

1 AMENDMENT TO HOUSE BILL 1783

2 AMENDMENT NO. _____. Amend House Bill 1783 by replacing
3 the title with the following:

4 "AN ACT in relation to firearms."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 1. Short title. This Act may be cited as the
8 Pistol and Revolver Ballistic Identification Databank Act.

9 Section 5. Definitions. In this Act:

10 "Manufacturer" means a person possessing a valid federal
11 license that permits the person to engage in the business of
12 manufacturing pistols or revolvers or ammunition for pistols
13 or revolvers for the purpose of sale or distribution.

14 "Shell casing" means that part of ammunition capable of
15 being used in a pistol or revolver that contains the primer
16 and propellant powder to discharge a bullet or projectile.

17 Section 10. Duties of manufacturers and dealers.

18 (a) On and after April 1, 2002, any manufacturer that
19 ships, transports, or delivers a pistol or revolver to any
20 person in this State must, in accordance with rules adopted

1 by the Department of State Police, include in the container
2 with the pistol or revolver a separate sealed container that
3 encloses:

4 (1) a shell casing of a bullet or projectile
5 discharged from the pistol or revolver; and

6 (2) any additional information that identifies the
7 pistol or revolver and shell casing as required by the
8 rules adopted by the Department of State Police.

9 (b) A gunsmith or federally licensed firearm dealer
10 must, within 10 days after the receipt of any pistol or
11 revolver from a manufacturer that fails to comply with the
12 provisions of this Section, either: (1) return the pistol or
13 revolver to the manufacturer, or (2) notify the Department of
14 State Police of the noncompliance and thereafter obtain a
15 substitute sealed container through participation in a
16 program operated by the Department of State Police as
17 provided in Section 15.

18 Section 15. Duties of the Department of State Police. The
19 Department of State Police must, no later than December 1,
20 2001, adopt rules for the operation of a program that
21 provides a gunsmith or a federally licensed firearm dealer
22 with a sealed container enclosing the items specified in
23 Section 10 of this Act. The program must at a minimum:

24 (1) be operational by February 1, 2002;

25 (2) operate in at least 8 regional locations within this
26 State; and

27 (3) specify procedures by which the gunsmith or dealer
28 is to deliver a pistol or revolver to the regional program
29 location closest to his or her place of business for testing
30 and prompt return of the pistol or revolver.

31 Section 20. Forwarding of shell casings to the Department
32 of State Police. On and after April 1, 2002, a gunsmith or

1 federally licensed firearm dealer must, within 10 days after
2 delivering to any person a pistol or revolver received by the
3 gunsmith or dealer on or after April 1, 2002, forward to the
4 Department of State Police, along with a description of the
5 firearm, including its make, model, caliber, and serial
6 number, the sealed container enclosing the shell casing from
7 the pistol or revolver either (1) received from the
8 manufacturer or (2) obtained through participation in the
9 program operated by the Department of State Police in
10 accordance with Section 15 of this Act.

11 Section 25. Ballistic Identification Database. Upon
12 receipt of the sealed container, the Department of State
13 Police must cause to be entered in an automated electronic
14 databank pertinent data and other ballistic information
15 relevant to identification of the shell casing and to the
16 pistol or revolver from which it was discharged. The
17 automated electronic databank must be operated and maintained
18 by the Department of State Police, in accordance with its
19 rules adopted after consultation with the Federal Bureau of
20 Investigation and the United States Department of Treasury,
21 Bureau of Alcohol, Tobacco and Firearms to ensure
22 compatibility with national ballistic technology.

23 Section 30. Sentence. A person who knowingly violates
24 this Act is guilty of a Class B misdemeanor. A person who
25 knowingly violates this Act a second or subsequent time is
26 guilty of a Class A misdemeanor.

27 Section 99. Effective date. This Act takes effect upon
28 becoming law."