



Rep. C.D. Davidsmeyer

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LRB100 16207 SLF 38593 a

1 AMENDMENT TO HOUSE BILL 4525

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4525 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 Sections 2 and 3 and by adding Section 6.2  
6 as follows:

7 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

8 Sec. 2. Firearm Owner's Identification Card required;  
9 exceptions.

10 (a) (1) A ~~No~~ person shall not ~~may~~ acquire or possess any  
11 firearm, stun gun, or taser within this State without  
12 possessing ~~having in his or her possession~~ a Firearm Owner's  
13 Identification Card previously issued in his or her name by the  
14 Department of State Police under the provisions of this Act.

15 (2) A ~~No~~ person shall not ~~may~~ acquire or possess firearm  
16 ammunition within this State without possessing ~~having in his~~

1 ~~or her possession~~ a Firearm Owner's Identification Card  
2 previously issued in his or her name by the Department of State  
3 Police under the provisions of this Act.

4 (b) The provisions of this Section regarding the possession  
5 of firearms, firearm ammunition, stun guns, and tasers do not  
6 apply to:

7 (1) United States Marshals, while engaged in the  
8 operation of their official duties;

9 (2) Members of the Armed Forces of the United States or  
10 the National Guard, while engaged in the operation of their  
11 official duties;

12 (3) Federal officials required to carry firearms,  
13 while engaged in the operation of their official duties;

14 (4) Members of bona fide veterans organizations which  
15 receive firearms directly from the armed forces of the  
16 United States, while using the firearms for ceremonial  
17 purposes with blank ammunition;

18 (5) Nonresident hunters during hunting season, with  
19 valid nonresident hunting licenses and while in an area  
20 where hunting is permitted; however, at all other times and  
21 in all other places these persons must have their firearms  
22 unloaded and enclosed in a case;

23 (6) Those hunters exempt from obtaining a hunting  
24 license who are required to submit their Firearm Owner's  
25 Identification Card when hunting on Department of Natural  
26 Resources owned or managed sites;

1           (7) Nonresidents while on a firing or shooting range  
2 recognized by the Department of State Police; however,  
3 these persons must at all other times and in all other  
4 places have their firearms unloaded and enclosed in a case;

5           (8) Nonresidents while at a firearm showing or display  
6 recognized by the Department of State Police; however, at  
7 all other times and in all other places these persons must  
8 have their firearms unloaded and enclosed in a case;

9           (9) Nonresidents whose firearms are unloaded and  
10 enclosed in a case;

11           (10) Nonresidents who are currently licensed or  
12 registered to possess a firearm in their resident state;

13           (11) Unemancipated minors while in the custody and  
14 immediate control of their parent or legal guardian or  
15 other person in loco parentis to the minor if the parent or  
16 legal guardian or other person in loco parentis to the  
17 minor possesses ~~has~~ a ~~currently valid~~ Firearm Owner's  
18 Identification Card;

19           (12) Color guards of bona fide veterans organizations  
20 or members of bona fide American Legion bands while using  
21 firearms for ceremonial purposes with blank ammunition;

22           (13) Nonresident hunters whose state of residence does  
23 not require them to be licensed or registered to possess a  
24 firearm and only during hunting season, with valid hunting  
25 licenses, while accompanied by, and using a firearm owned  
26 by, a person who possesses a valid Firearm Owner's

1 Identification Card and while in an area within a  
2 commercial club licensed under the Wildlife Code where  
3 hunting is permitted and controlled, but in no instance  
4 upon sites owned or managed by the Department of Natural  
5 Resources;

6 (14) Resident hunters who are properly authorized to  
7 hunt and, while accompanied by a person who possesses a  
8 valid Firearm Owner's Identification Card, hunt in an area  
9 within a commercial club licensed under the Wildlife Code  
10 where hunting is permitted and controlled;

11 (15) A person who is otherwise eligible to obtain a  
12 Firearm Owner's Identification Card under this Act and is  
13 under the direct supervision of a holder of a Firearm  
14 Owner's Identification Card who is 21 years of age or older  
15 while the person is on a firing or shooting range or is a  
16 participant in a firearms safety and training course  
17 recognized by a law enforcement agency or a national,  
18 statewide shooting sports organization; and

19 (16) Competitive shooting athletes whose competition  
20 firearms are sanctioned by the International Olympic  
21 Committee, the International Paralympic Committee, the  
22 International Shooting Sport Federation, or USA Shooting  
23 in connection with such athletes' training for and  
24 participation in shooting competitions at the 2016 Olympic  
25 and Paralympic Games and sanctioned test events leading up  
26 to the 2016 Olympic and Paralympic Games.

1 (c) The provisions of this Section regarding the  
2 acquisition and possession of firearms, firearm ammunition,  
3 stun guns, and tasers do not apply to law enforcement officials  
4 of this or any other jurisdiction, while engaged in the  
5 operation of their official duties.

6 (c-5) The provisions of paragraphs (1) and (2) of  
7 subsection (a) of this Section regarding the possession of  
8 firearms and firearm ammunition do not apply to the holder of a  
9 valid concealed carry license issued under the Firearm  
10 Concealed Carry Act who possesses a ~~is in physical possession~~  
11 ~~of the~~ concealed carry license.

12 (d) Any person who becomes a resident of this State, who is  
13 not otherwise prohibited from obtaining, possessing, or using a  
14 firearm or firearm ammunition, shall not be required to have a  
15 Firearm Owner's Identification Card to possess firearms or  
16 firearms ammunition until 60 calendar days after he or she  
17 obtains an Illinois driver's license or Illinois  
18 Identification Card.

19 (Source: P.A. 99-29, eff. 7-10-15.)

20 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

21 Sec. 3. (a) Except as provided in Section 3a, no person may  
22 knowingly transfer, or cause to be transferred, any firearm,  
23 firearm ammunition, stun gun, or taser to any person within  
24 this State unless the transferee with whom he or she deals  
25 possesses ~~displays~~ either: (1) a currently valid Firearm

1 Owner's Identification Card which has previously been issued in  
2 his or her name by the Department of State Police under the  
3 provisions of this Act; or (2) a currently valid license to  
4 carry a concealed firearm which has previously been issued in  
5 his or her name by the Department of State Police under the  
6 Firearm Concealed Carry Act. In addition, all firearm, stun  
7 gun, and taser transfers by federally licensed firearm dealers  
8 are subject to Section 3.1.

9 (a-5) Any person who is not a federally licensed firearm  
10 dealer and who desires to transfer or sell a firearm while that  
11 person is on the grounds of a gun show must, before selling or  
12 transferring the firearm, request the Department of State  
13 Police to conduct a background check on the prospective  
14 recipient of the firearm in accordance with Section 3.1.

15 (a-10) Notwithstanding item (2) of subsection (a) of this  
16 Section, any person who is not a federally licensed firearm  
17 dealer and who desires to transfer or sell a firearm or  
18 firearms to any person who is not a federally licensed firearm  
19 dealer shall, before selling or transferring the firearms,  
20 contact the Department of State Police with the transferee's or  
21 purchaser's Firearm Owner's Identification Card number to  
22 determine the validity of the transferee's or purchaser's  
23 Firearm Owner's Identification Card. This subsection (a-10)  
24 shall not be effective until January 1, 2014. The Department of  
25 State Police may adopt rules concerning the implementation of  
26 this subsection (a-10). The Department of State Police shall

1 provide the seller or transferor an approval number if the  
2 purchaser's Firearm Owner's Identification Card is valid.  
3 Approvals issued by the Department for the purchase of a  
4 firearm pursuant to this subsection are valid for 30 days from  
5 the date of issue.

6 (a-15) The provisions of subsection (a-10) of this Section  
7 do not apply to:

8 (1) transfers that occur at the place of business of a  
9 federally licensed firearm dealer, if the federally  
10 licensed firearm dealer conducts a background check on the  
11 prospective recipient of the firearm in accordance with  
12 Section 3.1 of this Act and follows all other applicable  
13 federal, State, and local laws as if he or she were the  
14 seller or transferor of the firearm, although the dealer is  
15 not required to accept the firearm into his or her  
16 inventory. The purchaser or transferee may be required by  
17 the federally licensed firearm dealer to pay a fee not to  
18 exceed \$10 per firearm, which the dealer may retain as  
19 compensation for performing the functions required under  
20 this paragraph, plus the applicable fees authorized by  
21 Section 3.1;

22 (2) transfers as a bona fide gift to the transferor's  
23 husband, wife, son, daughter, stepson, stepdaughter,  
24 father, mother, stepfather, stepmother, brother, sister,  
25 nephew, niece, uncle, aunt, grandfather, grandmother,  
26 grandson, granddaughter, father-in-law, mother-in-law,

1 son-in-law, or daughter-in-law;

2 (3) transfers by persons acting pursuant to operation  
3 of law or a court order;

4 (4) transfers on the grounds of a gun show under  
5 subsection (a-5) of this Section;

6 (5) the delivery of a firearm by its owner to a  
7 gunsmith for service or repair, the return of the firearm  
8 to its owner by the gunsmith, or the delivery of a firearm  
9 by a gunsmith to a federally licensed firearms dealer for  
10 service or repair and the return of the firearm to the  
11 gunsmith;

12 (6) temporary transfers that occur while in the home of  
13 the unlicensed transferee, if the unlicensed transferee is  
14 not otherwise prohibited from possessing firearms and the  
15 unlicensed transferee reasonably believes that possession  
16 of the firearm is necessary to prevent imminent death or  
17 great bodily harm to the unlicensed transferee;

18 (7) transfers to a law enforcement or corrections  
19 agency or a law enforcement or corrections officer acting  
20 within the course and scope of his or her official duties;

21 (8) transfers of firearms that have been rendered  
22 permanently inoperable to a nonprofit historical society,  
23 museum, or institutional collection; and

24 (9) transfers to a person who is exempt from the  
25 requirement of possessing a Firearm Owner's Identification  
26 Card under Section 2 of this Act.



1 (a-20) The Department of State Police shall develop an  
2 Internet-based system for individuals to determine the  
3 validity of a Firearm Owner's Identification Card prior to the  
4 sale or transfer of a firearm. The Department shall have the  
5 Internet-based system completed and available for use by July  
6 1, 2015. The Department shall adopt rules not inconsistent with  
7 this Section to implement this system.

8 (b) Any person within this State who transfers or causes to  
9 be transferred any firearm, stun gun, or taser shall keep a  
10 record of such transfer for a period of 10 years from the date  
11 of transfer. Such record shall contain the date of the  
12 transfer; the description, serial number or other information  
13 identifying the firearm, stun gun, or taser if no serial number  
14 is available; and, if the transfer was completed within this  
15 State, the transferee's Firearm Owner's Identification Card  
16 number and any approval number or documentation provided by the  
17 Department of State Police pursuant to subsection (a-10) of  
18 this Section. On or after January 1, 2006, the record shall  
19 contain the date of application for transfer of the firearm. On  
20 demand of a peace officer such transferor shall produce for  
21 inspection such record of transfer. If the transfer or sale  
22 took place at a gun show, the record shall include the unique  
23 identification number. Failure to record the unique  
24 identification number or approval number is a petty offense.

25 (b-5) Any resident may purchase ammunition from a person  
26 within or outside of Illinois if shipment is by United States

1 mail or by a private express carrier authorized by federal law  
2 to ship ammunition. Any resident purchasing ammunition within  
3 or outside the State of Illinois must provide the seller with a  
4 copy of his or her valid Firearm Owner's Identification Card or  
5 valid concealed carry license and either his or her Illinois  
6 driver's license or Illinois State Identification Card prior to  
7 the shipment of the ammunition. The ammunition may be shipped  
8 only to an address on either of those 2 documents.

9 (c) The provisions of this Section regarding the transfer  
10 of firearm ammunition shall not apply to those persons  
11 specified in paragraph (b) of Section 2 of this Act.

12 (Source: P.A. 98-508, eff. 8-19-13; 99-29, eff. 7-10-15.)

13 (430 ILCS 65/6.2 new)

14 Sec. 6.2. Electronic Firearm Owner's Identification Cards.  
15 The Department of State Police may develop a system under which  
16 the holder of a Firearm Owner's Identification Card may display  
17 an electronic version of his or her Firearm Owner's  
18 Identification Card on a mobile telephone or other portable  
19 electronic device. An electronic version of a Firearm Owner's  
20 Identification Card shall contain security features the  
21 Department determines to be necessary to ensure that the  
22 electronic version is accurate and current and shall satisfy  
23 other requirements the Department determines to be necessary  
24 regarding form and content. The display or possession of an  
25 electronic version of a valid Firearm Owner's Identification

1 Card in accordance with the requirements of the Department  
2 satisfies all requirements for the display or possession of a  
3 valid Firearm Owner's Identification Card under the laws of  
4 this State. The possession or display of an electronic Firearm  
5 Owner's Identification Card on a mobile telephone or other  
6 portable electronic device does not constitute consent for a  
7 law enforcement officer, court, or other officer of the court  
8 to access other contents of the mobile telephone or other  
9 portable electronic device. The Department may adopt rules to  
10 implement this Section.

11 Section 10. The Firearm Concealed Carry Act is amended by  
12 adding Section 11 as follows:

13 (430 ILCS 66/11 new)

14 Sec. 11. Electronic concealed carry licenses. The  
15 Department of State Police may develop a system under which the  
16 holder of a concealed carry license may display an electronic  
17 version of his or her license on a mobile telephone or other  
18 portable electronic device. An electronic version of a license  
19 shall contain security features the Department determines to be  
20 necessary to ensure that the electronic version is accurate and  
21 current and shall satisfy other requirements the Department  
22 determines to be necessary regarding form and content. The  
23 display or possession of an electronic version of a license in  
24 accordance with the requirements of the Department satisfies

1 all requirements for the display or possession of a valid  
2 license under the laws of this State. The possession or display  
3 of an electronic license on a mobile telephone or other  
4 portable electronic device does not constitute consent for a  
5 law enforcement officer, court, or other officer of the court  
6 to access other contents of the mobile telephone or other  
7 portable electronic device. The Department may adopt rules to  
8 implement this Section."