

March 23, 2011

## Special Bulletin from NASGW

### **Limitations on Sale of Ammunition**

*The Association office has been requested to obtain information on the current limitations of sale of **ammunition** to certain individuals, chief among those are persons convicted of a felony.*

*If an individual has been denied or is prohibited from receiving or possessing a firearm, that person is also **not** allowed to receive or possess ammunition. This prohibition has existed since 1968, and includes situations where retailers have reason to believe the individual has been convicted of a felony.*

*In a discussion with ATF, we posed the question of family members purchasing ammunition where a convicted felon also resides. It is lawful for a family member to purchase ammunition for him/herself provided the convicted felon does **NOT** have any ability to access the ammunition, i.e. the ammo is securely locked, and not in plain sight.*

#### **Exception:**

**Black Powder:** *Felons can lawfully purchase up to 50 pounds of commercially manufactured black powder intended to be used solely for sporting, recreational, or cultural purposes in antique firearms or antique devices. If a dealer or distributor knows that the black powder will be used for purposes other those outlined above, (“solely for sporting, recreational or cultural purposes in antique firearms...”), the company is prohibited from selling the powder to that individual.*

***For your convenience we have attached the appropriate sections of the statute and regulations.***

## **Definition of a Felony**

In general, a felony is an offense for which a sentence to a term of imprisonment in excess of one year is authorized. Felonies are serious crimes, such as murder, rape, or burglary, punishable by a harsher sentence than that given for a misdemeanor.

The sentence for a felony under state law will generally be served in a state prison, since a year or less can be served in county jail. However, a sentence upon conviction for a felony may sometimes be less than one year at the discretion of the judge and within limits set by statute.

Felonies may be classified by level of seriousness. More serious felonies carry harsher penalties. The classification of felonies varies by jurisdiction and crime. Typically, when felonies are classified into categories, a Class A felony is more severely punished than lower level Class B and even lower level Class C felonies. The statute of limitations varies by jurisdiction and type of felony.

**Source:**



## **Statute and Regulation References:**

### **Federal Firearms Regulations Reference Guide (2005):**

*Title 18, United States Code (U.S.C.), Sections 922(d)(1) – (d)(9); 922(n)*

*Title 18, United States Code (U.S.C.), Sections 922(g)(1) – (g)(9)*

### **Federal Explosives Law & Regulations (2007)**

*Black Powder Exemption: Title 18, United States Code, Section 845(a)(5)*

***For further information contact NASGW's ATF Liaison:***



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