

HOUSE BILL NO. 4497

April 24, 2019, Introduced by Reps. Rendon, Chirkun, Sowerby, Peterson, Cherry, Kuppa, Crawford, Hertel, Elder, Pagan, Warren, Brann and Hood and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 224g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 224g. (1) A person convicted of a misdemeanor crime of**
2 **domestic violence shall not possess, use, transport, sell,**
3 **purchase, carry, ship, receive, or distribute a firearm or**
4 **ammunition in this state.**



1 (2) A person who is subject to a court order issued under
2 section 2950 of the revised judicature act of 1961, 1961 PA 236,
3 MCL 600.2950, that contains the prohibition described under section
4 2950(30) of the revised judicature act of 1961, 1961 PA 236, MCL
5 600.2950, that was issued after a hearing of which the defendant
6 had actual notice and at which the defendant had an opportunity to
7 participate, shall not possess, use, transport, sell, purchase,
8 carry, ship, receive, or distribute a firearm or ammunition in this
9 state.

10 (3) A person who violates this section is guilty of a felony
11 punishable by not more than 5 years or a fine of not more than
12 \$5,000.00, or both.

13 (4) Subsection (1) does not apply to a conviction that has
14 been expunged or set aside, or for which the person has been
15 pardoned, unless the expunction, order, or pardon expressly
16 provides that the person shall not possess a firearm or ammunition.

17 (5) As used in this section:

18 (a) "Ammunition" means any projectile that, in its current
19 state, may be expelled from a firearm by an explosive.

20 (b) "Family or household member" means that term as defined in
21 section 1 of 1978 PA 389, MCL 400.1501.

22 (c) "Misdemeanor crime of domestic violence" means a
23 conviction for any of the following:

24 (i) A violation of section 81 if the violation was committed
25 against a family or household member.

26 (ii) Any other misdemeanor violation of the laws of this state,
27 a political subdivision of this state, or of the United States if
28 both of the following apply:

29 (A) The violation was committed against a family or household



1 member.

2 (B) The violation involved the use or attempted use of
3 physical force, or the threatened use of a deadly weapon.

4 Enacting section 1. This amendatory act takes effect 90 days
5 after the date it is enacted into law.

6 Enacting section 2. This amendatory act does not take effect
7 unless Senate Bill No. _____ or House Bill No. 4498 (request no.
8 02090'19) of the 100th Legislature is enacted into law.

