

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1503

By: Representative Harris

By: Senator Irvin

For An Act To Be Entitled

AN ACT CREATING THE OFFENSE OF UNLAWFUL PROCUREMENT
OF A FIREARM OR AMMUNITION; AND FOR OTHER PURPOSES.

Subtitle

CREATING THE OFFENSE OF UNLAWFUL
PROCUREMENT OF A FIREARM OR AMMUNITION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 5, Chapter 73, Subchapter 1, is amended to add a new section to read as follows:

5-73-111. Unlawful procurement of a firearm.

(a) As used in this section:

(1) "Ammunition" means any cartridge, shell, or projectile designed for use in a firearm;

(2) "False information" means information that portrays an unlawful transaction as lawful or a lawful transaction as unlawful;

(3) "Licensed dealer" means a person who is licensed under 18 U.S.C. § 923, as it existed on January 1, 2013, to engage in the business of dealing in firearms; and

(4) "Private seller" means a person other than a licensed dealer who sells or offers for sale a firearm or ammunition.

(b) A person commits the offense of unlawful procurement of a firearm or ammunition if he or she knowingly:

(1) Solicits, persuades, encourages, or entices a licensed dealer or private seller to transfer a firearm or ammunition under unlawful



circumstances; or

(2) Provides false information to a licensed dealer or private seller with a purpose to deceive the licensed dealer or private seller concerning the lawfulness of a transfer of a firearm or ammunition.

(c) It is a defense to prosecution under this section if the person is:

(1) A law enforcement officer acting in his or her official capacity; or

(2) Acting at the direction of a law enforcement officer.

(d) Unlawful procurement of a firearm or ammunition is a Class D felony.