

1 AN ACT in relation to 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 1961 is amended by  
5 changing Section 24-3.5 as follows:

6 (720 ILCS 5/24-3.5)

7 Sec. 24-3.5. Unlawful purchase of a firearm.

8 (a) For purposes of this Section, "firearms transaction  
9 record form" means a form:

- 10 (1) executed by a transferee of a firearm stating:
  - 11 (i) the transferee's name and address (including county
  - 12 or similar political subdivision); (ii) whether the
  - 13 transferee is a citizen of the United States; (iii) the
  - 14 transferee's State of residence; and (iv) the date and
  - 15 place of birth, height, weight, and race of the
  - 16 transferee; and

- 17 (2) on which the transferee certifies that he or
  - 18 she is not prohibited by federal law from transporting or
  - 19 shipping a firearm in interstate or foreign commerce or
  - 20 receiving a firearm that has been shipped or transported
  - 21 in interstate or foreign commerce or possessing a firearm
  - 22 in or affecting commerce.

23 (b) A person commits the offense of unlawful purchase of  
24 a firearm who knowingly purchases or attempts to purchase a  
25 firearm with the intent to deliver that firearm to another  
26 person who is prohibited by federal or State law from  
27 possessing a firearm.

28 (c) A person commits the offense of unlawful purchase of  
29 a firearm when he or she, in purchasing or attempting to  
30 purchase a firearm, intentionally provides false or  
31 misleading information on a United States Department of the

1 Treasury, Bureau of Alcohol, Tobacco and Firearms firearms  
2 transaction record form.

3 (d) Exemption. It is not a violation of subsection (b)  
4 of this Section for a person to make a gift or loan of a  
5 firearm to a person who is not prohibited by federal or State  
6 law from possessing a firearm if the transfer of the firearm  
7 is made in accordance with Section 3 of the Firearm Owners  
8 Identification Card Act.

9 (e) Sentence.

10 (1) A person who commits the offense of unlawful  
11 purchase of a firearm by purchasing or attempting to  
12 purchase a firearm with intent to deliver the firearm in  
13 violation of subsection (b) or by purchasing or  
14 attempting to purchase a firearm in violation of  
15 subsection (c):

16 (A) is guilty of a Class 4 felony for  
17 purchasing or attempting to purchase one firearm;

18 (B) is guilty of a Class 3 felony for  
19 purchasing or attempting to purchase not less than 2  
20 firearms and not more than 5 firearms at the same  
21 time or within a one year period;

22 (C) is guilty of a Class 2 felony for  
23 purchasing or attempting to purchase not less than 6  
24 firearms and not more than 10 firearms at the same  
25 time or within a 2 year period;

26 (D) is guilty of a Class 1 felony for  
27 purchasing or attempting to purchase not less than  
28 11 firearms and not more than 20 firearms at the  
29 same time or within a 3 year period;

30 (E) is guilty of a Class X felony for which  
31 the person shall be sentenced to a term of  
32 imprisonment of not less than 6 years and not more  
33 than 30 years for purchasing or attempting to  
34 purchase not less than 21 firearms and not more than

1           30 firearms at the same time or within a 4 year  
2           period;

3           (F) is guilty of a Class X felony for which  
4           the person shall be sentenced to a term of  
5           imprisonment of not less than 6 years and not more  
6           than 40 years for purchasing or attempting to  
7           purchase not less than 31 firearms and not more than  
8           40 firearms at the same time or within a 5 year  
9           period;

10          (G) is guilty of a Class X felony for which  
11          the person shall be sentenced to a term of  
12          imprisonment of not less than 6 years and not more  
13          than 50 years for purchasing or attempting to  
14          purchase more than 40 firearms at the same time or  
15          within a 6 year period.

16          (2) In addition to any other penalty that may be  
17          imposed for a violation of this Section, the court may  
18          sentence a person convicted of a violation of subsection  
19          (c) of this Section to a fine not to exceed \$250,000 for  
20          each violation.

21          (Source: P.A. 91-265, eff. 1-1-00.)

22          Section 99. Effective date. This Act takes effect upon  
23          becoming law.