

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 adding
5 Section 24-9.5 as follows:

6 (720 ILCS 5/24-9.5 new)

7 Sec. 24-9.5. Handgun safety devices.

8 (a) It is unlawful for a person licensed as a federal
9 firearms dealer under Section 923 of the federal Gun Control
10 Act of 1968 (18 U.S.C. 923) to offer for sale, sell, or
11 transfer a handgun to a person not licensed under that Act,
12 unless he or she sells or includes with the handgun a device or
13 mechanism, other than the firearm safety, designed to render
14 the handgun temporarily inoperable or inaccessible. This
15 includes but is not limited to:

16 (1) An external device that is:

17 (i) attached to the handgun with a key or
18 combination lock; and

19 (ii) designed to prevent the handgun from being
20 discharged unless the device has been deactivated.

21 (2) An integrated mechanical safety, disabling, or
22 locking device that is:

23 (i) built into the handgun; and

24 (ii) designed to prevent the handgun from being
25 discharged unless the device has been deactivated.

26 (b) Sentence. A person who violates this Section is guilty
27 of a Class C misdemeanor and shall be fined not less than
28 \$1,000. A second or subsequent violation of this Section is a
29 Class A misdemeanor.

30 (c) For the purposes of this Section, "handgun" has the
31 meaning ascribed to it in clause (h) (2) of subsection (A) of
32 Section 24-3 of this Code.

- 1 (d) This Section does not apply to:
- 2 (1) the purchase, sale, or transportation of a handgun
3 to or by a federally licensed firearms dealer or
4 manufacturer that provides or services a handgun for:
- 5 (i) personnel of any unit of the federal
6 government;
- 7 (ii) members of the armed forces of the United
8 States or the National Guard;
- 9 (iii) law enforcement personnel of the State or any
10 local law enforcement agency in the State while acting
11 within the scope of their official duties; and
- 12 (iv) an organization that is required by federal
13 law governing its specific business or activity to
14 maintain handguns and applicable ammunition;
- 15 (2) a firearm modified to be permanently inoperative;
- 16 (3) the sale or transfer of a handgun by a federally
17 licensed firearms dealer or manufacturer described in item
18 (1) of this subsection (d);
- 19 (4) the sale or transfer of a handgun by a federally
20 licensed firearms dealer or manufacturer to a lawful
21 customer outside the State; or
- 22 (5) an antique firearm.