HOUSE BILL No. 2427

By Representatives O'Brien, Goodman and J. Kelly

AN ACT concerning crimes and punishment; relating to entrapment of firearms dealers.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) For purposes of this section:
1. "Licensed dealer" means a person who is licensed pursuant to 18 U.S.C., § 923 and pursuant to any laws of this state and engages in the business of dealing in firearms;
2. "private seller" means a person who sells or offers for sale any firearm, as defined by the laws of this state, or ammunition;
3. "ammunition" means any cartridge, shell, or projectile designed for use in a firearm; and
4. "materially false information" means information that portrays an illegal transaction as legal or legal transaction as illegal.

(b) Any person, who knowingly solicits, persuades, encourages or entices a licensed dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances which the person knows would violate the laws of this state or the United States is guilty of a severity level 10, nonperson felony.

(c) Any person who provides to a licensed dealer or private seller of firearms or ammunition what the person knows to be a materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm or ammunition is guilty of a severity level 10, nonperson felony.

(d) Any person who willfully procures another to engage in conduct prohibited by this section shall be guilty of a severity level 10, nonperson felony.

(e) This section shall not apply to a law enforcement officer acting in such officer's official capacity or to a person acting at the direction of the law enforcement officer.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.