

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 436, Page 4, Section 1.320, Line 93, by  
2 inserting after all of said line the following:

3 "571.063. 1. As used in this section the following terms shall mean:

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

5 (2) "Licensed dealer", a person who is licensed under 18 U.S.C. Section 923 to engage in the  
6 business of dealing in firearms;

7 (3) "Materially false information", any information that portrays an illegal transaction as  
8 legal or a legal transaction as illegal;

9 (4) "Private seller", a person who sells or offers for sale any firearm, as defined in section  
10 571.010, or ammunition;

11 (5) "Private transaction" a transaction to sell or transfer ownership of a firearm or  
12 ammunition between a person and his or her relative or friend.

13 2. A person commits the crime of fraudulent purchase of a firearm if such person:

14 (1) Knowingly solicits, persuades, encourages or entices a licensed dealer or private seller of  
15 firearms or ammunition to transfer a firearm or ammunition under circumstances which the person  
16 knows would violate the laws of this state or the United States; or

17 (2) Provides to a licensed dealer or private seller of firearms or ammunition what the person  
18 knows to be materially false information with intent to deceive the dealer or seller about the legality  
19 of a transfer of a firearm or ammunition; or

20 (3) Willfully procures another to violate the provisions of subdivision (1) or (2) of this  
21 subsection.

22 3. Any person, who is not a licensed dealer, engaged in a private transaction shall be exempt  
23 from the national instant criminal background check system requirements of federal law.

24 4. Fraudulent purchase of a firearm is a class D felony.

25 [4.] 5. This section shall not apply to criminal investigations conducted by the United States  
26 Bureau of Alcohol, Tobacco, Firearms and Explosives, authorized agents of such investigations, or  
27 to a peace officer, as defined in section 542.261, acting at the explicit direction of the United States  
28 Bureau of Alcohol, Tobacco, Firearms and Explosives."; and

29  
30 Further amend said bill by amending the title, enacting clause, and intersectional references  
31 accordingly.

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Action Taken \_\_\_\_\_ Date \_\_\_\_\_