4/30 2:09P

Chapter No. 494
12/HR07/R1128SG
KB / DW

HOUSE BILL NO. 353

Originated in House _____ Clerk

HOUSE BILL NO. 353

AN ACT TO CREATE THE FELONY OFFENSE OF KNOWINGLY DECEIVING A LICENSED FIREARMS DEALER REGARDING FIREARM PURCHASES; TO PROVIDE PENALTIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. This act shall be known and may be cited as the "Honesty in Purchasing Firearms Act."

SECTION 2. (1) For purposes of this section:

(a) "Licensed dealer" means a person who is licensed pursuant to 18 USCS, Section 923, to engage in the business of dealing in firearms.

(b) "Private seller" means a person who sells or offers for sale any firearm or ammunition.

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

(d) "Materially false information" means information that portrays an illegal transaction as legal or a legal transaction as illegal.

SECTION 3. (1) Any person who knowingly solicits, persuades, encourages or entices a licensed dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances which the person knows would violate the laws of this state or the United States is guilty of a felony.

(2) Any person who provides to a licensed dealer or private seller of firearms or ammunition what the person knows to be materially false information with intent to deceive the dealer or

seller about the legality of a transfer of a firearm or ammunition is guilty of a felony.

(3) Any person found guilty of violating the provisions of this section shall be punished by a fine not exceeding Five Thousand Dollars ($5,000.00) or imprisoned in the custody of the Department of Corrections for not more than three (3) years, or both.

(4) This section does not apply to a law enforcement officer acting in the officer's official capacity or to a person acting at the direction of a law enforcement officer.

SECTION 4. This act shall take effect and be in force from and after July 1, 2012.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 14, 2012

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
April 11, 2012

PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

GOVERNOR
4/30/12 7pm