



Rep. Harry Osterman

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09600HB5480ham001

LRB096 18968 RLC 40881 a

1 AMENDMENT TO HOUSE BILL 5480

2 AMENDMENT NO. _____. Amend House Bill 5480 on page 1, line
3 5, by replacing "Section 3" with "Sections 3 and 3.1"; and

4 on page 3, by inserting after line 25 the following:

5 "(430 ILCS 65/3.1) (from Ch. 38, par. 83-3.1)

6 Sec. 3.1. Dial up system.

7 (a) The Department of State Police shall provide a dial up
8 telephone system or utilize other existing technology which
9 shall be used by any federally licensed firearm dealer, gun
10 show promoter, or gun show vendor who is to transfer a firearm,
11 stun gun, or taser under the provisions of this Act. The
12 Department of State Police may utilize existing technology
13 which allows the caller to be charged a fee not to exceed \$2.
14 Fees collected by the Department of State Police shall be
15 deposited in the State Police Services Fund and used to provide
16 the service.

1 (b) Upon receiving a request from a federally licensed
2 firearm dealer, gun show promoter, or gun show vendor, the
3 Department of State Police shall immediately approve, or within
4 the time period established by Section 24-3 of the Criminal
5 Code of 1961 regarding the delivery of firearms, stun guns, and
6 tasers notify the inquiring dealer, gun show promoter, or gun
7 show vendor of any objection that would disqualify the
8 transferee from acquiring or possessing a firearm, stun gun, or
9 taser. In conducting the inquiry, the Department of State
10 Police shall initiate and complete an automated search of its
11 criminal history record information files and those of the
12 Federal Bureau of Investigation, including the National
13 Instant Criminal Background Check System, and of the files of
14 the Department of Human Services relating to mental health and
15 developmental disabilities to obtain any felony conviction or
16 patient hospitalization information which would disqualify a
17 person from obtaining or require revocation of a currently
18 valid Firearm Owner's Identification Card.

19 (c) If receipt of a firearm would not violate Section 24-3
20 of the Criminal Code of 1961, federal law, or this Act the
21 Department of State Police shall:

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

24 (2) provide the licensee, gun show promoter, or gun
25 show vendor with the number.

26 (d) Approvals issued by the Department of State Police for

1 the purchase of a firearm are valid for 30 days from the date
2 of issue.

3 (e) (1) The Department of State Police must act as the
4 Illinois Point of Contact for the National Instant Criminal
5 Background Check System.

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

17 (f) The Department of State Police shall promulgate rules
18 not inconsistent with this Section to implement this system.

19 (g) The Department of State Police shall develop an
20 Internet based system for individuals to request the Department
21 of State Police to conduct an instant criminal background check
22 prior to the sale or transfer of a handgun. The Department of
23 State Police shall have the system completed and available for
24 use by July 1, 2012. The Department shall promulgate rules not
25 inconsistent with this Section to implement this system.

26 (Source: P.A. 94-6, eff. 1-1-06; 94-353, eff. 7-29-05; 95-331,

1 eff. 8-21-07; 95-564, eff. 6-1-08.)".