

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.