

# HB0174



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB0174

by Rep. Rita Mayfield

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-4.1

Amends the Criminal Code of 2012. Provides that the provision of the Code that makes it an offense for a person who possesses or acquires a firearm and thereafter loses the firearm, or if the firearm is stolen from the person, to fail to report the loss or theft to the local law enforcement agency within 72 hours after obtaining knowledge of the loss or theft is a Class 4 felony for a third offense (rather than a Class A misdemeanor) and a Class 3 felony for a fourth or subsequent offense. Effective immediately.

LRB101 04575 SLF 49583 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by changing  
5 Section 24-4.1 as follows:

6 (720 ILCS 5/24-4.1)

7 Sec. 24-4.1. Report of lost or stolen firearms.

8 (a) If a person who possesses a valid Firearm Owner's  
9 Identification Card and who possesses or acquires a firearm  
10 thereafter loses the firearm, or if the firearm is stolen from  
11 the person, the person must report the loss or theft to the  
12 local law enforcement agency within 72 hours after obtaining  
13 knowledge of the loss or theft.

14 (b) A law enforcement agency having jurisdiction shall take  
15 a written report and shall, as soon as practical, enter the  
16 firearm's serial number as stolen into the Law Enforcement  
17 Agencies Data System (LEADS).

18 (c) A person shall not be in violation of this Section if:

19 (1) the failure to report is due to an act of God, act  
20 of war, or inability of a law enforcement agency to receive  
21 the report;

22 (2) the person is hospitalized, in a coma, or is  
23 otherwise seriously physically or mentally impaired as to

1 prevent the person from reporting; or

2 (3) the person's designee makes a report if the person  
3 is unable to make the report.

4 (d) Sentence. A person who violates this Section is guilty  
5 of a petty offense for a first violation. A second ~~or~~  
6 ~~subsequent~~ violation of this Section is a Class A misdemeanor.  
7 A third violation of this Section is a Class 4 felony. A fourth  
8 or subsequent violation is a Class 3 felony.

9 (Source: P.A. 98-508, eff. 8-19-13.)

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.