

(B5) Are there certain persons who cannot legally receive or possess firearms? [\[Back\]](#)

Yes, a person who –

- (1) Has been convicted in any court of, a crime punishable by imprisonment for a term exceeding 1 year;
- (2) Is a fugitive from justice;
- (3) Is an unlawful user of or addicted to any controlled substance;
- (4) Has been adjudicated as a mental defective or has been committed to a mental institution;
- (5) Is an alien illegally or unlawfully in the United states or an alien admitted to the United states under a nonimmigrant visa;
- (6) Has been discharged from the Armed Forces under dishonorable conditions;
- (7) Having been a citizen of the United states, has renounced his or her citizenship;
- (8) Is subject to a court order that restrains the person from harassing, stalking, or threatening an intimate partner or child of such intimate partner; or
- (9) Has been convicted of a misdemeanor crime of domestic violence cannot lawfully receive, possess, ship, or transport a firearm. A person who is under indictment or information for a crime punishable by imprisonment for a term exceeding 1 year cannot lawfully receive a firearm. Such person may continue to lawfully possess firearms obtained prior to the indictment or information. [18 U. S. C. 922(g) and (n), 27 CFR 178.32(a) and (b)]

(B15) May a parent or guardian purchase firearms or ammunition as a gift for a juvenile (less than 18 years of age)? [\[Back\]](#)

Yes. However, possession of handguns by juveniles (less than 18 years of age) is generally unlawful. Juveniles may only receive and possess handguns with the written permission of a parent or guardian for limited purposes, e. g., employment, ranching, farming, target practice or hunting. [18 U. S. C. 922(x)]

(F6) Does a customer have to be a certain age to buy firearms or ammunition from a licensee? [\[Back\]](#)

Yes. Longguns and longgun ammunition may be sold only to persons 18 years of age or older. Sales of handguns and ammunition for handguns are limited to persons 21 years of age and older. Although some state and local ordinances have lower age requirements, dealers are bound by the minimum age requirements established by the GCA. If state law or local ordinances establish a higher minimum age, the dealer must observe the higher age requirement. [18 U. S. C. 922(b)(1), 27 CFR 178.99(b)]

(B17) What recordkeeping procedures should be followed when two private individuals want to engage in a firearms transaction? [\[Back\]](#)

When a transaction takes place between private (unlicensed) persons who reside in the same State, the Gun Control Act (GCA) does not require any record keeping. As noted in FAQs B1 and B2, which are posted on this Web site in the "Firearms" section, a private person may sell a firearm to another private individual in his or her State of residence and, similarly, a private individual may buy a firearm from another private person who resides in the same State. It is not

necessary for a Federal firearms licensee (FFL) to assist in the sale or transfer when the buyer and seller are "same-State" residents. Of course, the transferor/seller may not knowingly transfer a firearm to someone who falls within any of the categories of prohibited persons contained in the GCA. See 18 U.S. C. §§ 922(g) and (n). However, as stated above, there are no GCA-required records to be completed by either party to the transfer.

For information about any State or local regulations that may govern this type of transaction, it is advisable to contact State Police units or the office of your State Attorney General.

Please note that if a private person wants to obtain a gun from a private person who resides in another State, the gun will have to be shipped to an FFL in the buyer's State. The FFL will be responsible for record keeping. See FAQ B3 (Firearms).

(B1) To whom may an unlicensed person transfer firearms under the GCA? [Back](#)

A person may sell a firearm to an unlicensed resident of his or her state, if the buyer is not prohibited by law from receiving or possessing a firearm, or to a licensee in any state. A firearm other than a curio or relic may not be transferred interstate to a licensed collector. [18 U. S. C 922(a)(3) and (5), 922(b)(3), 27 CFR 178.29]