

By: Representative Denny

To: Judiciary B

HOUSE BILL NO. 353
(As Sent to Governor)

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

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

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

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

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

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

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

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

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

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



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

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

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

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

