Probate/Estates

Firearms

Contact Information

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Personal Firearms

- An unlicensed person may transfer/sell a firearm to an unlicensed resident of his/her State, if he/she does not know or have reasonable cause to believe the person is prohibited from receiving or possessing firearms under Federal Law.

Out of State Transfers

- An unlicensed person not prohibited from acquiring firearms may purchase a firearm from an out-of-state source and obtain the firearm if an arrangement is made with a licensed dealer in the purchaser's State of residence for the purchaser to obtain the firearm from the dealer.

Shipping Firearms

An unlicensed person may mail a shotgun or rifle to a resident of his/her own State or to a licensed dealer in any State.

Shipping Firearms

Shotguns/rifles can be shipped via US Postal Service. The package should be sent by registered mail and no markings of any kind which would indicate the nature of the contents are placed on the outside of the package.

Shipping Firearms

An unlicensed person may ship handguns via a common or contract carrier to a resident of his or her own State or to a licensed dealer in any State. Federal law requires that the carrier be notified that the shipment contains a firearm.

Estate Firearms

A lawful heir is anyone named in the decedent's will or, in the absence of a will, anyone entitled to inherit under the laws of the State in which the decedent last resided.

Estate Firearms

Firearms, including NFA weapons, may be transferred directly interstate to a beneficiary of the estate.

Estate Firearms
NFA Weapons

- It is the responsibility of the executor or the administrator of an estate to transfer firearms registered to a decedent.
- Application for a Tax Exempt Transfer and Registration of a Firearm, ATF F 5, is used to apply for a tax-exempt transfer to a lawful heir.

Estate Firearms
NFA Weapons

If Federal, State or local law prohibits the heir from receiving or possessing the firearm, the firearm may not be transferred.

Estate Firearms
NFA Weapons

- NFA Firearms may be transferred directly interstate to a beneficiary of the estate after proper registration is completed. However, if any Federal, State or local law prohibits the heir from receiving or possessing the firearm, ATF will not approve the application.

Estate Firearms
NFA Weapons

- When a NFA firearm is being transferred to an individual heir, his or her fingerprints on FBI Forms FD-258 and photos must accompany the transfer application.

Estate Firearms
NFA Weapons

- Application for a Tax-Paid Transfer, ATF F 4, is used to apply for the transfer of a serviceable NFA firearm to a person outside the estate (not a beneficiary).

Questions