

## **Restoring Your Right to Possess a Firearm After Being Convicted of a Felony**

If you have been convicted of a felony in Michigan, you automatically lose your right to possess, use, transport, sell, purchase, carry, ship, receive, or distribute a firearm under MCL 750.224f. You can get that right back if certain conditions are met. How long you have to wait and the procedure for getting this right restored depends on the type of felony you were convicted of.

### **Specified vs Non-Specified Felonies**

A felony means a violation or attempted violation of: any Michigan law, the law of another state, or any United States law that is punishable by at least four years imprisonment. For purpose of this statute there are two types of felonies: specified and non-specified.

#### **Specified Felony**

A specified felony means a felony in which one or more of the following exist:

- an element of the felony is 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.
- an element of the felony is the unlawful manufacture, possession, importation, exportation, distribution, or dispensing of a controlled substance
- an element of the felony is the unlawful possession or distribution of a firearm
- an element of the felony if the unlawful use of an explosive
- the felony is burglary of an occupied dwelling, or breaking and entering an occupied dwelling, or arson

#### **Non-specified Felony**

A non-specified felony is any other felony that is not a specified felony.

#### **Firearm Restoration After a Non-specified Felony**

If you have been convicted of a non-specified felony your right to possess a firearm will automatically be re-instated three years after the following conditions are met:

- 1) all fines imposed for the violation have been paid
- 2) all terms of imprisonment, if any, have been served
- 3) probation or parole for the offense has been successfully completed

The three-year clock starts ticking once the final condition of your sentence has been met.

### **Firearm Restoration After a Specified Felony**

If you have been convicted of a specified felony, your rights will be restored when the concealed weapons licensing board in the county you reside grants your application for firearm rights restoration AND at least five years have passed since the following conditions were met:

- 1) all fines imposed for the violation have been paid
- 2) all terms of imprisonment, if any, have been served
- 3) probation or parole for the offense has been successfully completed

### **Applying to the Concealed Weapons Licensing Board**

For specified felonies you must apply to have your firearm rights re-instated to the concealed weapons licensing board no earlier than five years after the final condition of your sentence has been met. No more than one application per calendar year can be submitted.

For the board to grant your application, you must convince them by clear and convincing evidence of all of the following:

- 1) you properly submitted your application for restoration
- 2) you successfully completed all terms of your sentence and at least five years has passed since the last condition of your sentence was met
- 3) your record and reputation are such that you are not likely to act in a manner that is dangerous to the safety of others

If the licensing board denies your application, you may appeal its decision to the circuit court for review of that decision.