

**Appendix**  
**Possession of a Firearm by a**  
**Convicted Criminal**

<b>Jurisdiction</b>	<b>Statutory Prohibition</b>	<b>Prior Conviction Is an Element</b>
<b>AL</b>	Ala. Code § 13A-11-72(a)	<i>Anderson v. State</i> , 886 So. 2d 895, 897 (Ala. Crim. App. 2003)
<b>AK</b>	Alaska Stat. § 11.61.200(a)(1)	<i>Mead v. State</i> , 445 P.2d 229, 234 (Alaska 1968)
<b>AZ</b>	Ariz. Rev. Stat. § 13-3101(A)(1), (7)	<i>State v. Burns</i> , 344 P.3d 303, 316 (Ariz. 2015)
<b>AR</b>	Ark. Code Ann. § 5-73-103(a)(1)	<i>Ferrell v. State</i> , 810 S.W.2d 29, 30–31 (Ark. 1991)
<b>CA</b>	Cal. Penal Code § 29800(a)(1)	<i>People v. Cunningham</i> , 25 P.3d 519, 556–58 (Cal. 2001)

<b>Jurisdiction</b>	<b>Statutory Prohibition</b>	<b>Prior Conviction Is an Element</b>
<b>CO</b>	Colo. Rev. Stat. § 18-12-108(1)	<i>People v. Fullerton</i> , 525 P.2d 1166, 1167–68 (Colo. 1974)
<b>CT</b>	Conn. Gen. Stat. § 53a-217(a)(1)	<i>State v. Knight</i> , 835 A.2d 47, 54 (Conn. 2003)
<b>DE</b>	Del. Code Ann. tit. 11, § 1448(a)–(b)	<i>Lewis v. State</i> , 144 A.3d 1109, 1116 & nn.17–18 (Del. 2016)
<b>D.C.</b>	D.C. Code § 22-4503(a)(1)	<i>Williams v. United States</i> , 75 A.3d 217, 221 (D.C. 2013)
<b>FL</b>	Fla. Stat. § 790.23(1)	<i>State v. Vazquez</i> , 419 So. 2d 1088, 1090 (Fla. 1982)
<b>GA</b>	Ga. Code Ann. § 16-11-131(b)	<i>Senior v. State</i> , 626 S.E.2d 169, 169–70 (Ga. Ct. App. 2006)

<b>Jurisdiction</b>	<b>Statutory Prohibition</b>	<b>Prior Conviction Is an Element</b>
<b>HI</b>	Haw. Rev. Stat. § 134-7(b)	<i>State v. Olivera</i> , 555 P.2d 1199, 1203–04 (Haw. 1976)
<b>ID</b>	Idaho Code Ann. § 18-3316	<i>State v. Cook</i> , 144 P.3d 28, 32–33 (Idaho Ct. App. 2006)
<b>IL</b>	720 Ill. Comp. Stat. 5/24-1.1(a)	<i>People v. Walker</i> , 812 N.E.2d 339, 350 (Ill. 2004)
<b>IN</b>	Ind. Code § 35-47-4-5	<i>Russell v. State</i> , 997 N.E.2d 351, 354 & n.1 (Ind. 2013)
<b>IA</b>	Iowa Code § 724.26(1)	<i>State v. Owens</i> , 635 N.W.2d 478, 483–84 (Iowa 2001)
<b>KS</b>	Kan. Stat. Ann. § 21-6304(a)	<i>State v. Denney</i> , 905 P.2d 657, 660 (Kan. 1995)

<b>Jurisdiction</b>	<b>Statutory Prohibition</b>	<b>Prior Conviction Is an Element</b>
<b>KY</b>	Ky. Rev. Stat. Ann. § 527.040(1)	<i>Wallace v. Commonwealth</i> , 478 S.W.3d 231, 305 (Ky. 2015)
<b>LA</b>	La. Stat. Ann. § 14:95.1(A)	<i>State v. Ball</i> , 756 So. 2d 275, 277 (La. 1999)
<b>ME</b>	Me. Rev. Stat. Ann. tit. 15, § 393	<i>State v. Witham</i> , 544 A.2d 329, 330 (Me. 1988)
<b>MD</b>	Md. Code Ann., Pub. Safety § 5-133(c)(1)	<i>Carter v. State</i> , 824 A.2d 123, 140–41 (Md. 2003)
<b>MA</b>	Mass. Gen. Laws Ann. ch. 140, §§ 129B(1)(i) (A), 129C	
<b>MI</b>	Mich. Comp. Laws § 750.224f	<i>People v. Bass</i> , 893 N.W.2d 140, 158 (Mich. Ct. App. 2016)

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<b>Jurisdiction</b>	<b>Statutory Prohibition</b>	<b>Prior Conviction Is an Element</b>
<b>MN</b>	Minn. Stat. § 624.713, subd. 1(10)(i)	<i>State v. Moore</i> , 274 N.W.2d 505, 507 (Minn. 1979)
<b>MS</b>	Miss. Code Ann. § 97-37-5(1)	<i>Evans v. State</i> , 802 So. 2d 137, 140 (Miss. Ct. App. 2001)
<b>MO</b>	Mo. Rev. Stat. § 571.070	<i>State v. Cook</i> , 673 S.W.2d 469, 471 (Mo. Ct. App. 1984)
<b>MT</b>	Mont. Code Ann. § 45-8-313(1)	
<b>NE</b>	Neb. Rev. Stat. § 28-1206(1)(a)(i)	<i>State v. Castor</i> , 599 N.W.2d 201, 218 (Neb. 1999)
<b>NV</b>	Nev. Rev. Stat. § 202.360(1)(b)	<i>Brown v. State</i> , 967 P.2d 1126, 1131 (Nev. 1998)

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<b>Jurisdiction</b>	<b>Statutory Prohibition</b>	<b>Prior Conviction Is an Element</b>
<b>NH</b>	N.H. Rev. Stat. Ann. § 159:3(I)	<i>State v. Young</i> , 986 A.2d 497, 504 (N.H. 2009)
<b>NJ</b>	N.J. Stat. Ann. § 2C:39-7(b)	<i>State v. Brown</i> , 853 A.2d 260, 263 (N.J. 2004)
<b>NM</b>	N.M. Stat. Ann. § 30-7-16(A)	<i>State v. Lopez</i> , 993 P.2d 767, 769 (N.M. Ct. App. 1999)
<b>NY</b>	N.Y. Penal Law § 265.02[1]	<i>People v. Ramos</i> , 20 N.Y.S.3d 183, 185 (N.Y. App. Div. 2015)
<b>NC</b>	N.C. Gen. Stat. Ann. § 14-415.1(a)	<i>State v. Mitchell</i> , 735 S.E.2d 438, 442 (N.C. Ct. App. 2012)
<b>ND</b>	N.D. Cent. Code § 62.1-02-01(1)(a)	<i>State v. Buccholz</i> , 692 N.W.2d 105, 106–07 (N.D. 2005)

<b>Jurisdiction</b>	<b>Statutory Prohibition</b>	<b>Prior Conviction Is an Element</b>
<b>OH</b>	Ohio Rev. Code Ann. § 2923.13(A) (2)–(3)	<i>State v. Creech</i> , 84 N.E.3d 981, 989–90 (Ohio 2016)
<b>OK</b>	Okla. Stat. Ann. tit. 21, § 1283(A)	<i>Williams v. State</i> , 794 P.2d 759, 762–63 (Okla. Crim. App. 1990)
<b>OR</b>	Or. Rev. Stat. Ann. § 166.270(1)	<i>State v. Rainoldi</i> , 268 P.3d 568, 574 (Or. 2011)
<b>PA</b>	18 Pa. Cons. Stat. § 6105(a)(1), (b)	<i>Commonwealth v. Jemison</i> , 98 A.3d 1254, 1261 (Pa. 2014)
<b>RI</b>	R.I. Gen. Laws § 11-47-5(a)(1)	
<b>SC</b>	S.C. Code Ann. § 16-23-500 (A)	

<b>Jurisdiction</b>	<b>Statutory Prohibition</b>	<b>Prior Conviction Is an Element</b>
<b>SD</b>	S.D. Codified Laws § 22-14-15	<i>State v. Alexander</i> , 286 N.W.2d 520, 522–23 (S.D. 1979)
<b>TN</b>	Tenn. Code Ann. § 39-17-1307(b)(1)	<i>State v. Foust</i> , 482 S.W.3d 20, 46–47 (Tenn. Crim. App. 2015)
<b>TX</b>	Tex. Penal Code Ann. § 3.02(a)	<i>Cuellar v. State</i> , 70 S.W.3d 815, 820 (Tex. Crim. App. 2002)
<b>UT</b>	Utah Code Ann. § 76-10-503	<i>State v. Higginbotham</i> , 917 P.2d 545, 550 (Utah 1996)
<b>VT</b>	13 Vt. Stat. Ann. § 4017	
<b>VA</b>	Va. Code Ann. § 18.2-308.2(A)(i)	<i>Perez v. Commonwealth</i> , 652 S.E.2d 95, 97–98 (Va. 2007)



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<b>Jurisdiction</b>	<b>Statutory Prohibition</b>	<b>Prior Conviction Is an Element</b>
<b>WA</b>	Wash. Rev. Code § 9.41.040(1)	<i>State v. Tully</i> , 89 P.2d 517, 518 (Wash. 1939)
<b>WV</b>	W. Va. Code § 61-7-7(a)(1)	<i>State v. Herbert</i> , 767 S.E.2d 471, 489 (W. Va. 2014)
<b>WI</b>	Wis. Stat. § 941.29(1m)(a)–(b)	<i>State v. Gibson</i> , 618 N.W.2d 248, 250 (Wis. Ct. App. 2000)
<b>WY</b>	Wyo. Stat. Ann. § 6-8-102(a)	<i>Poole v. State</i> , 152 P.3d 412, 414 (Wyo. 2007)