

## Anabella Mayorga

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**From:** slwhiteley@aol.com  
**Sent:** Monday, March 24, 2025 6:59 PM  
**To:** House Judiciary Committee  
**Subject:** Oppose House Bill H5891

**Follow Up Flag:** Follow up  
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To: House Judiciary Committee in opposition to House Bill H5891.

Not all felony offenders are violent offenders. Not all felony offenses are violent offenses. Some felony offenders who have their civil rights restored (the right to vote, sit on a jury, and hold public office) may have a pathway to restore their 2<sup>nd</sup> Amendment Rights under certain exceptions. See ATF form 4773 Instructions that detail these EXCEPTIONS.

If this bill passes then any non-violent felony offender in this state who has had their civil rights restored would not have a pathway to restore their 2<sup>nd</sup> Amendment rights under the civil rights restoration EXCEPTION because this bill will make **all** felony offenders prohibited persons. Not all felony offenders are bad people and they should have a second chance. How would this affect a non-violent felony offender who may have already had their civil and firearms rights restored and then legally purchased a firearm?

(See ATF form 4773 Instructions that state these **EXCEPTIONS**):

### Questions 21.c. - 21.m. Prohibited Persons:

**EXCEPTION:** A person is not prohibited from receiving or possessing a firearm if that person: (1) has been convicted of any Federal or State offense pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices; (2) has been convicted of a State misdemeanor punishable by imprisonment of two years or less; or (3) following conviction of a felony or other crime for which the judge could have imprisoned the person for more than one year, or a misdemeanor crime of domestic violence, has received a pardon, an expungement or set aside of the conviction, or has lost and regained civil rights (the right to vote, sit on a jury, and hold public office) in the jurisdiction in which the conviction occurred, **AND** the law of the convicting jurisdiction does not prohibit the person from receiving or possessing firearms.

Also, a person who has no more than one conviction of a misdemeanor crime of domestic violence against an individual in a dating relationship, and is not otherwise prohibited under this chapter, is not prohibited if 5 years have elapsed from conviction or completion of the person's custodial or supervisory sentence, whichever occurs later, and the person has not subsequently been convicted of any other misdemeanor crime of violence, or any other offense that would disqualify the person under 18 U.S.C. § 922(g). A person subject to any of these exceptions, or who received relief from disabilities under 18 U.S.C. § 925(c), should answer "no" to the applicable question.

Sharon Whiteley