

Armed Career Criminal Act
(as of Jan. 1, 2016)

18 U.S.C. § 924(e)

(1) In the case of a person who violates [section 922\(g\) of this title](#) and has three previous convictions by any court referred to in [section 922\(g\)\(1\) of this title](#) for a violent felony or a serious drug offense, or both, committed on occasions different from one another, such person shall be fined under this title and imprisoned not less than fifteen years, and, notwithstanding any other provision of law, the court shall not suspend the sentence of, or grant a probationary sentence to, such person with respect to the conviction under section 922(g).

(2) As used in this subsection—

(A) the term “serious drug offense” means—

(i) an offense under the Controlled Substances Act ([21 U.S.C. 801](#) et seq.), the Controlled Substances Import and Export Act ([21 U.S.C. 951](#) et seq.), or [chapter 705 of title 46](#) for which a maximum term of imprisonment of ten years or more is prescribed by law; or

(ii) an offense under State law, involving manufacturing, distributing, or possessing with intent to manufacture or distribute, a controlled substance (as defined in section 102 of the Controlled Substances Act ([21 U.S.C. 802](#))), for which a maximum term of imprisonment of ten years or more is prescribed by law;

(B) the term “violent felony” means any crime punishable by imprisonment for a term exceeding one year, or any act of juvenile delinquency involving the use or carrying of a firearm, knife, or destructive device that would be punishable by imprisonment for such term if committed by an adult, that—

- (i) has as an element the use, attempted use, or threatened use of physical force against the person of another; or
 - (ii) is burglary, arson, or extortion, involves use of explosives, ~~or otherwise involves conduct that presents a serious potential risk of physical injury to another~~; and
- (C) the term "conviction" includes a finding that a person has committed an act of juvenile delinquency involving a violent felony.

Note: The crossed-out language in red was declared to be unconstitutional by the Supreme Court of the United States in [*Johnson v. United States*](#), 576 U.S. ---, 135 S. Ct. 2551 (2015).