

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1503

5 By: Representative Harris
6 By: Senator Irvin
7

For An Act To Be Entitled

9 AN ACT CREATING THE OFFENSE OF UNLAWFUL PROCUREMENT
10 OF A FIREARM OR AMMUNITION; AND FOR OTHER PURPOSES.
11

Subtitle

14 CREATING THE OFFENSE OF UNLAWFUL
15 PROCUREMENT OF A FIREARM OR AMMUNITION.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 5, Chapter 73, Subchapter 1, is amended
21 to add a new section to read as follows:

22 5-73-111. Unlawful procurement of a firearm.

23 (a) As used in this section:

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

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

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

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

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

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



1 circumstances; or

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

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

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

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

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

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14 **APPROVED: 03/26/2013**
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