

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 a firearm with intent~~  
12 ~~to deliver the firearm in violation of subsection (b) or~~  
13 ~~by purchasing a firearm in violation of subsection (e):~~

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

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

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

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

28 (E) is guilty of a Class X felony for which  
29 the person shall be sentenced to a term of  
30 imprisonment of not less than 6 years and not more  
31 than 30 years for purchasing or attempting to  
32 purchase not less than 21 firearms and not more than  
33 30 firearms at the same time or within a 4 year  
34 period;

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

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

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

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

20          Section 99. Effective date. This Act takes effect upon  
21          becoming law.