

Act No. 201
Public Acts of 2023
Approved by the Governor
November 20, 2023
Filed with the Secretary of State
November 20, 2023
EFFECTIVE DATE: February 13, 2024

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023**

**Introduced by Senators Chang, Bayer, Shink, Polehanki, Cavanagh, Moss, Wojno, Irwin,
McMorrow, Geiss, Anthony, Camilleri and McCann**

ENROLLED SENATE BILL No. 471

AN ACT to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 224f (MCL 750.224f), as amended by 2014 PA 4.

The People of the State of Michigan enact:

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

- (a) The person has paid all fines imposed for the violation.
- (b) The person has served all terms of imprisonment imposed for the violation.
- (c) The person has successfully completed all conditions of probation or parole imposed for the violation.

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

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

- (i) The person has paid all fines imposed for the violation.
- (ii) The person has served all terms of imprisonment imposed for the violation.
- (iii) The person has successfully completed all conditions of probation or parole imposed for the violation.

(b) The person’s right to possess, use, transport, sell, purchase, carry, ship, receive, or distribute a firearm has been restored under section 4 of 1927 PA 372, MCL 28.424.

(3) Except as provided in subsection (4), a person convicted of a felony shall not possess, use, transport, sell, carry, ship, or distribute ammunition in this state until the expiration of 3 years after all of the following circumstances exist:

- (a) The person has paid all fines imposed for the violation.
- (b) The person has served all terms of imprisonment imposed for the violation.

- (c) The person has successfully completed all conditions of probation or parole imposed for the violation.
- (4) A person convicted of a specified felony shall not possess, use, transport, sell, carry, ship, or distribute ammunition in this state until all of the following circumstances exist:
 - (a) The expiration of 5 years after all of the following circumstances exist:
 - (i) The person has paid all fines imposed for the violation.
 - (ii) The person has served all terms of imprisonment imposed for the violation.
 - (iii) The person has successfully completed all conditions of probation or parole imposed for the violation.
 - (b) The person's right to possess, use, transport, sell, purchase, carry, ship, receive, or distribute ammunition has been restored under section 4 of 1927 PA 372, MCL 28.424.
 - (5) A person convicted of a misdemeanor involving domestic violence shall not possess, use, transport, sell, purchase, carry, ship, receive, or distribute a firearm or ammunition in this state until the expiration of 8 years after all of the following circumstances exist:
 - (a) The person has paid all fines imposed for the violation.
 - (b) The person has served all terms of imprisonment imposed for the violation.
 - (c) The person has successfully completed all conditions of probation imposed for the violation.
 - (6) A person who possesses, uses, transports, sells, purchases, carries, ships, receives, or distributes a firearm in violation of this section is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$5,000.00, or both.
 - (7) A person who possesses, uses, transports, sells, carries, ships, or distributes ammunition in violation of this section is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$5,000.00, or both.
 - (8) Any single criminal transaction where a person possesses, uses, transports, sells, carries, ships, or distributes ammunition in violation of this section, regardless of the amount of ammunition involved, constitutes 1 offense.
 - (9) This section does not apply to a conviction that has been expunged or set aside, or for which the person has been pardoned, unless the expunction, order, or pardon expressly provides that the person shall not possess a firearm or ammunition.
 - (10) As used in this section:
 - (a) "Ammunition" means any projectile that, in its current state, may be expelled from a firearm by an explosive.
 - (b) "Felony" means a violation of a law of this state, or of another state, or of the United States that is punishable by imprisonment for a term exceeding 1 year, or an attempt to violate such a law.
 - (c) "Misdemeanor involving domestic violence" means a violation of any of the following:
 - (i) Section 81(2).
 - (ii) Section 81(4) if both the violation of section 81(4) and the previous conviction were for assaulting or assaulting and battering an individual described in section 81(2).
 - (iii) Section 81a(2).
 - (iv) Section 115(2).
 - (v) Section 145n(5).
 - (vi) Section 377a(1)(d) or (f).
 - (vii) Section 380(5) or (7).
 - (viii) Section 411h(2)(c).
 - (ix) Section 540e(1)(h).
 - (x) An ordinance, a law of another state, or a law of the United States that substantially corresponds to a violation listed in subparagraphs (i) to (ix).
 - (xi) An ordinance, a law of another state, or a law of the United States that is specifically designated as domestic violence.
 - (d) "Specified felony" means a felony in which 1 or more of the following circumstances exist:
 - (i) An element of that felony is the use, attempted use, or threatened use of physical force against the person or property of another, or that by its nature involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.
 - (ii) An element of that felony is the unlawful manufacture, possession, importation, exportation, distribution, or dispensing of a controlled substance.

- (iii) An element of that felony is the unlawful possession or distribution of a firearm.
- (iv) An element of that felony is the unlawful use of an explosive.
- (v) The felony is burglary of an occupied dwelling, breaking and entering an occupied dwelling, or arson.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 528 of the 102nd Legislature is enacted into law.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor

Compiler's note: Senate Bill No. 528, referred to in enacting section 1, was filed with the Secretary of State November 20, 2023, and became 2023 PA 199, Eff. Feb. 13, 2024.