



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2389

Introduced 2/19/2009, by Rep. Elizabeth Hernandez

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-3.7 new

Amends the Criminal Code of 1961. Provides that a federally licensed firearms dealer may not transfer a firearm to a person who is not a federally licensed firearms dealer unless before the transfer of the firearm, the dealer inquires of the applicant for purchase of the firearm whether that person has previously purchased a firearm and if the applicant answers the question in the affirmative, the dealer shall have the applicant sign a form under penalty of perjury that the applicant has previously purchased a firearm. Provides that upon signing that form, the dealer, after complying with all applicable federal, State, and local laws, rules, and ordinances, may transfer the firearm to the applicant. If the applicant answers the question in the negative, the dealer shall only transfer the firearm to the applicant if the dealer supplies to the applicant at the time of transfer of the firearm a brochure containing firearm safety information approved by the Department of State Police. Provides that a person who transfers a firearm to another person in which neither person is a federally licensed firearms dealer shall at the time of transfer of the firearm supply the transferee of the firearm a brochure containing firearm safety information approved by the Department of State Police. Provides that a violation is a Class A misdemeanor. Effective immediately.

LRB096 10084 RLC 20249 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

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 24-3.7 as follows:

6 (720 ILCS 5/24-3.7 new)

7 Sec. 24-3.7. Sellers of firearms to supply purchaser with
8 firearm safety information.

9 (a) A firearms dealer licensed under Section 923 of the
10 federal Gun Control Act of 1968 may not transfer a firearm to a
11 person who is not a federally licensed firearms dealer unless
12 before the transfer of the firearm, the dealer inquires of the
13 applicant for purchase of the firearm whether that person has
14 previously purchased a firearm and if the applicant answers the
15 question in the affirmative, the dealer shall have the
16 applicant sign a form under penalty of perjury that the
17 applicant has previously purchased a firearm. Upon signing that
18 form, the dealer, after complying with all applicable federal,
19 State, and local laws, rules, and ordinances, may transfer the
20 firearm to the applicant. If the applicant answers the question
21 in the negative, the dealer shall only transfer the firearm to
22 the applicant if the dealer supplies to the applicant at the
23 time of transfer of the firearm a brochure containing firearm

1 safety information approved by the Department of State Police.

2 (b) A person who transfers a firearm to another person in
3 which neither person is a federally licensed firearms dealer
4 shall at the time of transfer of the firearm supply the
5 transferee of the firearm a brochure containing firearm safety
6 information approved by the Department of State Police.

7 (c) Sentence. A dealer or transferor of a firearm who fails
8 to comply with this Section is guilty of a Class A misdemeanor.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.