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RESTRICT GUNS FOR FELONS

House Bills 5399 and 5400
Sponsor: Rep. Perry Bullard
Committee: Judiciary

Complete to 1-27-92

A SUMMARY OF HOUSE BILLS 5399 and 5400 AS INTRODUCED 12-11-91

House Bill 5399 would amend the Michigan Penal Code MCL (750.222) et al. to prohibit a convicted felon from having any firearm or ammunition until the expiration of a period equal to three times the statutory maximum sentence that may be imposed for the crime the person committed. If the person was convicted of more than one crime arising out of the same transaction, the offense with the longest statutory maximum would be used for the calculation. If the person had previously been convicted of a felony, the firearm prohibition period would run consecutively to any period remaining for the prior conviction.

Violation of the prohibition against gun ownership would be a felony punishable by up to four years in prison, a fine of up to \$10,000, or both. A subsequent violation would be punishable by up to 10 years in prison, a fine of up to \$50,000 or both.

An existing prohibition against selling a firearm to a felon would be extended to apply to giving and lending a firearm; revised language would forbid providing a gun to someone the person knew was prohibited from having a gun due to a felony conviction. Violation of the prohibition on providing a gun would continue to be a felony punishable by imprisonment by up to ten years, a fine of up to \$5,000, or both.

House Bill 5400 would amend Public Act 372 of 1927 (MCL 28.422 and 28.429d) to forbid a handgun purchase permit from being issued to someone who was prohibited from having a firearm under the provisions of House Bill 5399. This provision would replace language added by Public Act 320 of 1990 that denies a handgun permit to a convicted felon, unless that conviction had been expunged, or the person had been pardoned, or the person had his or her civil rights restored.

Neither bill could take effect unless both were enacted.

House Bills 5399 and 5400 (1-27-92)