



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3300

Introduced 2/19/2021, by Rep. Lance Yednock

#### SYNOPSIS AS INTRODUCED:

430 ILCS 65/2	from Ch. 38, par. 83-2
430 ILCS 65/3	from Ch. 38, par. 83-3
430 ILCS 65/6.2 new	

Amends the Firearm Owners Identification Card Act. Provides that the Illinois State Police may develop a system under which the holder of a Firearm Owner's Identification Card may display an electronic version of his or her Firearm Owner's Identification Card on a mobile telephone or other portable electronic device. Provides that an electronic version of a Firearm Owner's Identification Card shall contain security features the Illinois State Police determines to be necessary to ensure that the electronic version is accurate and current and shall satisfy other requirements the Illinois State Police determines to be necessary regarding form and content. Provides that the display or possession of an electronic version of a valid Firearm Owner's Identification Card in accordance with the requirements of the Illinois State Police must satisfy all requirements for the display or possession of a valid Firearm Owner's Identification Card under the laws of the State.

LRB102 12806 KMF 18147 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning safety.

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

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  
14 the Illinois ~~Department of~~ State Police under the provisions  
15 of this Act.

16 (2) A ~~No~~ person shall not ~~may~~ acquire or possess firearm  
17 ammunition within this State without possessing ~~having in his~~  
18 ~~or her possession~~ a Firearm Owner's Identification Card  
19 previously issued in his or her name by the Illinois  
20 ~~Department of~~ State Police under the provisions of this Act.

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

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

3           (2) Members of the Armed Forces of the United States  
4 or the National Guard, while engaged in the operation of  
5 their official duties;

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

8           (4) Members of bona fide veterans organizations which  
9 receive firearms directly from the armed forces of the  
10 United States, while using the firearms for ceremonial  
11 purposes with blank ammunition;

12           (5) Nonresident hunters during hunting season, with  
13 valid nonresident hunting licenses and while in an area  
14 where hunting is permitted; however, at all other times  
15 and in all other places these persons must have their  
16 firearms unloaded and enclosed in a case;

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

21           (7) Nonresidents while on a firing or shooting range  
22 recognized by the Illinois ~~Department of~~ State Police;  
23 however, these persons must at all other times and in all  
24 other places have their firearms unloaded and enclosed in  
25 a case;

26           (8) Nonresidents while at a firearm showing or display

1 recognized by the Illinois ~~Department of~~ State Police;  
2 however, at all other times and in all other places these  
3 persons must have their firearms unloaded and enclosed in  
4 a case;

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

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

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

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

18 (13) Nonresident hunters whose state of residence does  
19 not require them to be licensed or registered to possess a  
20 firearm and only during hunting season, with valid hunting  
21 licenses, while accompanied by, and using a firearm owned  
22 by, a person who possesses a valid Firearm Owner's  
23 Identification Card and while in an area within a  
24 commercial club licensed under the Wildlife Code where  
25 hunting is permitted and controlled, but in no instance  
26 upon sites owned or managed by the Department of Natural

1 Resources;

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

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

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

23 (c) The provisions of this Section regarding the  
24 acquisition and possession of firearms, firearm ammunition,  
25 stun guns, and tasers do not apply to law enforcement  
26 officials of this or any other jurisdiction, while engaged in

1 the operation of their official duties.

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

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

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

16 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

17 Sec. 3. (a) Except as provided in Section 3a, no person may  
18 knowingly transfer, or cause to be transferred, any firearm,  
19 firearm ammunition, stun gun, or taser to any person within  
20 this State unless the transferee with whom he or she deals  
21 possesses ~~displays~~ either: (1) a currently valid Firearm  
22 Owner's Identification Card which has previously been issued  
23 in his or her name by the Illinois ~~Department of~~ State Police  
24 under the provisions of this Act; or (2) a currently valid  
25 license to carry a concealed firearm which has previously been

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

5 (a-5) Any person who is not a federally licensed firearm  
6 dealer and who desires to transfer or sell a firearm while that  
7 person is on the grounds of a gun show must, before selling or  
8 transferring the firearm, request the Illinois ~~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, before selling or transferring the firearms,  
16 contact the Illinois ~~Department of~~ State Police with the  
17 transferee's or purchaser's Firearm Owner's Identification  
18 Card number to determine the validity of the transferee's or  
19 purchaser's Firearm Owner's Identification Card. This  
20 subsection (a-10) shall not be effective until January 1,  
21 2014. The Illinois ~~Department of~~ State Police may adopt rules  
22 concerning the implementation of this subsection (a-10). The  
23 Illinois ~~Department of~~ State Police shall provide the seller  
24 or transferor an approval number if the purchaser's Firearm  
25 Owner's Identification Card is valid. Approvals issued by the  
26 Illinois State Police ~~Department~~ for the purchase of a firearm

1 pursuant to this subsection are valid for 30 days from the date  
2 of issue.

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

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

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

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



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

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

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

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

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

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

24 (a-20) The Illinois ~~Department of~~ State Police shall  
25 develop an Internet-based system for individuals to determine  
26 the validity of a Firearm Owner's Identification Card prior to

1 the sale or transfer of a firearm. The Illinois State Police  
2 ~~Department~~ shall have the Internet-based system completed and  
3 available for use by July 1, 2015. The Illinois State Police  
4 ~~Department~~ shall adopt rules not inconsistent with this  
5 Section to implement this system.

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

1 General Assembly, failure by the private seller to maintain  
2 the transfer records in accordance with this Section is a  
3 Class A misdemeanor for the first offense and a Class 4 felony  
4 for a second or subsequent offense. A transferee shall not be  
5 criminally liable under this Section provided that he or she  
6 provides the Illinois Department of State Police with the  
7 transfer records in accordance with procedures established by  
8 the Illinois State Police Department. The Illinois State  
9 Police Department shall establish, by rule, a standard form on  
10 its website.

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

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

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

1 (430 ILCS 65/6.2 new)

2 Sec. 6.2. Electronic Firearm Owner's Identification Cards.

3 The Illinois State Police may develop a system under which the  
4 holder of a Firearm Owner's Identification Card may display an  
5 electronic version of his or her Firearm Owner's  
6 Identification Card on a mobile telephone or other portable  
7 electronic device. An electronic version of a Firearm Owner's  
8 Identification Card shall contain security features the  
9 Illinois State Police determines to be necessary to ensure  
10 that the electronic version is accurate and current and shall  
11 satisfy other requirements the Illinois State Police  
12 determines to be necessary regarding form and content. The  
13 display or possession of an electronic version of a valid  
14 Firearm Owner's Identification Card in accordance with the  
15 requirements of the Illinois State Police must satisfy all  
16 requirements for the display or possession of a valid Firearm  
17 Owner's Identification Card under the laws of this State. The  
18 possession or display of an electronic Firearm Owner's  
19 Identification Card on a mobile telephone or other portable  
20 electronic device does not constitute consent for a law  
21 enforcement officer, court, or other officer of the court to  
22 access other contents of the mobile telephone or other  
23 portable electronic device. The Illinois State Police may  
24 adopt rules to implement this Section.