



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB2633

Introduced 2/21/2013, by Rep. Maria Antonia Berrios

#### SYNOPSIS AS INTRODUCED:

430 ILCS 65/3  
430 ILCS 65/14

from Ch. 38, par. 83-3  
from Ch. 38, par. 83-14

Amends the Firearm Owners Identification Card Act. Provides that the transferor of a firearm, stun gun, or taser must furnish a record of the transfer, within 10 days of the transfer, to the Department of State Police. The transferee must furnish a record of the transfer and a copy of his or her valid Firearm Owner's Identification Card to the Department of State Police within 10 days of the transfer. Provides that the Department of State Police must maintain the record for a period of 10 years. Provides that a violation is a petty offense. Effective immediately.

LRB098 08521 RLC 38632 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning firearms.

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 Sections 3 and 14 as follows:

6 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

7 Sec. 3. (a) Except as provided in Section 3a, no person may  
8 knowingly transfer, or cause to be transferred, any firearm,  
9 firearm ammunition, stun gun, or taser to any person within  
10 this State unless the transferee with whom he deals displays a  
11 currently valid Firearm Owner's Identification Card which has  
12 previously been issued in his name by the Department of State  
13 Police under the provisions of this Act. In addition, all  
14 firearm, stun gun, and taser transfers by federally licensed  
15 firearm dealers are subject to Section 3.1.

16 (a-5) Any person who is not a federally licensed firearm  
17 dealer and who desires to transfer or sell a firearm while that  
18 person is on the grounds of a gun show must, before selling or  
19 transferring the firearm, request the Department of State  
20 Police to conduct a background check on the prospective  
21 recipient of the firearm in accordance with Section 3.1.

22 (b) Any person within this State who transfers or causes to  
23 be transferred any firearm, stun gun, or taser shall keep a

1 record of such transfer for a period of 10 years from the date  
2 of transfer. Such record shall contain the date of the  
3 transfer; the description, serial number or other information  
4 identifying the firearm, stun gun, or taser if no serial number  
5 is available; and, if the transfer was completed within this  
6 State, the transferee's Firearm Owner's Identification Card  
7 number. On or after January 1, 2006, the record shall contain  
8 the date of application for transfer of the firearm. On demand  
9 of a peace officer such transferor shall produce for inspection  
10 such record of transfer. If the transfer or sale took place at  
11 a gun show, the record shall include the unique identification  
12 number. Failure to record the unique identification number is a  
13 petty offense.

14 (b-1) The transferor of a firearm, stun gun, or taser must  
15 furnish a record of the transfer, within 10 days of the  
16 transfer, to the Department of State Police. The transferee  
17 must furnish a record of the transfer and a copy of his or her  
18 valid Firearm Owner's Identification Card to the Department of  
19 State Police within 10 days of the transfer. The Department of  
20 State Police must maintain the record for a period of 10 years.

21 (b-5) Any resident may purchase ammunition from a person  
22 within or outside of Illinois if shipment is by United States  
23 mail or by a private express carrier authorized by federal law  
24 to ship ammunition. Any resident purchasing ammunition within  
25 or outside the State of Illinois must provide the seller with a  
26 copy of his or her valid Firearm Owner's Identification Card

1 and either his or her Illinois driver's license or Illinois  
2 State Identification Card prior to the shipment of the  
3 ammunition. The ammunition may be shipped only to an address on  
4 either of those 2 documents.

5 (c) The provisions of this Section regarding the transfer  
6 of firearm ammunition shall not apply to those persons  
7 specified in paragraph (b) of Section 2 of this Act.

8 (Source: P.A. 97-1135, eff. 12-4-12.)

9 (430 ILCS 65/14) (from Ch. 38, par. 83-14)

10 Sec. 14. Sentence.

11 (a) Except as provided in subsection (a-5), a violation of  
12 paragraph (1) of subsection (a) of Section 2, when the person's  
13 Firearm Owner's Identification Card is expired but the person  
14 is not otherwise disqualified from renewing the card, is a  
15 Class A misdemeanor.

16 (a-5) A violation of paragraph (1) of subsection (a) of  
17 Section 2, when the person's Firearm Owner's Identification  
18 Card is expired but the person is not otherwise disqualified  
19 from owning, purchasing, or possessing firearms, is a petty  
20 offense if the card was expired for 6 months or less from the  
21 date of expiration.

22 (b) Except as provided in subsection (a) with respect to an  
23 expired card, a violation of paragraph (1) of subsection (a) of  
24 Section 2 is a Class A misdemeanor when the person does not  
25 possess a currently valid Firearm Owner's Identification Card,

1 but is otherwise eligible under this Act. A second or  
2 subsequent violation is a Class 4 felony.

3 (c) A violation of paragraph (1) of subsection (a) of  
4 Section 2 is a Class 3 felony when:

5 (1) the person's Firearm Owner's Identification Card  
6 is revoked or subject to revocation under Section 8; or

7 (2) the person's Firearm Owner's Identification Card  
8 is expired and not otherwise eligible for renewal under  
9 this Act; or

10 (3) the person does not possess a currently valid  
11 Firearm Owner's Identification Card, and the person is not  
12 otherwise eligible under this Act.

13 (d) A violation of subsection (a) of Section 3 is a Class 4  
14 felony. A third or subsequent conviction is a Class 1 felony.

15 (d-1) A violation of subsection (b-1) of Section 3 is a  
16 petty offense.

17 (d-5) Any person who knowingly enters false information on  
18 an application for a Firearm Owner's Identification Card, who  
19 knowingly gives a false answer to any question on the  
20 application, or who knowingly submits false evidence in  
21 connection with an application is guilty of a Class 2 felony.

22 (e) Except as provided by Section 6.1 of this Act, any  
23 other violation of this Act is a Class A misdemeanor.

24 (Source: P.A. 97-1131, eff. 1-1-13.)

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.