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Yearick; Sens. Bonini, Bushweller, Cloutier, Delcollo,
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Marshall, McBride, Pettyjohn, Poore, Richardson,
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HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 174

AN ACT TO AMEND TITLE 11 RELATING TO ILLEGAL PURCHASES OF FIREARMS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 1455, Title 11 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows:

3 § 1455. Engaging in a firearms transaction on behalf of another; class F felony; class C felony.

4 A person is guilty of engaging in a firearms transaction on behalf of another when the person purchases or obtains
5 a firearm on behalf of a person not qualified to legally purchase, own or possess a firearm in this State or for the purpose of
6 selling, giving or otherwise transferring a firearm to a person not legally qualified to purchase, own or possess a firearm in
7 this State.

8 Engaging in a firearms transaction on behalf of another is a class ~~F~~E felony for the first offense, and a class C
9 felony for each subsequent like offense.

SYNOPSIS

This Act raises the first offense of purchasing or obtaining a firearm for someone not legally qualified to own, possess or purchase one from a Class F to a Class E Felony. This change is to deter such "straw purchases" by making jail time more likely for the offender, and consequently, to reduce the number of people who cannot legally possess firearms but obtain them in this manner.