

Cherokee Nation Code Annotated
Title 21: Crimes and Punishments
Part VI. Crimes Against Public Peace
Chapter 53: Manufacturing, Selling and Wearing Weapons
§ 1289.28. Definitions—Illegal transfer of a firearm

Cite as: 21 CNCA § 1289.28

A. For purposes of this section:

1. "Licensed dealer" means a person who is licensed pursuant to 18 U.S.C., Section 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 a 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 felony.

C. Any person who provides to a licensed dealer or private seller of firearms or ammunition what the person knows to be 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 felony.

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

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

F. A violation of this section is punishable by a fine not to exceed Fifteen Thousand Dollars (\$15,000.00), or by a term of imprisonment not to exceed three (3) years, or by both such fine and imprisonment.

Historical Data

LA 28-20, eff. December 14, 2020.