



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB1057

Introduced 1/12/2023, by Rep. Rita Mayfield

#### SYNOPSIS AS INTRODUCED:

430 ILCS 65/1.1	from Ch. 38, par. 83-1.1
430 ILCS 65/3	from Ch. 38, par. 83-3
430 ILCS 65/3a	from Ch. 38, par. 83-3a
720 ILCS 5/24-3	from Ch. 38, par. 24-3

Amends the Firearm Owners Identification Card Act. Provides that no person, other than a certified licensee under the Firearm Dealer License Certification Act or an employee of the certified licensee in the course of his or her business as an employee of a certified licensee, may knowingly transfer, or cause to be transferred, firearm ammunition in the State. Amends the Criminal Code of 2012. Provides that it is a Class 4 felony to sell or give firearm ammunition to any person if the transferrer of the firearm ammunition is not a certified licensee under the Firearm Dealer License Certification Act or if the transferrer of the firearm ammunition is not an employee of the certified licensee selling or transferring firearm ammunition in the course of his or her business as an employee of a certified licensee. Defines "certified licensee" and "licensee".

LRB103 00028 RLC 45028 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 Firearm Owners Identification Card Act is  
5 amended by changing Sections 1.1, 3, and 3a as follows:

6 (430 ILCS 65/1.1) (from Ch. 38, par. 83-1.1)

7 Sec. 1.1. For purposes of this Act:

8 "Addicted to narcotics" means a person who has been:

9 (1) convicted of an offense involving the use or  
10 possession of cannabis, a controlled substance, or  
11 methamphetamine within the past year; or

12 (2) determined by the Illinois State Police to be  
13 addicted to narcotics based upon federal law or federal  
14 guidelines.

15 "Addicted to narcotics" does not include possession or use  
16 of a prescribed controlled substance under the direction and  
17 authority of a physician or other person authorized to  
18 prescribe the controlled substance when the controlled  
19 substance is used in the prescribed manner.

20 "Adjudicated as a person with a mental disability" means  
21 the person is the subject of a determination by a court, board,  
22 commission or other lawful authority that the person, as a  
23 result of marked subnormal intelligence, or mental illness,

1 mental impairment, incompetency, condition, or disease:

2 (1) presents a clear and present danger to himself,  
3 herself, or to others;

4 (2) lacks the mental capacity to manage his or her own  
5 affairs or is adjudicated a person with a disability as  
6 defined in Section 11a-2 of the Probate Act of 1975;

7 (3) is not guilty in a criminal case by reason of  
8 insanity, mental disease or defect;

9 (3.5) is guilty but mentally ill, as provided in  
10 Section 5-2-6 of the Unified Code of Corrections;

11 (4) is incompetent to stand trial in a criminal case;

12 (5) is not guilty by reason of lack of mental  
13 responsibility under Articles 50a and 72b of the Uniform  
14 Code of Military Justice, 10 U.S.C. 850a, 876b;

15 (6) is a sexually violent person under subsection (f)  
16 of Section 5 of the Sexually Violent Persons Commitment  
17 Act;

18 (7) is a sexually dangerous person under the Sexually  
19 Dangerous Persons Act;

20 (8) is unfit to stand trial under the Juvenile Court  
21 Act of 1987;

22 (9) is not guilty by reason of insanity under the  
23 Juvenile Court Act of 1987;

24 (10) is subject to involuntary admission as an  
25 inpatient as defined in Section 1-119 of the Mental Health  
26 and Developmental Disabilities Code;

1           (11) is subject to involuntary admission as an  
2           outpatient as defined in Section 1-119.1 of the Mental  
3           Health and Developmental Disabilities Code;

4           (12) is subject to judicial admission as set forth in  
5           Section 4-500 of the Mental Health and Developmental  
6           Disabilities Code; or

7           (13) is subject to the provisions of the Interstate  
8           Agreements on Sexually Dangerous Persons Act.

9           "Certified licensee" and "licensee" have the meanings  
10          ascribed to them in Section 5-5 of the Firearm Dealer  
11          License Certification Act.

12          "Clear and present danger" means a person who:

13           (1) communicates a serious threat of physical violence  
14           against a reasonably identifiable victim or poses a clear  
15           and imminent risk of serious physical injury to himself,  
16           herself, or another person as determined by a physician,  
17           clinical psychologist, or qualified examiner; or

18           (2) demonstrates threatening physical or verbal  
19           behavior, such as violent, suicidal, or assaultive  
20           threats, actions, or other behavior, as determined by a  
21           physician, clinical psychologist, qualified examiner,  
22           school administrator, or law enforcement official.

23          "Clinical psychologist" has the meaning provided in  
24          Section 1-103 of the Mental Health and Developmental  
25          Disabilities Code.

26          "Controlled substance" means a controlled substance or

1 controlled substance analog as defined in the Illinois  
2 Controlled Substances Act.

3 "Counterfeit" means to copy or imitate, without legal  
4 authority, with intent to deceive.

5 "Federally licensed firearm dealer" means a person who is  
6 licensed as a federal firearms dealer under Section 923 of the  
7 federal Gun Control Act of 1968 (18 U.S.C. 923).

8 "Firearm" means any device, by whatever name known, which  
9 is designed to expel a projectile or projectiles by the action  
10 of an explosion, expansion of gas or escape of gas; excluding,  
11 however:

12 (1) any pneumatic gun, spring gun, paint ball gun, or  
13 B-B gun which expels a single globular projectile not  
14 exceeding .18 inch in diameter or which has a maximum  
15 muzzle velocity of less than 700 feet per second;

16 (1.1) any pneumatic gun, spring gun, paint ball gun,  
17 or B-B gun which expels breakable paint balls containing  
18 washable marking colors;

19 (2) any device used exclusively for signaling or  
20 safety and required or recommended by the United States  
21 Coast Guard or the Interstate Commerce Commission;

22 (3) any device used exclusively for the firing of stud  
23 cartridges, explosive rivets or similar industrial  
24 ammunition; and

25 (4) an antique firearm (other than a machine-gun)  
26 which, although designed as a weapon, the Illinois State

1 Police finds by reason of the date of its manufacture,  
2 value, design, and other characteristics is primarily a  
3 collector's item and is not likely to be used as a weapon.

4 "Firearm ammunition" means any self-contained cartridge or  
5 shotgun shell, by whatever name known, which is designed to be  
6 used or adaptable to use in a firearm; excluding, however:

7 (1) any ammunition exclusively designed for use with a  
8 device used exclusively for signaling ~~signalling~~ or safety  
9 and required or recommended by the United States Coast  
10 Guard or the Interstate Commerce Commission; and

11 (2) any ammunition designed exclusively for use with a  
12 stud or rivet driver or other similar industrial  
13 ammunition.

14 "Gun show" means an event or function:

15 (1) at which the sale and transfer of firearms is the  
16 regular and normal course of business and where 50 or more  
17 firearms are displayed, offered, or exhibited for sale,  
18 transfer, or exchange; or

19 (2) at which not less than 10 gun show vendors  
20 display, offer, or exhibit for sale, sell, transfer, or  
21 exchange firearms.

22 "Gun show" includes the entire premises provided for an  
23 event or function, including parking areas for the event or  
24 function, that is sponsored to facilitate the purchase, sale,  
25 transfer, or exchange of firearms as described in this  
26 Section. Nothing in this definition shall be construed to

1 exclude a gun show held in conjunction with competitive  
2 shooting events at the World Shooting Complex sanctioned by a  
3 national governing body in which the sale or transfer of  
4 firearms is authorized under subparagraph (5) of paragraph (g)  
5 of subsection (A) of Section 24-3 of the Criminal Code of 2012.

6 Unless otherwise expressly stated, "gun show" does not  
7 include training or safety classes, competitive shooting  
8 events, such as rifle, shotgun, or handgun matches, trap,  
9 skeet, or sporting clays shoots, dinners, banquets, raffles,  
10 or any other event where the sale or transfer of firearms is  
11 not the primary course of business.

12 "Gun show promoter" means a person who organizes or  
13 operates a gun show.

14 "Gun show vendor" means a person who exhibits, sells,  
15 offers for sale, transfers, or exchanges any firearms at a gun  
16 show, regardless of whether the person arranges with a gun  
17 show promoter for a fixed location from which to exhibit,  
18 sell, offer for sale, transfer, or exchange any firearm.

19 "Involuntarily admitted" has the meaning as prescribed in  
20 Sections 1-119 and 1-119.1 of the Mental Health and  
21 Developmental Disabilities Code.

22 "Mental health facility" means any licensed private  
23 hospital or hospital affiliate, institution, or facility, or  
24 part thereof, and any facility, or part thereof, operated by  
25 the State or a political subdivision thereof which provides  
26 ~~provide~~ treatment of persons with mental illness and includes

1 all hospitals, institutions, clinics, evaluation facilities,  
2 mental health centers, colleges, universities, long-term care  
3 facilities, and nursing homes, or parts thereof, which provide  
4 treatment of persons with mental illness whether or not the  
5 primary purpose is to provide treatment of persons with mental  
6 illness.

7 "National governing body" means a group of persons who  
8 adopt rules and formulate policy on behalf of a national  
9 firearm sporting organization.

10 "Patient" means:

11 (1) a person who is admitted as an inpatient or  
12 resident of a public or private mental health facility for  
13 mental health treatment under Chapter III of the Mental  
14 Health and Developmental Disabilities Code as an informal  
15 admission, a voluntary admission, a minor admission, an  
16 emergency admission, or an involuntary admission, unless  
17 the treatment was solely for an alcohol abuse disorder; or

18 (2) a person who voluntarily or involuntarily receives  
19 mental health treatment as an out-patient or is otherwise  
20 provided services by a public or private mental health  
21 facility~~r~~ and who poses a clear and present danger to  
22 himself, herself, or ~~to~~ others.

23 "Person with a developmental disability" means a person  
24 with a disability which is attributable to any other condition  
25 which results in impairment similar to that caused by an  
26 intellectual disability and which requires services similar to



1 those required by persons with intellectual disabilities. The  
2 disability must originate before the age of 18 years, be  
3 expected to continue indefinitely, and constitute a  
4 substantial disability. This disability results, in the  
5 professional opinion of a physician, clinical psychologist, or  
6 qualified examiner, in significant functional limitations in 3  
7 or more of the following areas of major life activity:

- 8 (i) self-care;  
9 (ii) receptive and expressive language;  
10 (iii) learning;  
11 (iv) mobility; or  
12 (v) self-direction.

13 "Person with an intellectual disability" means a person  
14 with a significantly subaverage general intellectual  
15 functioning which exists concurrently with impairment in  
16 adaptive behavior and which originates before the age of 18  
17 years.

18 "Physician" has the meaning as defined in Section 1-120 of  
19 the Mental Health and Developmental Disabilities Code.

20 "Protective order" means any orders of protection issued  
21 under the Illinois Domestic Violence Act of 1986, stalking no  
22 contact orders issued under the Stalking No Contact Order Act,  
23 civil no contact orders issued under the Civil No Contact  
24 Order Act, and firearms restraining orders issued under the  
25 Firearms Restraining Order Act.

26 "Qualified examiner" has the meaning provided in Section

1 1-122 of the Mental Health and Developmental Disabilities  
2 Code.

3 "Sanctioned competitive shooting event" means a shooting  
4 contest officially recognized by a national or state shooting  
5 sport association, and includes any sight-in or practice  
6 conducted in conjunction with the event.

7 "School administrator" means the person required to report  
8 under the School Administrator Reporting of Mental Health  
9 Clear and Present Danger Determinations Law.

10 "Stun gun or taser" has the meaning ascribed to it in  
11 Section 24-1 of the Criminal Code of 2012.

12 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;  
13 revised 10-6-21.)

14 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

15 (Text of Section before amendment by P.A. 102-237)

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

1 addition, all firearm, stun gun, and taser transfers by  
2 federally licensed firearm dealers are subject to Section 3.1.

3 (a-5) Any person who is not a federally licensed firearm  
4 dealer and who desires to transfer or sell a firearm while that  
5 person is on the grounds of a gun show must, before selling or  
6 transferring the firearm, request the Illinois State Police to  
7 conduct a background check on the prospective recipient of the  
8 firearm in accordance with Section 3.1.

9 (a-10) Notwithstanding item (2) of subsection (a) of this  
10 Section, any person who is not a federally licensed firearm  
11 dealer and who desires to transfer or sell a firearm or  
12 firearms to any person who is not a federally licensed firearm  
13 dealer shall, before selling or transferring the firearms,  
14 contact the Illinois State Police with the transferee's or  
15 purchaser's Firearm Owner's Identification Card number to  
16 determine the validity of the transferee's or purchaser's  
17 Firearm Owner's Identification Card. This subsection shall not  
18 be effective until January 1, 2014. The Illinois State Police  
19 may adopt rules concerning the implementation of this  
20 subsection. The Illinois State Police shall provide the seller  
21 or transferor an approval number if the purchaser's Firearm  
22 Owner's Identification Card is valid. Approvals issued by the  
23 Illinois State Police for the purchase of a firearm pursuant  
24 to this subsection are valid for 30 days from the date of  
25 issue.

26 (a-15) The provisions of subsection (a-10) of this Section

1 do not apply to:

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

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

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

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

26 (5) the delivery of a firearm by its owner to a

1           gunsmith for service or repair, the return of the firearm  
2           to its owner by the gunsmith, or the delivery of a firearm  
3           by a gunsmith to a federally licensed firearms dealer for  
4           service or repair and the return of the firearm to the  
5           gunsmith;

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

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

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

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

21          (a-20) The Illinois State Police shall develop an  
22          Internet-based system for individuals to determine the  
23          validity of a Firearm Owner's Identification Card prior to the  
24          sale or transfer of a firearm. The Illinois State Police shall  
25          have the Internet-based system completed and available for use  
26          by July 1, 2015. The Illinois State Police shall adopt rules

1 not inconsistent with this Section to implement this system.

2 (b) Any person within this State who transfers or causes  
3 to be transferred any firearm, stun gun, or taser shall keep a  
4 record of such transfer for a period of 10 years from the date  
5 of transfer. Such record shall contain the date of the  
6 transfer; the description, serial number or other information  
7 identifying the firearm, stun gun, or taser if no serial  
8 number is available; and, if the transfer was completed within  
9 this State, the transferee's Firearm Owner's Identification  
10 Card number and any approval number or documentation provided  
11 by the Illinois State Police pursuant to subsection (a-10) of  
12 this Section; if the transfer was not completed within this  
13 State, the record shall contain the name and address of the  
14 transferee. On or after January 1, 2006, the record shall  
15 contain the date of application for transfer of the firearm.  
16 On demand of a peace officer such transferor shall produce for  
17 inspection such record of transfer. If the transfer or sale  
18 took place at a gun show, the record shall include the unique  
19 identification number. Failure to record the unique  
20 identification number or approval number is a petty offense.  
21 For transfers of a firearm, stun gun, or taser made on or after  
22 January 18, 2019 (the effective date of Public Act 100-1178),  
23 failure by the private seller to maintain the transfer records  
24 in accordance with this Section is a Class A misdemeanor for  
25 the first offense and a Class 4 felony for a second or  
26 subsequent offense. A transferee shall not be criminally

1 liable under this Section provided that he or she provides the  
2 Illinois State Police with the transfer records in accordance  
3 with procedures established by the Illinois State Police. The  
4 Illinois State Police shall establish, by rule, a standard  
5 form on its website.

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

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

20 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

21 (Text of Section after amendment by P.A. 102-237)

22 Sec. 3. (a) Except as provided in Section 3a, no person may  
23 knowingly transfer, or cause to be transferred, any firearm,  
24 firearm ammunition, stun gun, or taser to any person within  
25 this State unless the transferee with whom he deals displays

1 either: (1) a currently valid Firearm Owner's Identification  
2 Card which has previously been issued in his or her name by the  
3 Illinois State Police under the provisions of this Act; or (2)  
4 a currently valid license to carry a concealed firearm which  
5 has previously been issued in his or her name by the Illinois  
6 State Police under the Firearm Concealed Carry Act. In  
7 addition, all firearm, stun gun, and taser transfers by  
8 federally licensed firearm dealers are subject to Section 3.1.

9 (a-1) No person, other than a certified licensee under the  
10 Firearm Dealer License Certification Act or an employee of the  
11 certified licensee who sells or transfers firearm ammunition  
12 in the course of his or her business as an employee of a  
13 certified licensee, may knowingly transfer, or cause to be  
14 transferred, firearm ammunition in this State.

15 (a-5) Any person who is not a federally licensed firearm  
16 dealer and who desires to transfer or sell a firearm while that  
17 person is on the grounds of a gun show must, before selling or  
18 transferring the firearm, request the Illinois State Police to  
19 conduct a background check on the prospective recipient of the  
20 firearm in accordance with Section 3.1.

21 (a-10) Notwithstanding item (2) of subsection (a) of this  
22 Section, any person who is not a federally licensed firearm  
23 dealer and who desires to transfer or sell a firearm or  
24 firearms to any person who is not a federally licensed firearm  
25 dealer shall, before selling or transferring the firearms,  
26 contact a federal firearm license dealer under paragraph (1)



1 of subsection (a-15) of this Section to conduct the transfer  
2 or the Illinois State Police with the transferee's or  
3 purchaser's Firearm Owner's Identification Card number to  
4 determine the validity of the transferee's or purchaser's  
5 Firearm Owner's Identification Card under State and federal  
6 law, including the National Instant Criminal Background Check  
7 System. This subsection shall not be effective until January  
8 1, 2024. Until that date the transferor shall contact the  
9 Illinois State Police with the transferee's or purchaser's  
10 Firearm Owner's Identification Card number to determine the  
11 validity of the card. The Illinois State Police may adopt  
12 rules concerning the implementation of this subsection. The  
13 Illinois State Police shall provide the seller or transferor  
14 an approval number if the purchaser's Firearm Owner's  
15 Identification Card is valid. Approvals issued by the Illinois  
16 State Police for the purchase of a firearm pursuant to this  
17 subsection are valid for 30 days from the date of issue.

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

20 (1) transfers that occur at the place of business of a  
21 federally licensed firearm dealer, if the federally  
22 licensed firearm dealer conducts a background check on the  
23 prospective recipient of the firearm in accordance with  
24 Section 3.1 of this Act and follows all other applicable  
25 federal, State, and local laws as if he or she were the  
26 seller or transferor of the firearm, although the dealer

1 is not required to accept the firearm into his or her  
2 inventory. The purchaser or transferee may be required by  
3 the federally licensed firearm dealer to pay a fee not to  
4 exceed \$25 per firearm, which the dealer may retain as  
5 compensation for performing the functions required under  
6 this paragraph, plus the applicable fees authorized by  
7 Section 3.1;

8 (2) transfers as a bona fide gift to the transferor's  
9 husband, wife, son, daughter, stepson, stepdaughter,  
10 father, mother, stepfather, stepmother, brother, sister,  
11 nephew, niece, uncle, aunt, grandfather, grandmother,  
12 grandson, granddaughter, father-in-law, mother-in-law,  
13 son-in-law, or daughter-in-law;

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

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

18 (5) the delivery of a firearm by its owner to a  
19 gunsmith for service or repair, the return of the firearm  
20 to its owner by the gunsmith, or the delivery of a firearm  
21 by a gunsmith to a federally licensed firearms dealer for  
22 service or repair and the return of the firearm to the  
23 gunsmith;

24 (6) temporary transfers that occur while in the home  
25 of the unlicensed transferee, if the unlicensed transferee  
26 is not otherwise prohibited from possessing firearms and

1 the unlicensed transferee reasonably believes that  
2 possession of the firearm is necessary to prevent imminent  
3 death or great bodily harm to the unlicensed transferee;

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

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

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

13 (a-20) The Illinois State Police shall develop an  
14 Internet-based system for individuals to determine the  
15 validity of a Firearm Owner's Identification Card prior to the  
16 sale or transfer of a firearm. The Illinois State Police shall  
17 have the Internet-based system updated and available for use  
18 by January 1, 2024. The Illinois State Police shall adopt  
19 rules not inconsistent with this Section to implement this  
20 system; but no rule shall allow the Illinois State Police to  
21 retain records in contravention of State and federal law.

22 (a-25) On or before January 1, 2022, the Illinois State  
23 Police shall develop an Internet-based system upon which the  
24 serial numbers of firearms that have been reported stolen are  
25 available for public access for individuals to ensure any  
26 firearms are not reported stolen prior to the sale or transfer

1 of a firearm under this Section. The Illinois State Police  
2 shall have the Internet-based system completed and available  
3 for use by July 1, 2022. The Illinois State Police shall adopt  
4 rules not inconsistent with this Section to implement this  
5 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. Any person within this State who receives any  
10 firearm, stun gun, or taser pursuant to subsection (a-10)  
11 shall provide a record of the transfer within 10 days of the  
12 transfer to a federally licensed firearm dealer and shall not  
13 be required to maintain a transfer record. The federally  
14 licensed firearm dealer shall maintain the transfer record for  
15 20 years from the date of receipt. A federally licensed  
16 firearm dealer may charge a fee not to exceed \$25 to retain the  
17 record. The record shall be provided and maintained in either  
18 an electronic or paper format. The federally licensed firearm  
19 dealer shall not be liable for the accuracy of any information  
20 in the transfer record submitted pursuant to this Section.  
21 Such records shall contain the date of the transfer; the  
22 description, serial number or other information identifying  
23 the firearm, stun gun, or taser if no serial number is  
24 available; and, if the transfer was completed within this  
25 State, the transferee's Firearm Owner's Identification Card  
26 number and any approval number or documentation provided by

1 the Illinois State Police pursuant to subsection (a-10) of  
2 this Section; if the transfer was not completed within this  
3 State, the record shall contain the name and address of the  
4 transferee. On or after January 1, 2006, the record shall  
5 contain the date of application for transfer of the firearm.  
6 On demand of a peace officer such transferor shall produce for  
7 inspection such record of transfer. For any transfer pursuant  
8 to subsection (a-10) of this Section, on the demand of a peace  
9 officer, such transferee shall identify the federally licensed  
10 firearm dealer maintaining the transfer record. If the  
11 transfer or sale took place at a gun show, the record shall  
12 include the unique identification number. Failure to record  
13 the unique identification number or approval number is a petty  
14 offense. For transfers of a firearm, stun gun, or taser made on  
15 or after January 18, 2019 (the effective date of Public Act  
16 100-1178), failure by the private seller to maintain the  
17 transfer records in accordance with this Section, or failure  
18 by a transferee pursuant to subsection a-10 of this Section to  
19 identify the federally licensed firearm dealer maintaining the  
20 transfer record, is a Class A misdemeanor for the first  
21 offense and a Class 4 felony for a second or subsequent offense  
22 occurring within 10 years of the first offense and the second  
23 offense was committed after conviction of the first offense.  
24 Whenever any person who has not previously been convicted of  
25 any violation of subsection (a-5), the court may grant  
26 supervision pursuant to and consistent with the limitations of

1 Section 5-6-1 of the Unified Code of Corrections. A transferee  
2 or transferor shall not be criminally liable under this  
3 Section provided that he or she provides the Illinois State  
4 Police with the transfer records in accordance with procedures  
5 established by the Illinois State Police. The Illinois State  
6 Police shall establish, by rule, a standard form on its  
7 website.

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

19 (c) (Blank). ~~The provisions of this Section regarding the~~  
20 ~~transfer of firearm ammunition shall not apply to those~~  
21 ~~persons specified in paragraph (b) of Section 2 of this Act.~~

22 (Source: P.A. 102-237, eff. 1-1-24; 102-538, eff. 8-20-21;  
23 102-813, eff. 5-13-22.)

24 (430 ILCS 65/3a) (from Ch. 38, par. 83-3a)

25 Sec. 3a. (a) Any resident of Illinois who has obtained a

1 firearm owner's identification card pursuant to this Act and  
2 who is not otherwise prohibited from obtaining, possessing or  
3 using a firearm may purchase or obtain a rifle or shotgun or  
4 ammunition for a rifle or shotgun in Iowa, Missouri, Indiana,  
5 Wisconsin or Kentucky.

6 (b) Any resident of Iowa, Missouri, Indiana, Wisconsin or  
7 Kentucky or a non-resident with a valid non-resident hunting  
8 license, who is 18 years of age or older and who is not  
9 prohibited by the laws of Illinois, the state of his domicile,  
10 or the United States from obtaining, possessing or using a  
11 firearm, may purchase or obtain a rifle, shotgun or ammunition  
12 for a rifle or shotgun in Illinois.

13 (b-5) Any non-resident who is participating in a  
14 sanctioned competitive shooting event, who is 18 years of age  
15 or older and who is not prohibited by the laws of Illinois, the  
16 state of his or her domicile, or the United States from  
17 obtaining, possessing, or using a firearm, may purchase or  
18 obtain a shotgun or shotgun ammunition in Illinois for the  
19 purpose of participating in that event. A person may purchase  
20 or obtain a shotgun or shotgun ammunition under this  
21 subsection only at the site where the sanctioned competitive  
22 shooting event is being held.

23 (b-6) Notwithstanding subsections (a), (b), and (b-5),  
24 ammunition for a rifle or shotgun must be purchased only from a  
25 federally licensed firearm dealer.

26 (b-10) Any non-resident registered competitor or attendee

1 of a competitive shooting event held at the World Shooting  
2 Complex sanctioned by a national governing body, who is not  
3 prohibited by the laws of Illinois, the state of his or her  
4 domicile, or the United States from obtaining, possessing, or  
5 using a firearm may purchase or obtain a rifle, shotgun, or  
6 other long gun or ammunition for a rifle, shotgun, or other  
7 long gun at the competitive shooting event. The sanctioning  
8 body shall provide a list of registered competitors and  
9 attendees as required under subparagraph (5) of paragraph (g)  
10 of subsection (A) of Section 24-3 of the Criminal Code of 2012.  
11 A competitor or attendee of a competitive shooting event who  
12 does not wish to purchase a firearm at the event is not  
13 required to register or have his or her name appear on a list  
14 of registered competitors and attendees provided to the  
15 Department of State Police by the sanctioning body.

16 (c) Any transaction under this Section is subject to the  
17 provisions of the Gun Control Act of 1968 (18 U.S.C. 922  
18 (b)(3)).

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

20 Section 10. The Criminal Code of 2012 is amended by  
21 changing Section 24-3 as follows:

22 (720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

23 Sec. 24-3. Unlawful sale or delivery of firearms.

24 (A) A person commits the offense of unlawful sale or



1 delivery of firearms when he or she knowingly does any of the  
2 following:

3 (a) Sells or gives any firearm of a size which may be  
4 concealed upon the person to any person under 18 years of  
5 age.

6 (b) Sells or gives any firearm to a person under 21  
7 years of age who has been convicted of a misdemeanor other  
8 than a traffic offense or adjudged delinquent.

9 (c) Sells or gives any firearm to any narcotic addict.

10 (d) Sells or gives any firearm to any person who has  
11 been convicted of a felony under the laws of this or any  
12 other jurisdiction.

13 (e) Sells or gives any firearm to any person who has  
14 been a patient in a mental institution within the past 5  
15 years. In this subsection (e):

16 "Mental institution" means any hospital,  
17 institution, clinic, evaluation facility, mental  
18 health center, or part thereof, which is used  
19 primarily for the care or treatment of persons with  
20 mental illness.

21 "Patient in a mental institution" means the person  
22 was admitted, either voluntarily or involuntarily, to  
23 a mental institution for mental health treatment,  
24 unless the treatment was voluntary and solely for an  
25 alcohol abuse disorder and no other secondary  
26 substance abuse disorder or mental illness.

1           (f) Sells or gives any firearms to any person who is a  
2 person with an intellectual disability.

3           (g) Delivers any firearm, incidental to a sale,  
4 without withholding delivery of the firearm for at least  
5 72 hours after application for its purchase has been made,  
6 or delivers a stun gun or taser, incidental to a sale,  
7 without withholding delivery of the stun gun or taser for  
8 at least 24 hours after application for its purchase has  
9 been made. However, this paragraph (g) does not apply to:

10 (1) the sale of a firearm to a law enforcement officer if  
11 the seller of the firearm knows that the person to whom he  
12 or she is selling the firearm is a law enforcement officer  
13 or the sale of a firearm to a person who desires to  
14 purchase a firearm for use in promoting the public  
15 interest incident to his or her employment as a bank  
16 guard, armed truck guard, or other similar employment; (2)  
17 a mail order sale of a firearm from a federally licensed  
18 firearms dealer to a nonresident of Illinois under which  
19 the firearm is mailed to a federally licensed firearms  
20 dealer outside the boundaries of Illinois; (3) (blank);  
21 (4) the sale of a firearm to a dealer licensed as a federal  
22 firearms dealer under Section 923 of the federal Gun  
23 Control Act of 1968 (18 U.S.C. 923); or (5) the transfer or  
24 sale of any rifle, shotgun, or other long gun to a resident  
25 registered competitor or attendee or non-resident  
26 registered competitor or attendee by any dealer licensed

1 as a federal firearms dealer under Section 923 of the  
2 federal Gun Control Act of 1968 at competitive shooting  
3 events held at the World Shooting Complex sanctioned by a  
4 national governing body. For purposes of transfers or  
5 sales under subparagraph (5) of this paragraph (g), the  
6 Department of Natural Resources shall give notice to the  
7 Illinois State Police at least 30 calendar days prior to  
8 any competitive shooting events at the World Shooting  
9 Complex sanctioned by a national governing body. The  
10 notification shall be made on a form prescribed by the  
11 Illinois State Police. The sanctioning body shall provide  
12 a list of all registered competitors and attendees at  
13 least 24 hours before the events to the Illinois State  
14 Police. Any changes to the list of registered competitors  
15 and attendees shall be forwarded to the Illinois State  
16 Police as soon as practicable. The Illinois State Police  
17 must destroy the list of registered competitors and  
18 attendees no later than 30 days after the date of the  
19 event. Nothing in this paragraph (g) relieves a federally  
20 licensed firearm dealer from the requirements of  
21 conducting a NICS background check through the Illinois  
22 Point of Contact under 18 U.S.C. 922(t). For purposes of  
23 this paragraph (g), "application" means when the buyer and  
24 seller reach an agreement to purchase a firearm. For  
25 purposes of this paragraph (g), "national governing body"  
26 means a group of persons who adopt rules and formulate

1 policy on behalf of a national firearm sporting  
2 organization.

3 (h) While holding any license as a dealer, importer,  
4 manufacturer or pawnbroker under the federal Gun Control  
5 Act of 1968, manufactures, sells or delivers to any  
6 unlicensed person a handgun having a barrel, slide, frame  
7 or receiver which is a die casting of zinc alloy or any  
8 other nonhomogeneous metal which will melt or deform at a  
9 temperature of less than 800 degrees Fahrenheit. For  
10 purposes of this paragraph, (1) "firearm" is defined as in  
11 the Firearm Owners Identification Card Act; and (2)  
12 "handgun" is defined as a firearm designed to be held and  
13 fired by the use of a single hand, and includes a  
14 combination of parts from which such a firearm can be  
15 assembled.

16 (i) Sells or gives a firearm of any size to any person  
17 under 18 years of age who does not possess a valid Firearm  
18 Owner's Identification Card.

19 (j) Sells or gives a firearm while engaged in the  
20 business of selling firearms at wholesale or retail  
21 without being licensed as a federal firearms dealer under  
22 Section 923 of the federal Gun Control Act of 1968 (18  
23 U.S.C. 923). In this paragraph (j):

24 A person "engaged in the business" means a person who  
25 devotes time, attention, and labor to engaging in the  
26 activity as a regular course of trade or business with the

1 principal objective of livelihood and profit, but does not  
2 include a person who makes occasional repairs of firearms  
3 or who occasionally fits special barrels, stocks, or  
4 trigger mechanisms to firearms.

5 "With the principal objective of livelihood and  
6 profit" means that the intent underlying the sale or  
7 disposition of firearms is predominantly one of obtaining  
8 livelihood and pecuniary gain, as opposed to other  
9 intents, such as improving or liquidating a personal  
10 firearms collection; however, proof of profit shall not be  
11 required as to a person who engages in the regular and  
12 repetitive purchase and disposition of firearms for  
13 criminal purposes or terrorism.

14 (k) Sells or transfers ownership of a firearm to a  
15 person who does not display to the seller or transferor of  
16 the firearm either: (1) a currently valid Firearm Owner's  
17 Identification Card that has previously been issued in the  
18 transferee's name by the Illinois State Police under the  
19 provisions of the Firearm Owners Identification Card Act;  
20 or (2) a currently valid license to carry a concealed  
21 firearm that has previously been issued in the  
22 transferee's name by the Illinois State Police under the  
23 Firearm Concealed Carry Act. This paragraph (k) does not  
24 apply to the transfer of a firearm to a person who is  
25 exempt from the requirement of possessing a Firearm  
26 Owner's Identification Card under Section 2 of the Firearm

1 Owners Identification Card Act. For the purposes of this  
2 Section, a currently valid Firearm Owner's Identification  
3 Card or license to carry a concealed firearm means receipt  
4 of an approval number issued in accordance with subsection  
5 (a-10) of Section 3 or Section 3.1 of the Firearm Owners  
6 Identification Card Act.

7 (1) In addition to the other requirements of this  
8 paragraph (k), all persons who are not federally  
9 licensed firearms dealers must also have complied with  
10 subsection (a-10) of Section 3 of the Firearm Owners  
11 Identification Card Act by determining the validity of  
12 a purchaser's Firearm Owner's Identification Card.

13 (2) All sellers or transferors who have complied  
14 with the requirements of subparagraph (1) of this  
15 paragraph (k) shall not be liable for damages in any  
16 civil action arising from the use or misuse by the  
17 transferee of the firearm transferred, except for  
18 willful or wanton misconduct on the part of the seller  
19 or transferor.

20 (1) Not being entitled to the possession of a firearm,  
21 delivers the firearm, knowing it to have been stolen or  
22 converted. It may be inferred that a person who possesses  
23 a firearm with knowledge that its serial number has been  
24 removed or altered has knowledge that the firearm is  
25 stolen or converted.

26 (m) Sells or gives firearm ammunition to a person if

1 the transferrer of the firearm ammunition is not a  
2 certified licensee under the Firearm Dealer License  
3 Certification Act or if the transferrer of the firearm  
4 ammunition is not an employee of the certified licensee  
5 who sells or transfers firearm ammunition in the course of  
6 his or her business as an employee of a certified  
7 licensee. In this paragraph (m), "certified licensee" and  
8 "licensee" have the meanings ascribed to them in Section  
9 5-5 of the Firearm Dealer License Certification Act.

10 (B) Paragraph (h) of subsection (A) does not include  
11 firearms sold within 6 months after enactment of Public Act  
12 78-355 (approved August 21, 1973, effective October 1, 1973),  
13 nor is any firearm legally owned or possessed by any citizen or  
14 purchased by any citizen within 6 months after the enactment  
15 of Public Act 78-355 subject to confiscation or seizure under  
16 the provisions of that Public Act. Nothing in Public Act  
17 78-355 shall be construed to prohibit the gift or trade of any  
18 firearm if that firearm was legally held or acquired within 6  
19 months after the enactment of that Public Act.

20 (C) Sentence.

21 (1) Any person convicted of unlawful sale or delivery  
22 of firearms in violation of paragraph (c), (e), (f), (g),  
23 ~~or~~ (h), or (m) of subsection (A) commits a Class 4 felony.

24 (2) Any person convicted of unlawful sale or delivery  
25 of firearms in violation of paragraph (b) or (i) of  
26 subsection (A) commits a Class 3 felony.

1           (3) Any person convicted of unlawful sale or delivery  
2 of firearms in violation of paragraph (a) of subsection  
3 (A) commits a Class 2 felony.

4           (4) Any person convicted of unlawful sale or delivery  
5 of firearms in violation of paragraph (a), (b), or (i) of  
6 subsection (A) in any school, on the real property  
7 comprising a school, within 1,000 feet of the real  
8 property comprising a school, at a school related  
9 activity, or on or within 1,000 feet of any conveyance  
10 owned, leased, or contracted by a school or school  
11 district to transport students to or from school or a  
12 school related activity, regardless of the time of day or  
13 time of year at which the offense was committed, commits a  
14 Class 1 felony. Any person convicted of a second or  
15 subsequent violation of unlawful sale or delivery of  
16 firearms in violation of paragraph (a), (b), or (i) of  
17 subsection (A) in any school, on the real property  
18 comprising a school, within 1,000 feet of the real  
19 property comprising a school, at a school related  
20 activity, or on or within 1,000 feet of any conveyance  
21 owned, leased, or contracted by a school or school  
22 district to transport students to or from school or a  
23 school related activity, regardless of the time of day or  
24 time of year at which the offense was committed, commits a  
25 Class 1 felony for which the sentence shall be a term of  
26 imprisonment of no less than 5 years and no more than 15



1 years.

2 (5) Any person convicted of unlawful sale or delivery  
3 of firearms in violation of paragraph (a) or (i) of  
4 subsection (A) in residential property owned, operated, or  
5 managed by a public housing agency or leased by a public  
6 housing agency as part of a scattered site or mixed-income  
7 development, in a public park, in a courthouse, on  
8 residential property owned, operated, or managed by a  
9 public housing agency or leased by a public housing agency  
10 as part of a scattered site or mixed-income development,  
11 on the real property comprising any public park, on the  
12 real property comprising any courthouse, or on any public  
13 way within 1,000 feet of the real property comprising any  
14 public park, courthouse, or residential property owned,  
15 operated, or managed by a public housing agency or leased  
16 by a public housing agency as part of a scattered site or  
17 mixed-income development commits a Class 2 felony.

18 (6) Any person convicted of unlawful sale or delivery  
19 of firearms in violation of paragraph (j) of subsection  
20 (A) commits a Class A misdemeanor. A second or subsequent  
21 violation is a Class 4 felony.

22 (7) Any person convicted of unlawful sale or delivery  
23 of firearms in violation of paragraph (k) of subsection  
24 (A) commits a Class 4 felony, except that a violation of  
25 subparagraph (1) of paragraph (k) of subsection (A) shall  
26 not be punishable as a crime or petty offense. A third or

1 subsequent conviction for a violation of paragraph (k) of  
2 subsection (A) is a Class 1 felony.

3 (8) A person 18 years of age or older convicted of  
4 unlawful sale or delivery of firearms in violation of  
5 paragraph (a) or (i) of subsection (A), when the firearm  
6 that was sold or given to another person under 18 years of  
7 age was used in the commission of or attempt to commit a  
8 forcible felony, shall be fined or imprisoned, or both,  
9 not to exceed the maximum provided for the most serious  
10 forcible felony so committed or attempted by the person  
11 under 18 years of age who was sold or given the firearm.

12 (9) Any person convicted of unlawful sale or delivery  
13 of firearms in violation of paragraph (d) of subsection  
14 (A) commits a Class 3 felony.

15 (10) Any person convicted of unlawful sale or delivery  
16 of firearms in violation of paragraph (l) of subsection  
17 (A) commits a Class 2 felony if the delivery is of one  
18 firearm. Any person convicted of unlawful sale or delivery  
19 of firearms in violation of paragraph (l) of subsection  
20 (A) commits a Class 1 felony if the delivery is of not less  
21 than 2 and not more than 5 firearms at the same time or  
22 within a one-year period. Any person convicted of unlawful  
23 sale or delivery of firearms in violation of paragraph (l)  
24 of subsection (A) commits a Class X felony for which he or  
25 she shall be sentenced to a term of imprisonment of not  
26 less than 6 years and not more than 30 years if the

1 delivery is of not less than 6 and not more than 10  
2 firearms at the same time or within a 2-year period. Any  
3 person convicted of unlawful sale or delivery of firearms  
4 in violation of paragraph (1) of subsection (A) commits a  
5 Class X felony for which he or she shall be sentenced to a  
6 term of imprisonment of not less than 6 years and not more  
7 than 40 years if the delivery is of not less than 11 and  
8 not more than 20 firearms at the same time or within a  
9 3-year period. Any person convicted of unlawful sale or  
10 delivery of firearms in violation of paragraph (1) of  
11 subsection (A) commits a Class X felony for which he or she  
12 shall be sentenced to a term of imprisonment of not less  
13 than 6 years and not more than 50 years if the delivery is  
14 of not less than 21 and not more than 30 firearms at the  
15 same time or within a 4-year period. Any person convicted  
16 of unlawful sale or delivery of firearms in violation of  
17 paragraph (1) of subsection (A) commits a Class X felony  
18 for which he or she shall be sentenced to a term of  
19 imprisonment of not less than 6 years and not more than 60  
20 years if the delivery is of 31 or more firearms at the same  
21 time or within a 5-year period.

22 (D) For purposes of this Section:

23 "School" means a public or private elementary or secondary  
24 school, community college, college, or university.

25 "School related activity" means any sporting, social,  
26 academic, or other activity for which students' attendance or

1 participation is sponsored, organized, or funded in whole or  
2 in part by a school or school district.

3 (E) A prosecution for a violation of paragraph (k) of  
4 subsection (A) of this Section may be commenced within 6 years  
5 after the commission of the offense. A prosecution for a  
6 violation of this Section other than paragraph (g) of  
7 subsection (A) of this Section may be commenced within 5 years  
8 after the commission of the offense defined in the particular  
9 paragraph.

10 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;  
11 102-813, eff. 5-13-22.)

12 Section 95. No acceleration or delay. Where this Act makes  
13 changes in a statute that is represented in this Act by text  
14 that is not yet or no longer in effect (for example, a Section  
15 represented by multiple versions), the use of that text does  
16 not accelerate or delay the taking effect of (i) the changes  
17 made by this Act or (ii) provisions derived from any other  
18 Public Act.