

HB 2221 -- GUN TRAFFICKING

SPONSOR: Peters

This bill specifies that a person commits the offense of gun trafficking, a class B felony, if he or she:

- (1) Purchases, attempts to purchase, or transfers a firearm with the intent to deliver the firearm to another person who the transferor knows or has reasonable cause to believe is prohibited by federal or state law from possessing a firearm;
- (2) In purchasing, attempting to purchase, or transferring a firearm, intentionally provides false or misleading material information; or
- (3) Knowingly directs, promotes, or facilitates conduct that violates these provisions.

These provisions do not apply to a firearm that is:

- (1) Lawfully acquired by a person to be given to another person not prohibited from possessing a firearm under federal or state law as a gift; or
- (2) Lawfully received or otherwise acquired by a court-appointed trustee, receiver, or conservator for or on behalf of an estate or creditor or by a person to carry out a bequest or an acquisition by intestate succession under the laws of this state.

If a violation of these provisions is committed by a person in concert with five or more other persons with respect to whom the person occupies a position of organizer, a supervisory position, or any other position of management, the person may be sentenced to an additional term of imprisonment of not more than five consecutive years.

Any person who conspires to commit an offense described in these provisions is guilty of a class C felony.