

HB 485 -- Unlawful Possession or Use of a Firearm During a Felony

Sponsor: Hinson

This bill specifies that a person who is found guilty or pleads guilty or nolo contendere to a prior felony offense and who commits a subsequent felony offense in which the person possesses, displays, brandishes, threatens to use, attempts to use, or discharges any firearm will be guilty of the offense of unlawful possession or use of a firearm during the commission of a felony. The offense will be in addition to and not in lieu of any underlying felony offense or other offense for which the person may be charged.

The bill specifies that a person who commits the offense by possessing a firearm during the commission of a felony will be subject to 10 years imprisonment; by displaying, brandishing, threatening to use, or attempting to use a firearm during the commission of a felony will be subject to 20 years imprisonment; and by discharging a firearm during the commission of a felony will be subject to a term of life imprisonment. The terms of imprisonment must be imposed consecutively to any other terms of imprisonment imposed for any other felony offense.

The bill exempts law enforcement officers or United States military personnel who are performing their lawful duties or who are traveling to or from their places of employment or assignment from these provisions.