



Adopted in House Comm. on Jul 16, 2004

09300SB2188ham001

LRB093 18296 RLC 52747 a

1 AMENDMENT TO SENATE BILL 2188

2 AMENDMENT NO. _____. Amend Senate Bill 2188 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Firearm Owners Identification Card Act is
5 amended by changing Section 3.1 as follows:

6 (430 ILCS 65/3.1) (from Ch. 38, par. 83-3.1)

7 Sec. 3.1. Dial up system.

8 (a) The Department of State Police shall provide a dial up
9 telephone system which shall be used by any federally licensed
10 firearm dealer who is to transfer a firearm under the
11 provisions of this Act. The Department of State Police shall
12 utilize existing technology which allows the caller to be
13 charged a fee equivalent to the cost of providing this service
14 but not to exceed \$2. Fees collected by the Department of State
15 Police shall be deposited in the State Police Services Fund and
16 used to provide the service.

17 (b) Upon receiving a request from a federally licensed
18 firearm dealer, the Department of State Police shall
19 immediately approve, or within the time period established by
20 Section 24-3 of the Criminal Code of 1961 regarding the
21 delivery of firearms, notify the inquiring dealer of any
22 objection that would disqualify the transferee from acquiring
23 or possessing a firearm. In conducting the inquiry, the
24 Department of State Police shall initiate and complete an

1 automated search of its criminal history record information
2 files and those of the Federal Bureau of Investigation,
3 including the National Instant Criminal Background Check
4 System, and of the files of the Department of Human Services
5 relating to mental health and developmental disabilities to
6 obtain any felony conviction or patient hospitalization
7 information which would disqualify a person from obtaining or
8 require revocation of a currently valid Firearm Owner's
9 Identification Card.

10 (c) If receipt of a firearm would not violate Section 24-3
11 of the Criminal Code of 1961, federal law, or this Act the
12 Department of State Police shall:

13 (1) assign a unique identification number to the
14 transfer;

15 (2) provide the licensee with the number; and

16 (3) destroy all records of the system with respect to
17 the call, other than the identifying number and the date
18 the number was assigned, and all records of the system
19 relating to the transfer within 24 hours.

20 (d) The Department may not retain, copy, or distribute any
21 information previously collected under this Section. Any
22 records generated under this Section shall comply with
23 subsection (c).

24 (e) If the transfer of a firearm is denied by the
25 Department of State Police, the Department may keep the records
26 of a denial until the denial is appealed and overturned, or as
27 long as necessary for a criminal prosecution.

28 (f) Approvals issued by the Department of State Police for
29 the purchase of a firearm are valid for 30 days from the date
30 of issue.

31 (g) The Department of State Police must act as the Illinois
32 Point of Contact for the National Instant Criminal Background
33 Check System.

34 (h) The Department of State Police shall promulgate rules

1 not inconsistent with this Section to implement this system.
2 (Source: P.A. 91-399, eff. 7-30-99.)".