

**§394. Prohibited sale or transfer of firearms to certain persons**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Antique firearm" means any of the following:

- (1) A firearm manufactured in or before 1898, including a firearm with a matchlock, flintlock, percussion cap or similar type of ignition system;
- (2) A replica of a firearm described in subparagraph (1), if that replica:
  - (a) Is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; or
  - (b) Uses rimfire or conventional centerfire fixed ammunition that is no longer manufactured in the United States and that is not readily available in the ordinary channels of commercial trade; or
- (3) A muzzle-loading firearm, as defined in Title 12, section 10001, subsection 42.

"Antique firearm" does not include a firearm or a muzzle-loading firearm that can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock or any combination of the barrel, bolt or breechblock. [PL 2023, c. 305, §1 (NEW).]

B. "Firearm" has the same meaning as in Title 17-A, section 2, subsection 12-A. [PL 2023, c. 305, §1 (NEW).]

C. "Sell" has the same meaning as in Title 17-A, section 554-A, subsection 1, paragraph C. [PL 2023, c. 305, §1 (NEW).]

D. "Transfer" has the same meaning as in Title 17-A, section 554-A, subsection 1, paragraph A. [PL 2023, c. 305, §1 (NEW).]

[PL 2023, c. 305, §1 (NEW).]

**2. Sale or transfer prohibited.** A person may not knowingly or intentionally sell or transfer a firearm to a person who is prohibited from owning, possessing or having under that person's control a firearm pursuant to section 393 and who does not have a permit issued under section 393. This subsection does not apply to the sale or transfer of an antique firearm.

Violation of this subsection is a Class D crime.

[PL 2023, c. 305, §1 (NEW).]

**SECTION HISTORY**

PL 2023, c. 305, §1 (NEW).

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