



Sen. Neil Anderson

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1 AMENDMENT TO SENATE BILL 2677

2 AMENDMENT NO. _____. Amend Senate Bill 2677 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."