

Michigan Domestic Violence Firearm Ban

Overview

On November 20, 2023, Michigan updated its criminal code to prevent individuals convicted of misdemeanor domestic violence from possessing, using, transporting, selling, purchasing, carrying, shipping, receiving or distributing firearms or ammunition.

The ban lasts for 8 years after:

- Any and all fines related to the crime are paid
- Any and all jailtime related to the crime is served
- Any probation related to the crime is completed

Those convicted of felony domestic violence were already prohibited under Michigan law from obtaining firearms or ammunition for 3-5 years after completing their sentence. Those convicted of misdemeanor domestic violence at the **federal** level, which includes the use or attempted use of physical force or the threatened use of a deadly weapon, may be subject to a lifetime restriction on having a firearm. If were convicted of misdemeanor crime of domestic violence that includes the use or attempted use of physical force, or the threatened use of a deadly weapon, you may be subject to a lifetime restriction on having a gun under federal law. (18 U.S.C. §922(g)(9))

Definitions

Domestic violence misdemeanors are offences against:

- A current spouse
- A former spouse
- A current or former household member
- A current or former dating partner
- A co-parent

Domestic violence misdemeanors can include:

- Assault
- Trespassing or breaking and entering property
- Vulnerable adult abuse
- Purposeful destruction of personal property
- Stalking
- Telephone harassment

Penalties

It is a felony for someone convicted of misdemeanor or felony domestic violence to possess a firearm before the ban is lifted, punishable by jailtime for up to 5 years or a fine of up to \$5,000, or both.

For more information, email firearminjuryprevention@umich.edu or visit firearminjury.umich.edu

Enrolled House Bill No. 4945. (2023, Nov 20). State of Michigan 102nd Legislature. Retrieved February 7, 2024, from <https://www.legislature.mi.gov/documents/2023-2024/publicact/pdf/2023-PA-0200.pdf>

Enrolled Senate Bill No. 471. (2023, Nov 20). State of Michigan 102nd Legislature. Retrieved February 7, 2024, from <https://www.legislature.mi.gov/documents/2023-2024/billanalysis/LSB/pdf/2023-LSB-0471-A.pdf>

Enrolled Senate Bill No. 528. (2023, Nov 20). State of Michigan 102nd Legislature. Retrieved February 7, 2024, from <https://www.legislature.mi.gov/documents/2023-2024/publicact/pdf/2023-PA-0199.pdf>

