, or arson.