

HOUSE BILL NO. 333

INTRODUCED BY B. USHER

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

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

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

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

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

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

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

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