



Rep. Kathleen Willis

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LRB101 02938 SLF 59467 a

1 AMENDMENT TO HOUSE BILL 96

2 AMENDMENT NO. _____. Amend House Bill 96 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 3, 3a, 3.1, 4, 6, 7, 9.5, and 14
6 as follows:

7 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

8 Sec. 3. (a) ~~No~~ ~~Except as provided in Section 3a,~~ no person
9 may knowingly transfer, or cause to be transferred, any
10 firearm, firearm ammunition, stun gun, or taser to any person
11 within this State unless the transferee with whom he deals
12 displays either: (1) a currently valid Firearm Owner's
13 Identification Card which has previously been issued in his or
14 her name by the Department of State Police under the provisions
15 of this Act; or (2) a currently valid license to carry a
16 concealed firearm which has previously been issued in his or

1 her name by the Department of State Police under the Firearm
2 Concealed Carry Act. In addition, all firearm, stun gun, and
3 taser transfers by federally licensed firearm dealers are
4 subject to Section 3.1.

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

11 (a-10) Notwithstanding item (2) of subsection (a) of this
12 Section, any person who is not a federally licensed firearm
13 dealer and who desires to transfer or sell a firearm or
14 firearms to any person who is not a federally licensed firearm
15 dealer shall do so only through a federally licensed firearms
16 dealer as follows:

17 (1) seller or transferor shall give the firearm to the
18 federally licensed firearms dealer, who shall retain
19 possession of the firearm until every legal requirement for
20 the sale or transfer has been met;

21 (2) federally licensed firearms dealer shall process
22 the sale or other transfer in compliance with any federal,
23 State, and local law, including a background check on the
24 buyer or transferee in accordance with 18 U.S.C. 922(t) and
25 Section 3.1;

26 (A) if the transaction is not legally prohibited,

1 the federally licensed firearm dealer shall transfer
2 the firearm to the buyer or transferee;

3 (B) if the transaction is legally prohibited, the
4 federally licensed firearm dealer shall conduct a
5 background check under paragraph (2) of this
6 subsection (a-10) on the transferee or seller before
7 returning the firearm;

8 (C) if the federally licensed firearm dealer
9 cannot return the firearm to either party, the dealer
10 shall notify a local law enforcement agency within 24
11 hours to take possession of the firearm;

12 (D) if there is a delay in completing a background
13 check, the federally licensed firearms dealer shall
14 maintain possession of the firearm until the
15 background check is completed;

16 (3) federally licensed firearms dealer shall ensure
17 that all required documentation of the sale or transfer are
18 maintained in accordance with federal, State, and local
19 law, including but not limited to, the completion of The
20 Bureau of Alcohol, Tobacco, Firearms, and Explosives
21 Firearm Transaction Record Form 4473 which shall be open to
22 inspection during normal business hours by any local,
23 State, or federal law enforcement agency; and

24 (4) federally licensed firearms dealer may charge a fee
25 not to exceed \$10 to perform the sale or transfer under
26 this Section.

1 This subsection shall not apply to sales or transfers by a:

2 (A) law enforcement, corrections, or active duty
3 military officer acting within the course of his or her
4 employment or official duties;

5 (B) person acting under operation of law or court
6 order;

7 (C) gunsmith who receives the firearm solely for the
8 purpose of service or repair;

9 (D) person acting on behalf of a common carrier or
10 other business for purposes of transportation or storage in
11 the ordinary course of his or her business;

12 (E) person who is loaned a firearm while on the
13 premises of a licensed shooting range for the sole purpose
14 of shooting at targets, as long as the firearm is kept
15 within the premises of the shooting range;

16 (F) minor who is loaned a firearm for lawful hunting or
17 sporting purposes while under the direct supervision of an
18 adult;

19 (G) person who acquires a firearm upon the death of
20 another person from a will, bequest, inheritance, or as a
21 bona fide gift from an immediate family member, as long as
22 he or she notifies the Department of State Police under
23 Section 3.1 within 60 days, at which time the Department of
24 State Police shall conduct a background check on the
25 person. In this paragraph, "immediate family member" means
26 a spouse, domestic partner, children, step-children,

1 parents, or step-parents; or

2 (H) person who transfers a firearm to a law enforcement
3 agency as part of a voluntary, authorized law enforcement
4 agency firearm buyback program. ~~, before selling or~~
5 ~~transferring the firearms, contact the Department of State~~
6 ~~Police with the transferee's or purchaser's Firearm~~
7 ~~Owner's Identification Card number to determine the~~
8 ~~validity of the transferee's or purchaser's Firearm~~
9 ~~Owner's Identification Card. This subsection shall not be~~
10 ~~effective until January 1, 2014. The Department of State~~
11 ~~Police may adopt rules concerning the implementation of~~
12 ~~this subsection. The Department of State Police shall~~
13 ~~provide the seller or transferor an approval number if the~~
14 ~~purchaser's Firearm Owner's Identification Card is valid.~~
15 ~~Approvals issued by the Department for the purchase of a~~
16 ~~firearm pursuant to this subsection are valid for 30 days~~
17 ~~from the date of issue.~~

18 (a-15) (Blank). ~~The provisions of subsection (a-10) of this~~
19 ~~Section do not apply to:~~

20 ~~(1) transfers that occur at the place of business of a~~
21 ~~federally licensed firearm dealer, if the federally~~
22 ~~licensed firearm dealer conducts a background check on the~~
23 ~~prospective recipient of the firearm in accordance with~~
24 ~~Section 3.1 of this Act and follows all other applicable~~
25 ~~federal, State, and local laws as if he or she were the~~
26 ~~seller or transferor of the firearm, although the dealer is~~

1 ~~not required to accept the firearm into his or her~~
2 ~~inventory. The purchaser or transferee may be required by~~
3 ~~the federally licensed firearm dealer to pay a fee not to~~
4 ~~exceed \$10 per firearm, which the dealer may retain as~~
5 ~~compensation for performing the functions required under~~
6 ~~this paragraph, plus the applicable fees authorized by~~
7 ~~Section 3.1;~~

8 ~~(2) transfers as a bona fide gift to the transferor's~~
9 ~~husband, wife, son, daughter, stepson, stepdaughter,~~
10 ~~father, mother, stepfather, stepmother, brother, sister,~~
11 ~~nephew, niece, uncle, aunt, grandfather, grandmother,~~
12 ~~grandson, granddaughter, father-in-law, mother-in-law,~~
13 ~~son-in-law, or daughter-in-law;~~

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

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

18 ~~(5) the delivery of a firearm by its owner to a~~
19 ~~gunsmith for service or repair, the return of the firearm~~
20 ~~to its owner by the gunsmith, or the delivery of a firearm~~
21 ~~by a gunsmith to a federally licensed firearms dealer for~~
22 ~~service or repair and the return of the firearm to the~~
23 ~~gunsmith;~~

24 ~~(6) temporary transfers that occur while in the home of~~
25 ~~the unlicensed transferee, if the unlicensed transferee is~~
26 ~~not otherwise prohibited from possessing firearms and the~~

1 ~~unlicensed transferee reasonably believes that possession~~
2 ~~of the firearm is necessary to prevent imminent death or~~
3 ~~great bodily harm to the unlicensed transferee;~~

4 ~~(7) transfers to a law enforcement or corrections~~
5 ~~agency or a law enforcement or corrections officer acting~~
6 ~~within the course and scope of his or her official duties;~~

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

10 ~~(9) transfers to a person who is exempt from the~~
11 ~~requirement of possessing a Firearm Owner's Identification~~
12 ~~Card under Section 2 of this Act.~~

13 (a-17) Within 30 days of the effective date of this
14 amendatory Act of the 101st General Assembly, the Department of
15 State Police shall give notice to each Firearm Owner's
16 Identification Card holder of the changes made by this
17 amendatory Act of the 101st General Assembly. As soon as
18 practical, the Department shall include upon the back of each
19 Firearm Owner's Identification Card a statement that reflects
20 the changes made by this amendatory Act of the 101st General
21 Assembly.

22 (a-20) (Blank). ~~The Department of State Police shall~~
23 ~~develop an Internet-based system for individuals to determine~~
24 ~~the validity of a Firearm Owner's Identification Card prior to~~
25 ~~the sale or transfer of a firearm. The Department shall have~~
26 ~~the Internet based system completed and available for use by~~

1 ~~July 1, 2015. The Department shall adopt rules not inconsistent~~
2 ~~with this Section to implement this system.~~

3 (b) (Blank). ~~Any person within this State who transfers or~~
4 ~~causes to be transferred any firearm, stun gun, or taser shall~~
5 ~~keep a record of such transfer for a period of 10 years from~~
6 ~~the date of transfer. Such record shall contain the date of the~~
7 ~~transfer; the description, serial number or other information~~
8 ~~identifying the firearm, stun gun, or taser if no serial number~~
9 ~~is available; and, if the transfer was completed within this~~
10 ~~State, the transferee's Firearm Owner's Identification Card~~
11 ~~number and any approval number or documentation provided by the~~
12 ~~Department of State Police pursuant to subsection (a-10) of~~
13 ~~this Section; if the transfer was not completed within this~~
14 ~~State, the record shall contain the name and address of the~~
15 ~~transferee. On or after January 1, 2006, the record shall~~
16 ~~contain the date of application for transfer of the firearm. On~~
17 ~~demand of a peace officer such transferor shall produce for~~
18 ~~inspection such record of transfer. If the transfer or sale~~
19 ~~took place at a gun show, the record shall include the unique~~
20 ~~identification number. Failure to record the unique~~
21 ~~identification number or approval number is a petty offense.~~
22 ~~For transfers of a firearm, stun gun, or taser made on or after~~
23 ~~the effective date of this amendatory Act of the 100th General~~
24 ~~Assembly, failure by the private seller to maintain the~~
25 ~~transfer records in accordance with this Section is a Class A~~
26 ~~misdemeanor for the first offense and a Class 4 felony for a~~

1 ~~second or subsequent offense. A transferee shall not be~~
2 ~~criminally liable under this Section provided that he or she~~
3 ~~provides the Department of State Police with the transfer~~
4 ~~records in accordance with procedures established by the~~
5 ~~Department. The Department shall establish, by rule, a standard~~
6 ~~form on its website.~~

7 (b-5) Any resident may purchase ammunition from a person
8 within or outside of Illinois if shipment is by United States
9 mail or by a private express carrier authorized by federal law
10 to ship ammunition. Any resident purchasing ammunition within
11 or outside the State of Illinois must provide the seller with a
12 copy of his or her valid Firearm Owner's Identification Card or
13 valid concealed carry license and either his or her Illinois
14 driver's license or Illinois State Identification Card prior to
15 the shipment of the ammunition. The ammunition may be shipped
16 only to an address on either of those 2 documents.

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

20 (Source: P.A. 99-29, eff. 7-10-15; 100-1178, eff. 1-18-19.)

21 (430 ILCS 65/3a) (from Ch. 38, par. 83-3a)

22 Sec. 3a. (a) Any resident of Illinois who has obtained a
23 firearm owner's identification card pursuant to this Act and
24 who is not otherwise prohibited from obtaining, possessing or
25 using a firearm may purchase or obtain a rifle or shotgun or

1 ammunition for a rifle or shotgun in Iowa, Missouri, Indiana,
2 Wisconsin or Kentucky.

3 (b) Any resident of Iowa, Missouri, Indiana, Wisconsin or
4 Kentucky or a non-resident with a valid non-resident hunting
5 license, who is 18 years of age or older and who is not
6 prohibited by the laws of Illinois, the state of his domicile,
7 or the United States from obtaining, possessing or using a
8 firearm, may purchase or obtain a rifle, shotgun or ammunition
9 for a rifle or shotgun in Illinois.

10 (b-5) Any non-resident who is participating in a sanctioned
11 competitive shooting event, who is 18 years of age or older and
12 who is not prohibited by the laws of Illinois, the state of his
13 or her domicile, or the United States from obtaining,
14 possessing, or using a firearm, may purchase or obtain a
15 shotgun or shotgun ammunition in Illinois for the purpose of
16 participating in that event. A person may purchase or obtain a
17 shotgun or shotgun ammunition under this subsection only at the
18 site where the sanctioned competitive shooting event is being
19 held.

20 (b-10) Any non-resident registered competitor or attendee
21 of a competitive shooting event held at the World Shooting
22 Complex sanctioned by a national governing body, who is not
23 prohibited by the laws of Illinois, the state of his or her
24 domicile, or the United States from obtaining, possessing, or
25 using a firearm may purchase or obtain a rifle, shotgun, or
26 other long gun or ammunition for a rifle, shotgun, or other

1 long gun at the competitive shooting event. The sanctioning
2 body shall provide a list of registered competitors and
3 attendees as required under subparagraph (5) of paragraph (g)
4 of subsection (A) of Section 24-3 of the Criminal Code of 2012.
5 A competitor or attendee of a competitive shooting event who
6 does not wish to purchase a firearm at the event is not
7 required to register or have his or her name appear on a list
8 of registered competitors and attendees provided to the
9 Department of State Police by the sanctioning body.

10 (c) Any transaction under this Section is subject to the
11 provisions of Section 3 and the Gun Control Act of 1968 (18
12 U.S.C. 922 (b) (3)).

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

14 (430 ILCS 65/3.1) (from Ch. 38, par. 83-3.1)

15 Sec. 3.1. Dial up system.

16 (a) The Department of State Police shall provide a dial up
17 telephone system or utilize other existing technology which
18 shall be used by any individual or entity ~~federally licensed~~
19 ~~firearm dealer, gun show promoter, or gun show vendor~~ who is to
20 transfer a firearm, stun gun, or taser under the provisions of
21 this Act. The Department of State Police may utilize existing
22 technology which allows the caller to be charged a fee not to
23 exceed \$2. Fees collected by the Department of State Police
24 shall be deposited in the State Police Services Fund and used
25 to provide the service.

1 (b) Upon receiving a request ~~from a federally licensed~~
2 ~~firearm dealer, gun show promoter, or gun show vendor,~~ the
3 Department of State Police shall immediately approve, or within
4 the time period established by Section 24-3 of the Criminal
5 Code of 2012 regarding the delivery of firearms, stun guns, and
6 tasers notify the inquiring dealer, gun show promoter, or gun
7 show vendor of any objection that would disqualify the
8 transferee from acquiring or possessing a firearm, stun gun, or
9 taser. In conducting the inquiry, the Department of State
10 Police shall initiate and complete an automated search of its
11 criminal history record information files and those of the
12 Federal Bureau of Investigation, including the National
13 Instant Criminal Background Check System, and of the files of
14 the Department of Human Services relating to mental health and
15 developmental disabilities to obtain any prohibiting
16 information ~~felony conviction~~ or patient hospitalization
17 information which would disqualify a person from obtaining or
18 require revocation of a currently valid Firearm Owner's
19 Identification Card.

20 (c) If receipt of a firearm would not violate Section 24-3
21 of the Criminal Code of 2012, federal law, or this Act the
22 Department of State Police shall:

23 (1) assign a unique identification number to the
24 transfer; and

25 (2) provide the licensee, gun show promoter, or gun
26 show vendor with the number.

1 (d) Approvals issued by the Department of State Police for
2 the purchase of a firearm are valid for 30 days from the date
3 of issue.

4 (e) (1) The Department of State Police must act as the
5 Illinois Point of Contact for the National Instant Criminal
6 Background Check System.

7 (2) The Department of State Police and the Department of
8 Human Services shall, in accordance with State and federal law
9 regarding confidentiality, enter into a memorandum of
10 understanding with the Federal Bureau of Investigation for the
11 purpose of implementing the National Instant Criminal
12 Background Check System in the State. The Department of State
13 Police shall report the name, date of birth, and physical
14 description of any person prohibited from possessing a firearm
15 pursuant to the Firearm Owners Identification Card Act or 18
16 U.S.C. 922(g) and (n) to the National Instant Criminal
17 Background Check System Index, Denied Persons Files.

18 (3) The Department of State Police shall provide notice of
19 the disqualification of a person under subsection (b) of this
20 Section or the revocation of a person's Firearm Owner's
21 Identification Card under Section 8 or Section 8.2 of this Act,
22 and the reason for the disqualification or revocation, to all
23 law enforcement agencies with jurisdiction to assist with the
24 seizure of the person's Firearm Owner's Identification Card.

25 (f) The Department of State Police shall adopt rules not
26 inconsistent with this Section to implement this system.

1 (Source: P.A. 98-63, eff. 7-9-13; 99-787, eff. 1-1-17.)

2 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

3 Sec. 4. (a) Each applicant for a Firearm Owner's
4 Identification Card must:

5 (1) Make application in person with the Department of
6 State Police on blank forms prepared and furnished at
7 convenient locations throughout the State by the
8 Department of State Police, or by electronic means, if and
9 when made available by the Department of State Police; and

10 (2) Submit evidence to the Department of State Police
11 in person with the Department of State Police that:

12 (i) He or she is 21 years of age or over, or if he
13 or she is under 21 years of age that he or she has the
14 written consent of his or her parent or legal guardian
15 to possess and acquire firearms and firearm ammunition
16 and that he or she has never been convicted of a
17 misdemeanor other than a traffic offense or adjudged
18 delinquent, provided, however, that such parent or
19 legal guardian is not an individual prohibited from
20 having a Firearm Owner's Identification Card and files
21 an affidavit with the Department as prescribed by the
22 Department stating that he or she is not an individual
23 prohibited from having a Card;

24 (ii) He or she has not been convicted of a felony
25 under the laws of this or any other jurisdiction;

1 (iii) He or she is not addicted to narcotics;

2 (iv) He or she has not been a patient in a mental
3 health facility within the past 5 years or, if he or
4 she has been a patient in a mental health facility more
5 than 5 years ago submit the certification required
6 under subsection (u) of Section 8 of this Act;

7 (v) He or she is not a person with an intellectual
8 disability;

9 (vi) He or she is not an alien who is unlawfully
10 present in the United States under the laws of the
11 United States;

12 (vii) He or she is not subject to an existing order
13 of protection prohibiting him or her from possessing a
14 firearm;

15 (viii) He or she has not been convicted within the
16 past 5 years of battery, assault, aggravated assault,
17 violation of an order of protection, or a substantially
18 similar offense in another jurisdiction, in which a
19 firearm was used or possessed;

20 (ix) He or she has not been convicted of domestic
21 battery, aggravated domestic battery, or a
22 substantially similar offense in another jurisdiction
23 committed before, on or after January 1, 2012 (the
24 effective date of Public Act 97-158). If the applicant
25 knowingly and intelligently waives the right to have an
26 offense described in this clause (ix) tried by a jury,

1 and by guilty plea or otherwise, results in a
2 conviction for an offense in which a domestic
3 relationship is not a required element of the offense
4 but in which a determination of the applicability of 18
5 U.S.C. 922(g)(9) is made under Section 112A-11.1 of the
6 Code of Criminal Procedure of 1963, an entry by the
7 court of a judgment of conviction for that offense
8 shall be grounds for denying the issuance of a Firearm
9 Owner's Identification Card under this Section;

10 (x) (Blank);

11 (xi) He or she is not an alien who has been
12 admitted to the United States under a non-immigrant
13 visa (as that term is defined in Section 101(a)(26) of
14 the Immigration and Nationality Act (8 U.S.C.
15 1101(a)(26))), or that he or she is an alien who has
16 been lawfully admitted to the United States under a
17 non-immigrant visa if that alien is:

18 (1) admitted to the United States for lawful
19 hunting or sporting purposes;

20 (2) an official representative of a foreign
21 government who is:

22 (A) accredited to the United States
23 Government or the Government's mission to an
24 international organization having its
25 headquarters in the United States; or

26 (B) en route to or from another country to

1 which that alien is accredited;

2 (3) an official of a foreign government or
3 distinguished foreign visitor who has been so
4 designated by the Department of State;

5 (4) a foreign law enforcement officer of a
6 friendly foreign government entering the United
7 States on official business; or

8 (5) one who has received a waiver from the
9 Attorney General of the United States pursuant to
10 18 U.S.C. 922 (y) (3);

11 (xii) He or she is not a minor subject to a
12 petition filed under Section 5-520 of the Juvenile
13 Court Act of 1987 alleging that the minor is a
14 delinquent minor for the commission of an offense that
15 if committed by an adult would be a felony;

16 (xiii) He or she is not an adult who had been
17 adjudicated a delinquent minor under the Juvenile
18 Court Act of 1987 for the commission of an offense that
19 if committed by an adult would be a felony;

20 (xiv) He or she is a resident of the State of
21 Illinois;

22 (xv) He or she has not been adjudicated as a person
23 with a mental disability;

24 (xvi) He or she has not been involuntarily admitted
25 into a mental health facility; and

26 (xvii) He or she is not a person with a

1 developmental disability; and

2 (3) Upon request by the Department of State Police,
3 sign a release on a form prescribed by the Department of
4 State Police waiving any right to confidentiality and
5 requesting the disclosure to the Department of State Police
6 of limited mental health institution admission information
7 from another state, the District of Columbia, any other
8 territory of the United States, or a foreign nation
9 concerning the applicant for the sole purpose of
10 determining whether the applicant is or was a patient in a
11 mental health institution and disqualified because of that
12 status from receiving a Firearm Owner's Identification
13 Card. No mental health care or treatment records may be
14 requested. The information received shall be destroyed
15 within one year of receipt.

16 (a-5) Each applicant for a Firearm Owner's Identification
17 Card who is over the age of 18 shall furnish to the Department
18 of State Police either his or her Illinois driver's license
19 number or Illinois Identification Card number, except as
20 provided in subsection (a-10).

21 (a-10) Each applicant for a Firearm Owner's Identification
22 Card, who is employed as a law enforcement officer, an armed
23 security officer in Illinois, or by the United States Military
24 permanently assigned in Illinois and who is not an Illinois
25 resident, shall furnish to the Department of State Police his
26 or her driver's license number or state identification card

1 number from his or her state of residence. The Department of
2 State Police may adopt rules to enforce the provisions of this
3 subsection (a-10).

4 (a-15) If an applicant applying for a Firearm Owner's
5 Identification Card moves from the residence address named in
6 the application, he or she shall immediately notify in a form
7 and manner prescribed by the Department of State Police of that
8 change of address.

9 (a-20) Each applicant for a Firearm Owner's Identification
10 Card shall furnish to the Department of State Police his or her
11 photograph. An applicant who is 21 years of age or older
12 seeking a religious exemption to the photograph requirement
13 must furnish with the application an approved copy of United
14 States Department of the Treasury Internal Revenue Service Form
15 4029. In lieu of a photograph, an applicant regardless of age
16 seeking a religious exemption to the photograph requirement
17 shall submit fingerprints on a form and manner prescribed by
18 the Department with his or her application.

19 (a-25) Beginning 180 days after the effective date of this
20 amendatory Act of the 101st General Assembly, each applicant
21 for the issuance or renewal of a Firearm Owner's Identification
22 Card shall include a full set of his or her fingerprints in
23 electronic format to the Department of State Police for the
24 purpose of identity verification, unless the applicant has
25 previously provided a full set of his or her fingerprints to
26 the Department under this Act or the Firearm Concealed Carry

1 Act.

2 (1) The fingerprints must be transmitted through a live
3 scan fingerprint vendor licensed by the Department of
4 Financial and Professional Regulation or a criminal
5 justice agency authorized by the Department to submit
6 fingerprints under this Act or the Firearm Concealed Carry
7 Act. These fingerprints shall be checked against the
8 fingerprint records now and hereafter filed in the
9 Department and Federal Bureau of Investigation criminal
10 history records databases, including all available state
11 and local criminal history record information files,
12 including records of juvenile adjudications.

13 (2) The Department shall charge applicants a fee for
14 conducting the criminal history record check, which shall
15 be deposited in the State Police Services Fund and shall
16 not exceed the actual cost of the State and national
17 criminal history record check.

18 (b) Each application form shall include the following
19 statement printed in bold type: "Warning: Entering false
20 information on an application for a Firearm Owner's
21 Identification Card is punishable as a Class 2 felony in
22 accordance with subsection (d-5) of Section 14 of the Firearm
23 Owners Identification Card Act."

24 (c) Upon such written consent, pursuant to Section 4,
25 paragraph (a)(2)(i), the parent or legal guardian giving the
26 consent shall be liable for any damages resulting from the

1 applicant's use of firearms or firearm ammunition.

2 (Source: P.A. 98-63, eff. 7-9-13; 99-143, eff. 7-27-15.)

3 (430 ILCS 65/6) (from Ch. 38, par. 83-6)

4 Sec. 6. Contents of Firearm Owner's Identification Card.

5 (a) A Firearm Owner's Identification Card, issued by the
6 Department of State Police at such places as the Director of
7 the Department shall specify, shall contain the applicant's
8 name, residence, date of birth, sex, physical description,
9 recent photograph, except as provided in subsection (c-5), and
10 signature. Each Firearm Owner's Identification Card must have
11 the expiration date boldly and conspicuously displayed on the
12 face of the card. Each Firearm Owner's Identification Card must
13 have printed on it the following: "CAUTION - This card does not
14 permit bearer to UNLAWFULLY carry or use firearms." Before
15 December 1, 2002, the Department may use a person's digital
16 photograph and signature from his or her Illinois driver's
17 license or Illinois Identification Card, if available. On and
18 after December 1, 2002, the Department shall use a person's
19 digital photograph and signature from his or her Illinois
20 driver's license or Illinois Identification Card, if
21 available. The Department shall decline to use a person's
22 digital photograph or signature if the digital photograph or
23 signature is the result of or associated with fraudulent or
24 erroneous data, unless otherwise provided by law. Prior to
25 issuing a Firearm Owner's Identification Card, the Department

1 must provide an applicant with the following statement in
2 printed form: "Warning: The presence of a firearm in the home
3 has been associated with an increased risk of death to self and
4 others, including an increased risk of suicide, death during
5 domestic violence incidents, and unintentional deaths to
6 children and others."

7 (b) A person applying for a Firearm Owner's Identification
8 Card shall consent to the Department of State Police using the
9 applicant's digital driver's license or Illinois
10 Identification Card photograph, if available, and signature on
11 the applicant's Firearm Owner's Identification Card. The
12 Secretary of State shall allow the Department of State Police
13 access to the photograph and signature for the purpose of
14 identifying the applicant and issuing to the applicant a
15 Firearm Owner's Identification Card.

16 (c) The Secretary of State shall conduct a study to
17 determine the cost and feasibility of creating a method of
18 adding an identifiable code, background, or other means on the
19 driver's license or Illinois Identification Card to show that
20 an individual is not disqualified from owning or possessing a
21 firearm under State or federal law. The Secretary shall report
22 the findings of this study 12 months after the effective date
23 of this amendatory Act of the 92nd General Assembly.

24 (c-5) If a person qualifies for a photograph exemption, in
25 lieu of a photograph, the Firearm Owner's Identification Card
26 shall contain a copy of the card holder's fingerprints. Each

1 Firearm Owner's Identification Card described in this
2 subsection (c-5) must have printed on it the following: "This
3 card is only valid for firearm purchases through a federally
4 licensed firearms dealer when presented with photographic
5 identification, as prescribed by 18 U.S.C. 922(t)(1)(C)."

6 (Source: P.A. 97-1131, eff. 1-1-13.)

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

8 Sec. 7. Validity of Firearm Owner's Identification Card.

9 (a) Except as provided in Section 8 of this Act or
10 subsection (b) of this Section, a Firearm Owner's
11 Identification Card issued under the provisions of this Act
12 shall be valid for the person to whom it is issued for a period
13 of 5 ~~10~~ years from the date of issuance.

14 (b) If a renewal application is submitted to the Department
15 before the expiration date of the applicant's current Firearm
16 Owner's Identification Card, the Firearm Owner's
17 Identification Card shall remain valid for a period of 60
18 business days, unless the person is subject to or becomes
19 subject to revocation under this Act.

20 (Source: P.A. 100-906, eff. 1-1-19.)

21 (430 ILCS 65/9.5)

22 Sec. 9.5. Revocation of Firearm Owner's Identification
23 Card.

24 (a) A person who receives a revocation notice under Section

1 9 of this Act shall, within 48 hours of receiving notice of the
2 revocation:

3 (1) surrender his or her Firearm Owner's
4 Identification Card to the local law enforcement agency
5 where the person resides. The local law enforcement agency
6 shall provide the person a receipt and transmit the Firearm
7 Owner's Identification Card to the Department of State
8 Police; and

9 (2) complete a Firearm Disposition Record on a form
10 prescribed by the Department of State Police and place his
11 or her firearms in the location or with the person reported
12 in the Firearm Disposition Record. The form shall require
13 the person to disclose:

14 (A) the make, model, and serial number of each
15 firearm owned by or under the custody and control of
16 the revoked person;

17 (B) the location where each firearm will be
18 maintained during the prohibited term; and

19 (C) if any firearm will be transferred to the
20 custody of another person, the name, address and
21 Firearm Owner's Identification Card number of the
22 transferee.

23 (b) The local law enforcement agency shall provide a copy
24 of the Firearm Disposition Record to the person whose Firearm
25 Owner's Identification Card has been revoked and to the
26 Department of State Police.

1 (c) If the person whose Firearm Owner's Identification Card
2 has been revoked fails to comply with the requirements of this
3 Section, the sheriff or law enforcement agency where the person
4 resides shall ~~may~~ petition the circuit court to issue a warrant
5 to search for and seize the Firearm Owner's Identification Card
6 and firearms in the possession or under the custody or control
7 of the person whose Firearm Owner's Identification Card has
8 been revoked if the sheriff or local law enforcement agency
9 believes there is probable cause to obtain such a warrant.

10 (d) A violation of subsection (a) of this Section is a
11 Class A misdemeanor.

12 (e) The observation of a Firearm Owner's Identification
13 Card in the possession of a person whose Firearm Owner's
14 Identification Card has been revoked constitutes a sufficient
15 basis for the arrest of that person for violation of this
16 Section.

17 (f) Within 30 days after the effective date of this
18 amendatory Act of the 98th General Assembly, the Department of
19 State Police shall provide written notice of the requirements
20 of this Section to persons whose Firearm Owner's Identification
21 Cards have been revoked, suspended, or expired and who have
22 failed to surrender their cards to the Department.

23 (g) A person whose Firearm Owner's Identification Card has
24 been revoked and who received notice under subsection (f) shall
25 comply with the requirements of this Section within 48 hours of
26 receiving notice.

1 (Source: P.A. 98-63, eff. 7-9-13.)

2 (430 ILCS 65/14) (from Ch. 38, par. 83-14)

3 Sec. 14. Sentence.

4 (a) Except as provided in subsection (a-5), a violation of
5 paragraph (1) of subsection (a) of Section 2, when the person's
6 Firearm Owner's Identification Card is expired but the person
7 is not otherwise disqualified from renewing the card, is a
8 Class A misdemeanor.

9 (a-5) A violation of paragraph (1) of subsection (a) of
10 Section 2, when the person's Firearm Owner's Identification
11 Card is expired but the person is not otherwise disqualified
12 from owning, purchasing, or possessing firearms, is a petty
13 offense if the card was expired for 6 months or less from the
14 date of expiration.

15 (b) Except as provided in subsection (a) with respect to an
16 expired card, a violation of paragraph (1) of subsection (a) of
17 Section 2 is a Class A misdemeanor when the person does not
18 possess a currently valid Firearm Owner's Identification Card,
19 but is otherwise eligible under this Act. A second or
20 subsequent violation is a Class 4 felony.

21 (c) A violation of paragraph (1) of subsection (a) of
22 Section 2 is a Class 3 felony when:

23 (1) the person's Firearm Owner's Identification Card
24 is revoked or subject to revocation under Section 8; or

25 (2) the person's Firearm Owner's Identification Card

1 is expired and not otherwise eligible for renewal under
2 this Act; or

3 (3) the person does not possess a currently valid
4 Firearm Owner's Identification Card, and the person is not
5 otherwise eligible under this Act.

6 (d) A violation of subsection (a) or (a-5) of Section 3 is
7 a Class 4 felony. A third or subsequent conviction is a Class 1
8 felony.

9 (d-5) Any person who knowingly enters false information on
10 an application for a Firearm Owner's Identification Card, who
11 knowingly gives a false answer to any question on the
12 application, or who knowingly submits false evidence in
13 connection with an application is guilty of a Class 2 felony.

14 (e) Except as provided by Section 6.1 of this Act, any
15 other violation of this Act is a Class A misdemeanor.

16 (Source: P.A. 97-1131, eff. 1-1-13.)

17 Section 10. The Firearm Concealed Carry Act is amended by
18 changing Sections 30, 35, and 50 as follows:

19 (430 ILCS 66/30)

20 Sec. 30. Contents of license application.

21 (a) The license application shall be in writing, under
22 penalty of perjury, on a standard form adopted by the
23 Department and shall be accompanied by the documentation
24 required in this Section and the applicable fee. Each

1 application form shall include the following statement printed
2 in bold type: "Warning: Entering false information on this form
3 is punishable as perjury under Section 32-2 of the Criminal
4 Code of 2012."

5 (b) The application shall contain the following:

6 (1) the applicant's name, current address, date and
7 year of birth, place of birth, height, weight, hair color,
8 eye color, maiden name or any other name the applicant has
9 used or identified with, and any address where the
10 applicant resided for more than 30 days within the 10 years
11 preceding the date of the license application;

12 (2) the applicant's valid driver's license number or
13 valid state identification card number;

14 (3) a waiver of the applicant's privacy and
15 confidentiality rights and privileges under all federal
16 and state laws, including those limiting access to juvenile
17 court, criminal justice, psychological, or psychiatric
18 records or records relating to any institutionalization of
19 the applicant, and an affirmative request that a person
20 having custody of any of these records provide it or
21 information concerning it to the Department. The waiver
22 only applies to records sought in connection with
23 determining whether the applicant qualifies for a license
24 to carry a concealed firearm under this Act, or whether the
25 applicant remains in compliance with the Firearm Owners
26 Identification Card Act;

1 (4) an affirmation that the applicant possesses a
2 currently valid Firearm Owner's Identification Card and
3 card number if possessed or notice the applicant is
4 applying for a Firearm Owner's Identification Card in
5 conjunction with the license application;

6 (5) an affirmation that the applicant has not been
7 convicted or found guilty of:

8 (A) a felony;

9 (B) a misdemeanor involving the use or threat of
10 physical force or violence to any person within the 5
11 years preceding the date of the application; or

12 (C) 2 or more violations related to driving while
13 under the influence of alcohol, other drug or drugs,
14 intoxicating compound or compounds, or any combination
15 thereof, within the 5 years preceding the date of the
16 license application; and

17 (6) whether the applicant has failed a drug test for a
18 drug for which the applicant did not have a prescription,
19 within the previous year, and if so, the provider of the
20 test, the specific substance involved, and the date of the
21 test;

22 (7) written consent for the Department to review and
23 use the applicant's Illinois digital driver's license or
24 Illinois identification card photograph and signature;

25 (8) a full set of fingerprints submitted to the
26 Department in electronic format for the purpose of

1 verification of identity in a form and manner prescribed by
2 the Department, unless the applicant has previously
3 provided a full set of his or her fingerprints to the
4 Department under the Firearm Owners Identification Card
5 Act; , provided the Department may accept an application
6 submitted without a set of fingerprints in which case the
7 Department shall be granted 30 days in addition to the 90
8 days provided under subsection (e) of Section 10 of this
9 Act to issue or deny a license;

10 (9) a head and shoulder color photograph in a size
11 specified by the Department taken within the 30 days
12 preceding the date of the license application; and

13 (10) a photocopy of any certificates or other evidence
14 of compliance with the training requirements under this
15 Act.

16 (Source: P.A. 98-63, eff. 7-9-13; 99-29, eff. 7-10-15.)

17 (430 ILCS 66/35)

18 Sec. 35. Investigation of the applicant.

19 The Department shall conduct a background check of the
20 applicant to ensure compliance with the requirements of this
21 Act and all federal, State, and local laws. The background
22 check shall include a search of the following:

23 (1) the National Instant Criminal Background Check
24 System of the Federal Bureau of Investigation;

25 (2) all available state and local criminal history

1 record information files, including records of juvenile
2 adjudications;

3 (3) all available federal, state, and local records
4 regarding wanted persons;

5 (4) all available federal, state, and local records of
6 domestic violence restraining and protective orders;

7 (5) the files of the Department of Human Services
8 relating to mental health and developmental disabilities;
9 and

10 (6) all other available records of a federal, state, or
11 local agency or other public entity in any jurisdiction
12 likely to contain information relevant to whether the
13 applicant is prohibited from purchasing, possessing, or
14 carrying a firearm under federal, state, or local law.

15 Fingerprints collected under Section 30 shall be checked
16 against the Department of State Police and Federal Bureau of
17 Investigation criminal history record databases now and
18 hereafter filed. The Department shall charge applicants a fee
19 for conducting the criminal history records check, which shall
20 be deposited in the State Police Services Fund and shall not
21 exceed the actual cost of the records check.

22 The Department may deny an applicant if law enforcement
23 determines that the applicant poses a significant danger of
24 causing bodily injury to himself, herself, or another person in
25 the near future by possessing a concealed firearm. If the
26 applicant has been denied because the Department determines

1 that he or she poses a significant danger to himself, herself,
2 or another person in the near future, the Department shall
3 specify the basis for that determination.

4 (Source: P.A. 98-63, eff. 7-9-13; 98-756, eff. 7-16-14.)

5 (430 ILCS 66/50)

6 Sec. 50. License renewal. Applications for renewal of a
7 license shall be made to the Department. A license shall be
8 renewed for a period of 5 years upon receipt of a completed
9 renewal application, completion of 3 hours of training required
10 under Section 75 of this Act, payment of the applicable renewal
11 fee, and completion of an investigation under Section 35 of
12 this Act. The renewal application shall contain the information
13 required in Section 30 of this Act, except that the applicant
14 need not resubmit a full set of fingerprints if the applicant
15 has previously provided a full set of his or her fingerprints
16 to the Department under this Act or the Firearm Owners
17 Identification Card Act.

18 (Source: P.A. 98-63, eff. 7-9-13; 98-756, eff. 7-16-14.)

19 Section 15. The Criminal Code of 2012 is amended by
20 changing Section 24-3 as follows:

21 (720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

22 Sec. 24-3. Unlawful sale or delivery of firearms.

23 (A) A person commits the offense of unlawful sale or

1 delivery of firearms when he or she knowingly does any of the
2 following:

3 (a) Sells or gives any firearm of a size which may be
4 concealed upon the person to any person under 18 years of
5 age.

6 (b) Sells or gives any firearm to a person under 21
7 years of age who has been convicted of a misdemeanor other
8 than a traffic offense or adjudged delinquent.

9 (c) Sells or gives any firearm to any narcotic addict.

10 (d) Sells or gives any firearm to any person who has
11 been convicted of a felony under the laws of this or any
12 other jurisdiction.

13 (e) Sells or gives any firearm to any person who has
14 been a patient in a mental institution within the past 5
15 years. In this subsection (e):

16 "Mental institution" means any hospital,
17 institution, clinic, evaluation facility, mental
18 health center, or part thereof, which is used primarily
19 for the care or treatment of persons with mental
20 illness.

21 "Patient in a mental institution" means the person
22 was admitted, either voluntarily or involuntarily, to
23 a mental institution for mental health treatment,
24 unless the treatment was voluntary and solely for an
25 alcohol abuse disorder and no other secondary
26 substance abuse disorder or mental illness.

1 (f) Sells or gives any firearms to any person who is a
2 person with an intellectual disability.

3 (g) Delivers any firearm, incidental to a sale, without
4 withholding delivery of the firearm for at least 72 hours
5 after application for its purchase has been made, or
6 delivers a stun gun or taser, incidental to a sale, without
7 withholding delivery of the stun gun or taser for at least
8 24 hours after application for its purchase has been made.
9 However, this paragraph (g) does not apply to: (1) the sale
10 of a firearm to a law enforcement officer if the seller of
11 the firearm knows that the person to whom he or she is
12 selling the firearm is a law enforcement officer or the
13 sale of a firearm to a person who desires to purchase a
14 firearm for use in promoting the public interest incident
15 to his or her employment as a bank guard, armed truck
16 guard, or other similar employment; (2) a mail order sale
17 of a firearm from a federally licensed firearms dealer to a
18 nonresident of Illinois under which the firearm is mailed
19 to a federally licensed firearms dealer outside the
20 boundaries of Illinois; (3) (blank); (4) the sale of a
21 firearm to a dealer licensed as a federal firearms dealer
22 under Section 923 of the federal Gun Control Act of 1968
23 (18 U.S.C. 923); or (5) the transfer or sale of any rifle,
24 shotgun, or other long gun to a resident registered
25 competitor or attendee or non-resident registered
26 competitor or attendee by any dealer licensed as a federal

1 firearms dealer under Section 923 of the federal Gun
2 Control Act of 1968 at competitive shooting events held at
3 the World Shooting Complex sanctioned by a national
4 governing body. For purposes of transfers or sales under
5 subparagraph (5) of this paragraph (g), the Department of
6 Natural Resources shall give notice to the Department of
7 State Police at least 30 calendar days prior to any
8 competitive shooting events at the World Shooting Complex
9 sanctioned by a national governing body. The notification
10 shall be made on a form prescribed by the Department of
11 State Police. The sanctioning body shall provide a list of
12 all registered competitors and attendees at least 24 hours
13 before the events to the Department of State Police. Any
14 changes to the list of registered competitors and attendees
15 shall be forwarded to the Department of State Police as
16 soon as practicable. The Department of State Police must
17 destroy the list of registered competitors and attendees no
18 later than 30 days after the date of the event. Nothing in
19 this paragraph (g) relieves a federally licensed firearm
20 dealer from the requirements of conducting a NICS
21 background check through the Illinois Point of Contact
22 under 18 U.S.C. 922(t). For purposes of this paragraph (g),
23 "application" means when the buyer and seller reach an
24 agreement to purchase a firearm. For purposes of this
25 paragraph (g), "national governing body" means a group of
26 persons who adopt rules and formulate policy on behalf of a

1 national firearm sporting organization.

2 (h) While holding any license as a dealer, importer,
3 manufacturer or pawnbroker under the federal Gun Control
4 Act of 1968, manufactures, sells or delivers to any
5 unlicensed person a handgun having a barrel, slide, frame
6 or receiver which is a die casting of zinc alloy or any
7 other nonhomogeneous metal which will melt or deform at a
8 temperature of less than 800 degrees Fahrenheit. For
9 purposes of this paragraph, (1) "firearm" is defined as in
10 the Firearm Owners Identification Card Act; and (2)
11 "handgun" is defined as a firearm designed to be held and
12 fired by the use of a single hand, and includes a
13 combination of parts from which such a firearm can be
14 assembled.

15 (i) Sells or gives a firearm of any size to any person
16 under 18 years of age who does not possess a valid Firearm
17 Owner's Identification Card.

18 (j) Sells or gives a firearm while engaged in the
19 business of selling firearms at wholesale or retail without
20 being licensed as a federal firearms dealer under Section
21 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923).
22 In this paragraph (j):

23 A person "engaged in the business" means a person who
24 devotes time, attention, and labor to engaging in the
25 activity as a regular course of trade or business with the
26 principal objective of livelihood and profit, but does not

1 include a person who makes occasional repairs of firearms
2 or who occasionally fits special barrels, stocks, or
3 trigger mechanisms to firearms.

4 "With the principal objective of livelihood and
5 profit" means that the intent underlying the sale or
6 disposition of firearms is predominantly one of obtaining
7 livelihood and pecuniary gain, as opposed to other intents,
8 such as improving or liquidating a personal firearms
9 collection; however, proof of profit shall not be required
10 as to a person who engages in the regular and repetitive
11 purchase and disposition of firearms for criminal purposes
12 or terrorism.

13 (k) Sells or transfers ownership of a firearm to a
14 person in violation of Section 3 of the Firearm Owners
15 Identification Card Act ~~who does not display to the seller~~
16 ~~or transferor of the firearm either: (1) a currently valid~~
17 ~~Firearm Owner's Identification Card that has previously~~
18 ~~been issued in the transferee's name by the Department of~~
19 ~~State Police under the provisions of the Firearm Owners~~
20 ~~Identification Card Act; or (2) a currently valid license~~
21 ~~to carry a concealed firearm that has previously been~~
22 ~~issued in the transferee's name by the Department of State~~
23 ~~Police under the Firearm Concealed Carry Act. This~~
24 ~~paragraph (k) does not apply to the transfer of a firearm~~
25 ~~to a person who is exempt from the requirement of~~
26 ~~possessing a Firearm Owner's Identification Card under~~

1 ~~Section 2 of the Firearm Owners Identification Card Act.~~
2 ~~For the purposes of this Section, a currently valid Firearm~~
3 ~~Owner's Identification Card means (i) a Firearm Owner's~~
4 ~~Identification Card that has not expired or (ii) an~~
5 ~~approval number issued in accordance with subsection~~
6 ~~(a 10) of subsection 3 or Section 3.1 of the Firearm Owners~~
7 ~~Identification Card Act shall be proof that the Firearm~~
8 ~~Owner's Identification Card was valid.~~

9 (1) (Blank). ~~In addition to the other requirements~~
10 ~~of this paragraph (k), all persons who are not~~
11 ~~federally licensed firearms dealers must also have~~
12 ~~complied with subsection (a 10) of Section 3 of the~~
13 ~~Firearm Owners Identification Card Act by determining~~
14 ~~the validity of a purchaser's Firearm Owner's~~
15 ~~Identification Card.~~

16 (2) All sellers or transferors who are not
17 federally licensed firearms dealers and who have
18 complied with the requirements of ~~subparagraph (1) of~~
19 this paragraph (k) shall not be liable for damages in
20 any civil action arising from the use or misuse by the
21 transferee of the firearm transferred, except for
22 willful or wanton misconduct on the part of the seller
23 or transferor.

24 (1) Not being entitled to the possession of a firearm,
25 delivers the firearm, knowing it to have been stolen or
26 converted. It may be inferred that a person who possesses a

1 firearm with knowledge that its serial number has been
2 removed or altered has knowledge that the firearm is stolen
3 or converted.

4 (B) Paragraph (h) of subsection (A) does not include
5 firearms sold within 6 months after enactment of Public Act
6 78-355 (approved August 21, 1973, effective October 1, 1973),
7 nor is any firearm legally owned or possessed by any citizen or
8 purchased by any citizen within 6 months after the enactment of
9 Public Act 78-355 subject to confiscation or seizure under the
10 provisions of that Public Act. Nothing in Public Act 78-355
11 shall be construed to prohibit the gift or trade of any firearm
12 if that firearm was legally held or acquired within 6 months
13 after the enactment of that Public Act.

14 (C) Sentence.

15 (1) Any person convicted of unlawful sale or delivery
16 of firearms in violation of paragraph (c), (e), (f), (g),
17 or (h) of subsection (A) commits a Class 4 felony.

18 (2) Any person convicted of unlawful sale or delivery
19 of firearms in violation of paragraph (b) or (i) of
20 subsection (A) commits a Class 3 felony.

21 (3) Any person convicted of unlawful sale or delivery
22 of firearms in violation of paragraph (a) of subsection (A)
23 commits a Class 2 felony.

24 (4) Any person convicted of unlawful sale or delivery
25 of firearms in violation of paragraph (a), (b), or (i) of
26 subsection (A) in any school, on the real property

1 comprising a school, within 1,000 feet of the real property
2 comprising a school, at a school related activity, or on or
3 within 1,000 feet of any conveyance owned, leased, or
4 contracted by a school or school district to transport
5 students to or from school or a school related activity,
6 regardless of the time of day or time of year at which the
7 offense was committed, commits a Class 1 felony. Any person
8 convicted of a second or subsequent violation of unlawful
9 sale or delivery of firearms in violation of paragraph (a),
10 (b), or (i) of subsection (A) in any school, on the real
11 property comprising a school, within 1,000 feet of the real
12 property comprising a school, at a school related activity,
13 or on or within 1,000 feet of any conveyance owned, leased,
14 or contracted by a school or school district to transport
15 students to or from school or a school related activity,
16 regardless of the time of day or time of year at which the
17 offense was committed, commits a Class 1 felony for which
18 the sentence shall be a term of imprisonment of no less
19 than 5 years and no more than 15 years.

20 (5) Any person convicted of unlawful sale or delivery
21 of firearms in violation of paragraph (a) or (i) of
22 subsection (A) in residential property owned, operated, or
23 managed by a public housing agency or leased by a public
24 housing agency as part of a scattered site or mixed-income
25 development, in a public park, in a courthouse, on
26 residential property owned, operated, or managed by a

1 public housing agency or leased by a public housing agency
2 as part of a scattered site or mixed-income development, on
3 the real property comprising any public park, on the real
4 property comprising any courthouse, or on any public way
5 within 1,000 feet of the real property comprising any
6 public park, courthouse, or residential property owned,
7 operated, or managed by a public housing agency or leased
8 by a public housing agency as part of a scattered site or
9 mixed-income development commits a Class 2 felony.

10 (6) Any person convicted of unlawful sale or delivery
11 of firearms in violation of paragraph (j) of subsection (A)
12 commits a Class A misdemeanor. A second or subsequent
13 violation is a Class 4 felony.

14 (7) Any person convicted of unlawful sale or delivery
15 of firearms in violation of paragraph (k) of subsection (A)
16 commits a Class 4 felony, ~~except that a violation of~~
17 ~~subparagraph (1) of paragraph (k) of subsection (A) shall~~
18 ~~not be punishable as a crime or petty offense.~~ A third or
19 subsequent conviction for a violation of paragraph (k) of
20 subsection (A) is a Class 1 felony.

21 (8) A person 18 years of age or older convicted of
22 unlawful sale or delivery of firearms in violation of
23 paragraph (a) or (i) of subsection (A), when the firearm
24 that was sold or given to another person under 18 years of
25 age was used in the commission of or attempt to commit a
26 forcible felony, shall be fined or imprisoned, or both, not

1 to exceed the maximum provided for the most serious
2 forcible felony so committed or attempted by the person
3 under 18 years of age who was sold or given the firearm.

4 (9) Any person convicted of unlawful sale or delivery
5 of firearms in violation of paragraph (d) of subsection (A)
6 commits a Class 3 felony.

7 (10) Any person convicted of unlawful sale or delivery
8 of firearms in violation of paragraph (l) of subsection (A)
9 commits a Class 2 felony if the delivery is of one firearm.

10 Any person convicted of unlawful sale or delivery of
11 firearms in violation of paragraph (l) of subsection (A)
12 commits a Class 1 felony if the delivery is of not less
13 than 2 and not more than 5 firearms at the same time or
14 within a one year period. Any person convicted of unlawful
15 sale or delivery of firearms in violation of paragraph (l)
16 of subsection (A) commits a Class X felony for which he or
17 she shall be sentenced to a term of imprisonment of not
18 less than 6 years and not more than 30 years if the
19 delivery is of not less than 6 and not more than 10
20 firearms at the same time or within a 2 year period. Any
21 person convicted of unlawful sale or delivery of firearms
22 in violation of paragraph (l) of subsection (A) commits a
23 Class X felony for which he or she shall be sentenced to a
24 term of imprisonment of not less than 6 years and not more
25 than 40 years if the delivery is of not less than 11 and
26 not more than 20 firearms at the same time or within a 3

1 year period. Any person convicted of unlawful sale or
2 delivery of firearms in violation of paragraph (1) of
3 subsection (A) commits a Class X felony for which he or she
4 shall be sentenced to a term of imprisonment of not less
5 than 6 years and not more than 50 years if the delivery is
6 of not less than 21 and not more than 30 firearms at the
7 same time or within a 4 year period. Any person convicted
8 of unlawful sale or delivery of firearms in violation of
9 paragraph (1) of subsection (A) commits a Class X felony
10 for which he or she shall be sentenced to a term of
11 imprisonment of not less than 6 years and not more than 60
12 years if the delivery is of 31 or more firearms at the same
13 time or within a 5 year period.

14 (D) For purposes of this Section:

15 "School" means a public or private elementary or secondary
16 school, community college, college, or university.

17 "School related activity" means any sporting, social,
18 academic, or other activity for which students' attendance or
19 participation is sponsored, organized, or funded in whole or in
20 part by a school or school district.

21 (E) A prosecution for a violation of paragraph (k) of
22 subsection (A) of this Section may be commenced within 6 years
23 after the commission of the offense. A prosecution for a
24 violation of this Section other than paragraph (g) of
25 subsection (A) of this Section may be commenced within 5 years
26 after the commission of the offense defined in the particular

1 paragraph.

2 (Source: P.A. 99-29, eff. 7-10-15; 99-143, eff. 7-27-15;
3 99-642, eff. 7-28-16; 100-606, eff. 1-1-19.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.".