

1 AN ACT concerning 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 (c):

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

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

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

24 (D) is guilty of a Class 1 felony for
25 purchasing not less than 11 firearms and not more
26 than 20 firearms at the same time or within a 3 year
27 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 not less than 21
32 firearms and not more than 30 firearms at the same
33 time or within a 4 year period;

34 (F) is guilty of a Class X felony for which

1 the person shall be sentenced to a term of
2 imprisonment of not less than 6 years and not more
3 than 40 years for purchasing not less than 31
4 firearms and not more than 40 firearms at the same
5 time or within a 5 year period;

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

11 (1.5) A person who commits the offense of unlawful
12 purchase of a firearm by purchasing a firearm with the
13 intent to deliver the firearm in violation of subsection
14 (b) or by purchasing a firearm in violation of subsection
15 (c) shall be sentenced to an additional term of
16 imprisonment of 10 years for each firearm purchased that
17 was:

18 (A) used in a crime that involved a violation
19 of the Cannabis Control Act or the Illinois
20 Controlled Substances Act;

21 (B) used in a crime committed against a law
22 enforcement officer; or

23 (C) used in the commission of a felony.

24 (2) In addition to any other penalty that may be
25 imposed for a violation of this Section, the court may
26 sentence a person convicted of a violation of subsection
27 (c) of this Section to a fine not to exceed \$250,000 for
28 each violation.

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

30 Section 99. Effective date. This Act takes effect upon
31 becoming law.