

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 856

6 By: Russell

7 COMMITTEE SUBSTITUTE

8 An Act relating to firearm transactions; defining
9 terms; making certain conduct between persons and
10 licensed dealers or private sellers unlawful;
11 providing applicability to other persons under
12 certain circumstances; providing exception; providing
13 penalties; providing for codification; and providing
14 an effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1289.28 of Title 21, unless
18 there is created a duplication in numbering, reads as follows:

19 A. For purposes of this section:

20 1. "Licensed dealer" means a person who is licensed pursuant to
21 18 U.S.C., Section 923 and pursuant to any laws of this state and
22 engages in the business of dealing in firearms;

23 2. "Private seller" means a person who sells or offers for sale
24 any firearm, as defined by the laws of this state, or ammunition;

1 3. "Ammunition" means any cartridge, shell, or projectile
2 designed for use in a firearm; and

3 4. "Materially false information" means information that
4 portrays an illegal transaction as legal or a legal transaction as
5 illegal.

6 B. Any person, who knowingly solicits, persuades, encourages or
7 entices a licensed dealer or private seller of firearms or
8 ammunition to transfer a firearm or ammunition under circumstances
9 which the person knows would violate the laws of this state or the
10 United States is guilty of a felony.

11 C. Any person who provides to a licensed dealer or private
12 seller of firearms or ammunition what the person knows to be
13 materially false information with intent to deceive the dealer or
14 seller about the legality of a transfer of a firearm or ammunition
15 is guilty of a felony.

16 D. Any person who willfully procures another to engage in
17 conduct prohibited by this section shall be held accountable as a
18 principal.

19 E. This section does not apply to a law enforcement officer
20 acting in his or her official capacity or to a person acting at the
21 direction of such law enforcement officer.

22 F. A violation of this section is punishable by a fine not to
23 exceed Five Thousand Dollars (\$5,000.00), a term of imprisonment in
24

1 the custody of the Department of Corrections not to exceed five (5)
2 years, or by both fine and imprisonment.

3 SECTION 2. This act shall become effective November 1, 2011.

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