



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3789

Introduced 2/22/2021, by Rep. Margaret Croke

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-9.6 new

Amends the Criminal Code of 2012. Provides that an owner of a handgun possessed before the effective date of the amendatory Act must make an application to register the handgun with the Director of the Illinois State Police, in the manner provided by the Director. Provides that registration information shall include the registrant's name, date of birth, gender, race, residential address, social security number, and a description of each handgun being registered. provides that a registration of any handgun shall be transferable if the seller notifies the Illinois State Police within 72 hours of the transfer and the buyer provides the Illinois State Police with information sufficient to constitute a registration under this provision. Provides that the registration shall not be valid if the registrant is prohibited or becomes prohibited from possessing a firearm under State or federal law. Provides that the Director shall determine whether the registrant is prohibited from possessing a firearm under State or federal law. Provides that the check shall be limited to determining whether the factors listed in the federal Gun Control Act of 1968 apply or whether a registrant has been convicted of a forcible felony, so as to prohibit the registrant from possessing a firearm, and whether notification to the Illinois State Police has been made under the Firearm Owners Identification Card Act. Provides that all registrants shall recertify to the Illinois State Police every 5 years thereafter. Provides that failure to recertify shall result in a revocation of the registration. Provides that a violation is a Class A misdemeanor.

LRB102 12038 RLC 17374 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 adding  
5 Section 24-9.6 as follows:

6 (720 ILCS 5/24-9.6 new)

7 Sec. 24-9.6. Registration of handguns.

8 (a) In this Section, "handgun" means any device which is  
9 designed to expel a projectile or projectiles by the action of  
10 an explosion, expansion of gas, or escape of gas that is  
11 designed to be held and fired by the use of a single hand.

12 "Handgun" does not include:

13 (1) a stun gun or taser;

14 (2) a machine gun as defined in item (i) of paragraph  
15 (7) of subsection (a) of Section 24-1 of the Criminal Code  
16 of 2012;

17 (3) a short-barreled rifle or shotgun as defined in  
18 item (ii) of paragraph (7) of subsection (a) of Section  
19 24-1 of the Criminal Code of 2012; or

20 (4) any pneumatic gun, spring gun, paint ball gun, or  
21 B-B gun which expels a single globular projectile not  
22 exceeding .18 inch in diameter, or which has a maximum  
23 muzzle velocity of less than 700 feet per second, or which

1 expels breakable paint balls containing washable marking  
2 colors.

3 (b) An owner of a handgun possessed before the effective  
4 date of this amendatory Act of the 102nd General Assembly must  
5 make an application to register the handgun with the Director  
6 of the Illinois State Police, in the manner provided by the  
7 Director by rule. Registration information shall include the  
8 registrant's name, date of birth, gender, race, residential  
9 address, social security number and the serial number and  
10 description of each handgun being registered. A registration  
11 of any handgun shall be transferable if the seller notifies  
12 the Illinois State Police within 72 hours of the transfer and  
13 the buyer provides the Illinois State Police with information  
14 sufficient to constitute a registration under this Section.  
15 The registration shall not be valid if the registrant is  
16 prohibited or becomes prohibited from possessing a firearm  
17 under State or federal law. The Director shall determine  
18 whether the registrant is prohibited from possessing a firearm  
19 under State or federal law. The check shall be limited to  
20 determining whether the factors in 18 USC 922 (g) apply or  
21 whether a registrant has been convicted of a forcible felony,  
22 so as to prohibit the registrant from possessing a firearm,  
23 and whether notification to the Illinois State Police has been  
24 made under Section 8.1 of the Firearm Owners Identification  
25 Card Act. All registrants shall recertify to the Illinois  
26 State Police every 5 years thereafter. Failure to recertify

1 shall result in a revocation of the registration.

2 (c) Sentence. A person who transfers a handgun to a person  
3 in this State without complying with this Section is guilty of  
4 a Class A misdemeanor.