



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5442

Introduced 2/9/2024, by Rep. Bob Morgan

SYNOPSIS AS INTRODUCED:

430 ILCS 65/3.1

from Ch. 38, par. 83-3.1

Amends the Firearm Owners Identification Card Act concerning the Firearm Transfer Inquiry Program. Provides that the Illinois State Police may charge a fee not to exceed \$10 and any processing fee. Provides that the processing fees shall be limited to charges by the State Treasurer for using the electronic online payment system. Provides that \$4 from each fee collected under this provision shall be deposited into the State Police Revocation Enforcement Fund. Currently, the Illinois State Police may utilize existing technology which allows the caller to be charged a fee not to exceed \$2.

LRB103 35703 RLC 68030 b

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 Section 3.1 as follows:

6 (430 ILCS 65/3.1) (from Ch. 38, par. 83-3.1)

7 Sec. 3.1. Firearm Transfer Inquiry Program.

8 (a) The Illinois State Police shall provide a dial up
9 telephone system or utilize other existing technology which
10 shall be used by any federally licensed firearm dealer, gun
11 show promoter, or gun show vendor who is to transfer a firearm,
12 stun gun, or taser under the provisions of this Act. The
13 Illinois State Police may charge ~~utilize existing technology~~
14 ~~which allows the caller to be charged~~ a fee not to exceed \$10
15 and any applicable processing fees. The processing fees shall
16 be limited to charges by the State Treasurer for using the
17 electronic online payment system ~~\$2~~. Fees collected by the
18 Illinois State Police shall be deposited in the State Police
19 Firearm Services Fund and used to provide the service; \$4 from
20 each fee collected under this subsection (a) shall be
21 deposited into the State Police Revocation Enforcement Fund.

22 (b) Upon receiving a request from a federally licensed
23 firearm dealer, gun show promoter, or gun show vendor, the

1 Illinois State Police shall immediately approve or, within the
2 time period established by Section 24-3 of the Criminal Code
3 of 2012 regarding the delivery of firearms, stun guns, and
4 tasers, notify the inquiring dealer, gun show promoter, or gun
5 show vendor of any objection that would disqualify the
6 transferee from acquiring or possessing a firearm, stun gun,
7 or taser. In conducting the inquiry, the Illinois State Police
8 shall initiate and complete an automated search of its
9 criminal history record information files and those of the
10 Federal Bureau of Investigation, including the National
11 Instant Criminal Background Check System, and of the files of
12 the Department of Human Services relating to mental health and
13 developmental disabilities to obtain any felony conviction or
14 patient hospitalization information which would disqualify a
15 person from obtaining or require revocation of a currently
16 valid Firearm Owner's Identification Card.

17 (b-5) By January 1, 2023, the Illinois State Police shall
18 by rule provide a process for the automatic renewal of the
19 Firearm Owner's Identification Card of a person at the time of
20 an inquiry in subsection (b). Persons eligible for this
21 process must have a set of fingerprints on file with their
22 applications under either subsection (a-25) of Section 4 or
23 the Firearm Concealed Carry Act.

24 (c) If receipt of a firearm would not violate Section 24-3
25 of the Criminal Code of 2012, federal law, or this Act, the
26 Illinois State Police shall:

1 (1) assign a unique identification number to the
2 transfer; and

3 (2) provide the licensee, gun show promoter, or gun
4 show vendor with the number.

5 (d) Approvals issued by the Illinois State Police for the
6 purchase of a firearm are valid for 30 days from the date of
7 issue.

8 (e) (1) The Illinois State Police must act as the Illinois
9 Point of Contact for the National Instant Criminal Background
10 Check System.

11 (2) The Illinois State Police and the Department of Human
12 Services shall, in accordance with State and federal law
13 regarding confidentiality, enter into a memorandum of
14 understanding with the Federal Bureau of Investigation for the
15 purpose of implementing the National Instant Criminal
16 Background Check System in the State. The Illinois State
17 Police shall report the name, date of birth, and physical
18 description of any person prohibited from possessing a firearm
19 pursuant to the Firearm Owners Identification Card Act or 18
20 U.S.C. 922(g) and (n) to the National Instant Criminal
21 Background Check System Index, Denied Persons Files.

22 (3) The Illinois State Police shall provide notice of the
23 disqualification of a person under subsection (b) of this
24 Section or the revocation of a person's Firearm Owner's
25 Identification Card under Section 8 or Section 8.2 of this
26 Act, and the reason for the disqualification or revocation, to

1 all law enforcement agencies with jurisdiction to assist with
2 the seizure of the person's Firearm Owner's Identification
3 Card.

4 (f) The Illinois State Police shall adopt rules not
5 inconsistent with this Section to implement this system.

6 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
7 102-813, eff. 5-13-22.)