



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB5731

by Rep. Kambium Buckner

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-5.1 new

Amends the Criminal Code of 2012. Provides that it is unlawful for any person to knowingly possess, transport, or receive an unfinished frame or receiver, unless: (1) the party possessing or receiving the unfinished frame or receiver is a federal firearms importer or federal firearms manufacturer or the unfinished frame or receiver is possessed or transported by a person for transfer to a federal firearms importer or federal firearms manufacturer; or (2) the unfinished frame or receiver is required by federal law to be, and has been, imprinted with a serial number issued by a federal firearms importer or federal firearms manufacturer. Provides that it is unlawful for any person to knowingly sell, offer to sell, transfer, or purchase an unfinished frame or receiver, unless: (1) the party purchasing or receiving the unfinished frame or receiver is a federal firearms importer, federal firearms manufacturer, or federal firearms dealer; or (2) the unfinished frame or receiver is required by federal law to be, and has been, imprinted with a serial number issued by a federal firearms importer or federal firearms manufacturer. Provides for various violations concerning using a three-dimensional printer or similar device to manufacture or produce a firearm, firearm receiver, or major firearm component when not licensed as a federal firearms manufacturer or distributing by any means, including the Internet, to a person who is not licensed as a manufacturer, instructions in the form of computer-aided design files or other code or instructions stored and displayed in electronic format as a digital model that may be used to program a three-dimensional printer to manufacture or produce a firearm, firearm receiver or major component of a firearm. Provides exceptions. Provides that a first violation is a Class A misdemeanor and that a second or subsequent violation is a Class 3 felony. Adds a severability provision. Effective immediately.

LRB102 26674 RLC 37479 b

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 24-5.1 as follows:

6 (720 ILCS 5/24-5.1 new)

7 Sec. 24-5.1. Prohibition on the sale, transfer, purchase,  
8 or possession of unfinished frames or receivers and  
9 unserialized firearms; exceptions; penalties.

10 (a) As used in this Section:

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

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

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

17 "Frame or receiver" means a part of a firearm that,  
18 when the complete weapon is assembled, is visible from the  
19 exterior and provides housing or a structure designed to  
20 hold or integrate one or more fire control components,  
21 even if pins or other attachments are required to connect  
22 those components to the housing or structure. For models  
23 of firearms in which multiple parts provide such housing

1 or structure, the part or parts that the Director of the  
2 federal Bureau of Alcohol, Tobacco, Firearms and  
3 Explosives has determined are a frame or receiver  
4 constitute the frame or receiver. For purposes of this  
5 definition, "fire control component" means a component  
6 necessary for the firearm to initiate, complete, or  
7 continue the firing sequence, including any of the  
8 following: hammer, bolt, bolt carrier, breechblock,  
9 cylinder, trigger mechanism, firing pin, striker, or slide  
10 rails.

11 "Three-dimensional printer" means a computer or  
12 computer-drive machine capable of producing a  
13 three-dimensional object from a digital model.

14 "Unfinished frame or receiver" means any forging,  
15 casting, printing, extrusion, machined body, or similar  
16 article that:

17 (1) has reached a stage in manufacture where it  
18 may readily be completed, assembled, or converted to  
19 be a functional; or

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

23 (b) Beginning 180 days after the effective date of this  
24 amendatory Act of the 102nd General Assembly, it is unlawful  
25 for any person to knowingly possess, transport, or receive an  
26 unfinished frame or receiver, unless:

1           (A) the party possessing or receiving the  
2           unfinished frame or receiver is a federal firearms  
3           importer or federal firearms manufacturer;

4           (B) the unfinished frame or receiver is  
5           possessed or transported by a person for transfer  
6           to a federal firearms importer or federal firearms  
7           manufacturer; or

8           (C) the unfinished frame or receiver is  
9           required by federal law to be, and has been,  
10          imprinted with a serial number issued by a federal  
11          firearms importer or federal firearms  
12          manufacturer.

13          (c) It is unlawful for any person to knowingly sell, offer  
14          to sell, transfer, or purchase an unfinished frame or  
15          receiver, unless:

16           (1) the party purchasing or receiving the unfinished  
17           frame or receiver is a federal firearms importer, federal  
18           firearms manufacturer, or federal firearms dealer; or

19           (2) the unfinished frame or receiver is required by  
20           federal law to be, and has been, imprinted with a serial  
21           number issued by a federal firearms importer or federal  
22           firearms manufacturer.

23          (d) Beginning one year after the effective date of this  
24          amendatory Act of the 102nd General Assembly, unless the party  
25          receiving the firearm is a law enforcement agency, federal  
26          firearms importer, or federal firearms manufacturer, it is

1 unlawful for any person to knowingly possess, purchase,  
2 transport, or receive a firearm that is not imprinted with a  
3 serial number by:

4 (1) a federal firearms importer or federal firearms  
5 manufacturer in compliance with all federal laws and  
6 regulations regulating the manufacture and import of  
7 firearms; or

8 (2) a federal firearms manufacturer, federal firearms  
9 dealer, or other federal licensee authorized to provide  
10 marketing services in compliance with the unserialized  
11 firearm serialization process under subsection (f) of this  
12 Section.

13 (e) Unless the party selling and the party receiving or  
14 purchasing the firearm is a law enforcement agency, federal  
15 firearms importer, or federal firearms manufacturer, it is  
16 unlawful for any person to knowingly sell, offer to sell, or  
17 transfer a firearm that is not imprinted with a serial number:  
18 by a federal firearms manufacturer, federal firearms dealer,  
19 or other federal licensee authorized to provide marketing  
20 service in compliance with unserialized firearm serialization  
21 process under subsection (f) of this Section; or by a federal  
22 firearms importer or federal firearms manufacturer in  
23 compliance with all federal laws and regulations regulating  
24 the manufacture and import of firearms.

25 (f) Unserialized firearms shall be serialized in  
26 compliance with all of the following:

1           (1) An unserialized firearm may be serialized by a  
2           federally licensed firearms dealer or other federal  
3           licensee authorized to provide marking services with the  
4           licensee's abbreviated federal firearms license number as  
5           a prefix (which is the first 3 and last 5 digits) followed  
6           by a hyphen, and then followed by a number as a suffix,  
7           such as 12345678-(number). The serial number or numbers  
8           must be placed in a manner that accords with the  
9           requirements under federal law for affixing serial numbers  
10           to firearms, including the requirements that the serial  
11           number or numbers be at the minimum size and depth, and not  
12           susceptible of being readily obliterated, altered, or  
13           removed, and the licensee must retain records that accord  
14           with the requirements under federal law in the case of the  
15           sale of a firearm. The imprinting of any serial number  
16           must be done on a steel plaque in compliance with 18 U.S.C.  
17           922(p).

18           (2) Every federally licensed firearms dealer or other  
19           federal licensee that engraves, casts, stamps, or  
20           otherwise conspicuously and permanently places a unique  
21           serial number pursuant to this Section shall keep a record  
22           book and enter in it at the time of every transaction  
23           involving the transfer of a firearm, rifle, shotgun,  
24           finished frame or receiver, or unfinished frame or  
25           receiver that has been so marked by the federal licensee,  
26           the date, name, age, and residence of any person to whom

1 such item is transferred along with the unique serial  
2 number engraved, cast, stamped, or otherwise conspicuously  
3 and permanently placed thereon.

4 (3) Every federally licensed firearms dealer or other  
5 federal licensee that engraves, casts, stamps, or  
6 otherwise conspicuously and permanently places a unique  
7 serial number pursuant to this Section shall review and  
8 confirm the validity of the owner's Firearm Owner's  
9 Identification Card issued under the Firearm Owners  
10 Identification Card Act prior to returning the firearm to  
11 the owner.

12 (4) A federally licensed firearms dealer or other  
13 federal licensee may charge a fee not to exceed \$35 to  
14 engrave, cast, stamp, or otherwise conspicuously and  
15 permanently place a unique serial number pursuant to this  
16 Section.

17 (g) It is unlawful when a person does any one of the  
18 following:

19 (1) uses a three-dimensional printer or similar device  
20 to manufacture or produce a firearm, firearm receiver, or  
21 major firearm component when not licensed as a federal  
22 firearm manufacturer; or

23 (2) distributes by any means, including the Internet,  
24 to a person who is not licensed as a manufacturer,  
25 instructions in the form of computer-aided design files or  
26 other code or instructions stored and displayed in

1 electronic format as a digital model that may be used to  
2 program a three-dimensional printer to manufacture or  
3 produce a firearm, firearm receiver, or major component of  
4 a firearm.

5 This subsection does not apply to the manufacture or  
6 production of a major component of a firearm for transfer to a  
7 federal firearms manufacturer or to instructions that may be  
8 used to program a three-dimensional printer to manufacture or  
9 produce a major component of a firearm for and on behalf of a  
10 federal firearms manufacturer.

11 (h) Within 180 days after the effective date of this  
12 amendatory Act of the 102nd General Assembly, the Director of  
13 the Illinois State Police shall issue public notice regarding  
14 the provisions of this Section. The notice shall include  
15 posting on the Illinois State Police website and may include  
16 written notification or any other means of statewide  
17 communication to all federal firearms manufacturers, federal  
18 firearms dealers, or other federal licensees authorized to  
19 provide marketing services in compliance with the unserialized  
20 firearm serialization process in subsection (f) in order to  
21 educate the public.

22 (i) Subsections (d) and (e) do not apply to a firearm that:

23 (1) has been rendered permanently inoperable;

24 (2) is an antique firearm, as defined in 18 U.S.C.

25 Section 921(a)(16); or

26 (3) was manufactured prior to October 22, 1968.



1       (j) A person who violates this Section is guilty of a Class  
2       A misdemeanor for a first violation and is guilty of a Class 3  
3       felony for a second or subsequent violation.

4       Section 97. Severability. The provisions of this Act are  
5       severable under Section 1.31 of the Statute on Statutes.

6       Section 99. Effective date. This Act takes effect upon  
7       becoming law.