

1 AN ACT concerning regulation.

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 24-5.1 as follows:

6 (720 ILCS 5/24-5.1 new)

7 Sec. 24-5.1. Serialization of unfinished frames or  
8 receivers; prohibition on unserialized firearms; exceptions;  
9 penalties.

10 (a) In this Section:

11 "Bona fide supplier" means an established business entity  
12 engaged in the development and sale of firearms parts to one or  
13 more federal firearms manufacturers or federal firearms  
14 importers.

15 "Federal firearms dealer" means a licensed manufacturer  
16 pursuant to 18 U.S.C. 921(a)(11).

17 "Federal firearms importer" means a licensed importer  
18 pursuant to 18 U.S.C. 921(a)(9).

19 "Federal firearms manufacturer" means a licensed  
20 manufacturer pursuant to 18 U.S.C. 921(a)(10).

21 "Frame or receiver" means a part of a firearm that, when  
22 the complete weapon is assembled, is visible from the exterior  
23 and provides housing or a structure designed to hold or

1 integrate one or more fire control components, even if pins or  
2 other attachments are required to connect those components to  
3 the housing or structure. For models of firearms in which  
4 multiple parts provide such housing or structure, the part or  
5 parts that the Director of the federal Bureau of Alcohol,  
6 Tobacco, Firearms and Explosives has determined are a frame or  
7 receiver constitute the frame or receiver. For purposes of  
8 this definition, "fire control component" means a component  
9 necessary for the firearm to initiate, complete, or continue  
10 the firing sequence, including any of the following: hammer,  
11 bolt, bolt carrier, breechblock, cylinder, trigger mechanism,  
12 firing pin, striker, or slide rails.

13 "Security exemplar" means an object to be fabricated at  
14 the direction of the United States Attorney General that is  
15 (1) constructed of 3.7 ounces of material type 17-4 PH  
16 stainless steel in a shape resembling a handgun and (2)  
17 suitable for testing and calibrating metal detectors.

18 "Three-dimensional printer" means a computer or  
19 computer-drive machine capable of producing a  
20 three-dimensional object from a digital model.

21 "Undetectable firearm" means (1) a firearm constructed  
22 entirely of non-metal substances; (2) a firearm that, after  
23 removal of all parts but the major components of the firearm,  
24 is not detectable by walk-through metal detectors calibrated  
25 and operated to detect the security exemplar; or (3) a firearm  
26 that includes a major component of a firearm, which, if

1 subject to the types of detection devices commonly used at  
2 airports for security screening, would not generate an image  
3 that accurately depicts the shape of the component.  
4 "Undetectable firearm" does not include a firearm subject to  
5 the provisions of 18 U.S.C. 922(p) (3) through (6).

6 "Unfinished frame or receiver" means any forging, casting,  
7 printing, extrusion, machined body, or similar article that:

8 (1) has reached a stage in manufacture where it may  
9 readily be completed, assembled, or converted to be a  
10 functional firearm; or

11 (2) is marketed or sold to the public to become or be  
12 used as the frame or receiver of a functional firearm once  
13 completed, assembled, or converted.

14 "Unserialized" means lacking a serial number imprinted by:

15 (1) a federal firearms manufacturer, federal firearms  
16 importer, federal firearms dealer, or other federal  
17 licensee authorized to provide marking services, pursuant  
18 to a requirement under federal law; or

19 (2) a federal firearms dealer or other federal  
20 licensee authorized to provide marking services pursuant  
21 to subsection (f) of this Section.

22 (b) It is unlawful for any person to knowingly sell, offer  
23 to sell, or transfer an unserialized unfinished frame or  
24 receiver or unserialized firearm, including those produced  
25 using a three-dimensional printer, unless the party purchasing  
26 or receiving the unfinished frame or receiver or unserialized

1 firearm is a federal firearms importer, federal firearms  
2 manufacturer, or federal firearms dealer.

3 (c) Beginning 180 days after the effective date of this  
4 amendatory Act of the 102nd General Assembly, it is unlawful  
5 for any person to knowingly possess, transport, or receive an  
6 unfinished frame or receiver, unless:

7 (1) the party possessing or receiving the unfinished  
8 frame or receiver is a federal firearms importer or  
9 federal firearms manufacturer;

10 (2) the unfinished frame or receiver is possessed or  
11 transported by a person for transfer to a federal firearms  
12 importer or federal firearms manufacturer; or

13 (3) the unfinished frame or receiver has been  
14 imprinted with a serial number issued by a federal  
15 firearms importer or federal firearms manufacturer in  
16 compliance with subsection (f) of this Section.

17 (d) Beginning 180 days after the effective date of this  
18 amendatory Act of the 102nd General Assembly, unless the party  
19 receiving the firearm is a federal firearms importer or  
20 federal firearms manufacturer, it is unlawful for any person  
21 to knowingly possess, purchase, transport, or receive a  
22 firearm that is not imprinted with a serial number by (1) a  
23 federal firearms importer or federal firearms manufacturer in  
24 compliance with all federal laws and regulations regulating  
25 the manufacture and import of firearms or (2) a federal  
26 firearms manufacturer, federal firearms dealer, or other

1 federal licensee authorized to provide marking services in  
2 compliance with the unserialized firearm serialization process  
3 under subsection (f) of this Section.

4 (e) Any firearm or unfinished frame or receiver  
5 manufactured using a three-dimensional printer must also be  
6 serialized in accordance with the requirements of subsection  
7 (f) within 30 days after the effective date of this amendatory  
8 Act of the 102nd General Assembly, or prior to reaching a stage  
9 of manufacture where it may be readily completed, assembled,  
10 or converted to be a functional firearm.

11 (f) Unserialized unfinished frames or receivers and  
12 unserialized firearms serialized pursuant to this Section  
13 shall be serialized in compliance with all of the following:

14 (1) An unserialized unfinished frame or receiver and  
15 unserialized firearm shall be serialized by a federally  
16 licensed firearms dealer or other federal licensee  
17 authorized to provide marking services with the licensee's  
18 abbreviated federal firearms license number as a prefix  
19 (which is the first 3 and last 5 digits) followed by a  
20 hyphen, and then followed by a number as a suffix, such as  
21 12345678-(number). The serial number or numbers must be  
22 placed in a manner that accords with the requirements  
23 under federal law for affixing serial numbers to firearms,  
24 including the requirements that the serial number or  
25 numbers be at the minimum size and depth, and not  
26 susceptible to being readily obliterated, altered, or

1 removed, and the licensee must retain records that accord  
2 with the requirements under federal law in the case of the  
3 sale of a firearm. The imprinting of any serial number  
4 upon a undetectable firearm must be done on a steel plaque  
5 in compliance with 18 U.S.C. 922(p).

6 (2) Every federally licensed firearms dealer or other  
7 federal licensee that engraves, casts, stamps, or  
8 otherwise conspicuously and permanently places a unique  
9 serial number pursuant to this Section shall maintain a  
10 record of such indefinitely. Licensees subject to the  
11 Firearm Dealer License Certification Act shall make all  
12 records accessible for inspection upon the request of the  
13 Illinois State Police or a law enforcement agency in  
14 accordance with Section 5-35 of the Firearm Dealer License  
15 Certification Act.

16 (3) Every federally licensed firearms dealer or other  
17 federal licensee that engraves, casts, stamps, or  
18 otherwise conspicuously and permanently places a unique  
19 serial number pursuant to this Section shall record it at  
20 the time of every transaction involving the transfer of a  
21 firearm, rifle, shotgun, finished frame or receiver, or  
22 unfinished frame or receiver that has been so marked in  
23 compliance with the federal guidelines set forth in 27 CFR  
24 478.124.

25 (4) Every federally licensed firearms dealer or other  
26 federal licensee that engraves, casts, stamps, or

1 otherwise conspicuously and permanently places a unique  
2 serial number pursuant to this Section shall review and  
3 confirm the validity of the owner's Firearm Owner's  
4 Identification Card issued under the Firearm Owners  
5 Identification Card Act prior to returning the firearm to  
6 the owner.

7 (g) Within 30 days after the effective date of this  
8 amendatory Act of the 102nd General Assembly, the Director of  
9 the Illinois State Police shall issue a public notice  
10 regarding the provisions of this Section. The notice shall  
11 include posting on the Illinois State Police website and may  
12 include written notification or any other means of  
13 communication statewide to all Illinois-based federal firearms  
14 manufacturers, federal firearms dealers, or other federal  
15 licensees authorized to provide marking services in compliance  
16 with the serialization process in subsection (f) in order to  
17 educate the public.

18 (h) Exceptions. This Section does not apply to an  
19 unserialized unfinished frame or receiver or an unserialized  
20 firearm that:

21 (1) has been rendered permanently inoperable;

22 (2) is an antique firearm, as defined in 18 U.S.C.  
23 921(a)(16);

24 (3) was manufactured prior to October 22, 1968;

25 (4) is an unfinished frame or receiver and is  
26 possessed by a bona fide supplier exclusively for transfer

1 to a federal firearms manufacturer or federal firearms  
2 importer, or is possessed by a federal firearms  
3 manufacturer or federal firearms importer in compliance  
4 with all federal laws and regulations regulating the  
5 manufacture and import of firearms; except this exemption  
6 does not apply if an unfinished frame or receiver is  
7 possessed for transfer or is transferred to a person other  
8 than a federal firearms manufacturer or federal firearms  
9 importer; or

10 (5) is possessed by a person who received the  
11 unserialized unfinished frame or receiver or unserialized  
12 firearm through inheritance, and is not otherwise  
13 prohibited from possessing the unserialized unfinished  
14 frame or receiver or unserialized firearm, for a period  
15 not exceeding 30 days after inheriting the unserialized  
16 unfinished frame or receiver or unserialized firearm.

17 (i) Penalties.

18 (1) A person who violates subsection (c) or (d) is  
19 guilty of a Class A misdemeanor for a first violation and  
20 is guilty of a Class 3 felony for a second or subsequent  
21 violation.

22 (2) A person who violates subsection (b) is guilty of  
23 a Class 4 felony for a first violation and is guilty of a  
24 Class 2 felony for a second or subsequent violation.

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.