

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO SEXUAL AND VIOLENT
5 OFFENDERS; PROVIDING THAT INDIVIDUALS CONVICTED OF A CRIME REQUIRING THEM TO
6 REGISTER AS A SEXUAL OR VIOLENT OFFENDER ARE SUBJECT TO THE CRIME OF UNLAWFUL
7 POSSESSION OF A FIREARM BY A CONVICTED PERSON AND MAY NOT POSSESS FIREARMS; AND
8 AMENDING SECTION 45-8-313, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 45-8-313, MCA, is amended to read:

13 **"45-8-313. Unlawful possession of firearm by convicted person.** (1) A person commits the offense
14 of unlawful possession of a firearm by a convicted person if the person purposely or knowingly purchases or
15 possesses a firearm after the person has been convicted of:

- 16 (a) a felony for which the person received an additional sentence under 46-18-221; ~~or~~
- 17 (b) an offense under the law of another state or of the United States that is equivalent to an offense
- 18 that when committed in Montana is subject to an additional sentence under 46-18-221; or
- 19 (c) a felony for which the person was required to register for the sexual and violent offender registry.

20 (2) A person convicted of unlawful possession of a firearm by a convicted person shall be imprisoned
21 in a state prison for not less than 2 years or more than 10 years.

22 (3) A person who has been issued a permit under 45-8-314 may not be convicted of a violation of this
23 section."

24 - END -