



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB1447

by Rep. David Harris

#### SYNOPSIS AS INTRODUCED:

430 ILCS 65/2	from Ch. 38, par. 83-2
430 ILCS 65/3	from Ch. 38, par. 83-3
720 ILCS 5/24-3	from Ch. 38, par. 24-3

Amends the Firearm Owners Identification Card Act and the Criminal Code of 2012. Permits a person to acquire or possess any firearm, firearm ammunition, stun gun, or taser within the State with the possession of a license to carry a concealed firearm previously issued in his or her name by the Department of State Police under the Firearm Concealed Carry Act. Permits a person to transfer or cause to be transferred a firearm, firearm ammunition, stun gun, or taser within the State if the transferee with whom the transferor deals displays the concealed carry license. Effective immediately.

LRB099 05689 RLC 25732 b

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 Firearm Owners Identification Card Act is  
5 amended by changing Sections 2 and 3 as follows:

6 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

7 Sec. 2. Firearm Owner's Identification Card required;  
8 exceptions.

9 (a) (1) No person may acquire or possess any firearm, stun  
10 gun, or taser within this State without having in his or  
11 her possession a Firearm Owner's Identification Card  
12 previously issued in his or her name by the Department of  
13 State Police under the provisions of this Act or a license  
14 to carry a concealed firearm previously issued in his or  
15 her name by the Department of State Police under the  
16 Firearm Concealed Carry Act.

17 (2) No person may acquire or possess firearm ammunition  
18 within this State without having in his or her possession a  
19 Firearm Owner's Identification Card previously issued in  
20 his or her name by the Department of State Police under the  
21 provisions of this Act or a license to carry a concealed  
22 firearm previously issued in his or her name by the  
23 Department of State Police under the Firearm Concealed

1           Carry Act.

2           (b) The provisions of this Section regarding the possession  
3 of firearms, firearm ammunition, stun guns, and tasers do not  
4 apply to:

5           (1) United States Marshals, while engaged in the  
6 operation of their official duties;

7           (2) Members of the Armed Forces of the United States or  
8 the National Guard, while engaged in the operation of their  
9 official duties;

10          (3) Federal officials required to carry firearms,  
11 while engaged in the operation of their official duties;

12          (4) Members of bona fide veterans organizations which  
13 receive firearms directly from the armed forces of the  
14 United States, while using the firearms for ceremonial  
15 purposes with blank ammunition;

16          (5) Nonresident hunters during hunting season, with  
17 valid nonresident hunting licenses and while in an area  
18 where hunting is permitted; however, at all other times and  
19 in all other places these persons must have their firearms  
20 unloaded and enclosed in a case;

21          (6) Those hunters exempt from obtaining a hunting  
22 license who are required to submit their Firearm Owner's  
23 Identification Card when hunting on Department of Natural  
24 Resources owned or managed sites;

25          (7) Nonresidents while on a firing or shooting range  
26 recognized by the Department of State Police; however,

1           these persons must at all other times and in all other  
2           places have their firearms unloaded and enclosed in a case;

3           (8) Nonresidents while at a firearm showing or display  
4           recognized by the Department of State Police; however, at  
5           all other times and in all other places these persons must  
6           have their firearms unloaded and enclosed in a case;

7           (9) Nonresidents whose firearms are unloaded and  
8           enclosed in a case;

9           (10) Nonresidents who are currently licensed or  
10          registered to possess a firearm in their resident state;

11          (11) Unemancipated minors while in the custody and  
12          immediate control of their parent or legal guardian or  
13          other person in loco parentis to the minor if the parent or  
14          legal guardian or other person in loco parentis to the  
15          minor has a currently valid Firearm Owner's Identification  
16          Card;

17          (12) Color guards of bona fide veterans organizations  
18          or members of bona fide American Legion bands while using  
19          firearms for ceremonial purposes with blank ammunition;

20          (13) Nonresident hunters whose state of residence does  
21          not require them to be licensed or registered to possess a  
22          firearm and only during hunting season, with valid hunting  
23          licenses, while accompanied by, and using a firearm owned  
24          by, a person who possesses a valid Firearm Owner's  
25          Identification Card and while in an area within a  
26          commercial club licensed under the Wildlife Code where

1 hunting is permitted and controlled, but in no instance  
2 upon sites owned or managed by the Department of Natural  
3 Resources;

4 (14) Resident hunters who are properly authorized to  
5 hunt and, while accompanied by a person who possesses a  
6 valid Firearm Owner's Identification Card, hunt in an area  
7 within a commercial club licensed under the Wildlife Code  
8 where hunting is permitted and controlled;

9 (15) A person who is otherwise eligible to obtain a  
10 Firearm Owner's Identification Card under this Act and is  
11 under the direct supervision of a holder of a Firearm  
12 Owner's Identification Card who is 21 years of age or older  
13 while the person is on a firing or shooting range or is a  
14 participant in a firearms safety and training course  
15 recognized by a law enforcement agency or a national,  
16 statewide shooting sports organization; and

17 (16) Competitive shooting athletes whose competition  
18 firearms are sanctioned by the International Olympic  
19 Committee, the International Paralympic Committee, the  
20 International Shooting Sport Federation, or USA Shooting  
21 in connection with such athletes' training for and  
22 participation in shooting competitions at the 2016 Olympic  
23 and Paralympic Games and sanctioned test events leading up  
24 to the 2016 Olympic and Paralympic Games.

25 (c) The provisions of this Section regarding the  
26 acquisition and possession of firearms, firearm ammunition,

1     stun guns, and tasers do not apply to law enforcement officials  
2     of this or any other jurisdiction, while engaged in the  
3     operation of their official duties.

4             (d) Any person who becomes a resident of this State, who is  
5     not otherwise prohibited from obtaining, possessing, or using a  
6     firearm or firearm ammunition, shall not be required to have a  
7     Firearm Owner's Identification Card to possess firearms or  
8     firearms ammunition until 60 calendar days after he or she  
9     obtains an Illinois driver's license or Illinois  
10    Identification Card.

11    (Source: P.A. 96-7, eff. 4-3-09; 97-1131, eff. 1-1-13.)

12             (430 ILCS 65/3) (from Ch. 38, par. 83-3)

13             Sec. 3. (a) Except as provided in Section 3a, no person may  
14     knowingly transfer, or cause to be transferred, any firearm,  
15     firearm ammunition, stun gun, or taser to any person within  
16     this State unless the transferee with whom he deals displays a  
17     currently valid Firearm Owner's Identification Card which has  
18     previously been issued in his or her name by the Department of  
19     State Police under the provisions of this Act or a currently  
20     valid license to carry a concealed firearm which has previously  
21     been issued in his or her name by the Department of State  
22     Police under the Firearm Concealed Carry Act. In addition, all  
23     firearm, stun gun, and taser transfers by federally licensed  
24     firearm dealers are subject to Section 3.1.

25             (a-5) Any person who is not a federally licensed firearm

1 dealer and who desires to transfer or sell a firearm while that  
2 person is on the grounds of a gun show must, before selling or  
3 transferring the firearm, request the Department of State  
4 Police to conduct a background check on the prospective  
5 recipient of the firearm in accordance with Section 3.1.

6 (a-10) Any person who is not a federally licensed firearm  
7 dealer and who desires to transfer or sell a firearm or  
8 firearms to any person who is not a federally licensed firearm  
9 dealer shall, before selling or transferring the firearms,  
10 contact the Department of State Police with the transferee's or  
11 purchaser's Firearm Owner's Identification Card number or  
12 license to carry a concealed firearm number to determine the  
13 validity of the transferee's or purchaser's Firearm Owner's  
14 Identification Card or license to carry a concealed firearm.  
15 This subsection shall not be effective until January 1, 2014.  
16 The Department of State Police may adopt rules concerning the  
17 implementation of this subsection. The Department of State  
18 Police shall provide the seller or transferor an approval  
19 number if the purchaser's Firearm Owner's Identification Card  
20 or license to carry a concealed firearm is valid. Approvals  
21 issued by the Department for the purchase of a firearm pursuant  
22 to this subsection are valid for 30 days from the date of  
23 issue.

24 (a-15) The provisions of subsection (a-10) of this Section  
25 do not apply to:

26 (1) transfers that occur at the place of business of a

1       federally licensed firearm dealer, if the federally  
2       licensed firearm dealer conducts a background check on the  
3       prospective recipient of the firearm in accordance with  
4       Section 3.1 of this Act and follows all other applicable  
5       federal, State, and local laws as if he or she were the  
6       seller or transferor of the firearm, although the dealer is  
7       not required to accept the firearm into his or her  
8       inventory. The purchaser or transferee may be required by  
9       the federally licensed firearm dealer to pay a fee not to  
10      exceed \$10 per firearm, which the dealer may retain as  
11      compensation for performing the functions required under  
12      this paragraph, plus the applicable fees authorized by  
13      Section 3.1;

14           (2) transfers as a bona fide gift to the transferor's  
15      husband, wife, son, daughter, stepson, stepdaughter,  
16      father, mother, stepfather, stepmother, brother, sister,  
17      nephew, niece, uncle, aunt, grandfather, grandmother,  
18      grandson, granddaughter, father-in-law, mother-in-law,  
19      son-in-law, or daughter-in-law;

20           (3) transfers by persons acting pursuant to operation  
21      of law or a court order;

22           (4) transfers on the grounds of a gun show under  
23      subsection (a-5) of this Section;

24           (5) the delivery of a firearm by its owner to a  
25      gunsmith for service or repair, the return of the firearm  
26      to its owner by the gunsmith, or the delivery of a firearm

1 by a gunsmith to a federally licensed firearms dealer for  
2 service or repair and the return of the firearm to the  
3 gunsmith;

4 (6) temporary transfers that occur while in the home of  
5 the unlicensed transferee, if the unlicensed transferee is  
6 not otherwise prohibited from possessing firearms and the  
7 unlicensed transferee reasonably believes that possession  
8 of the firearm is necessary to prevent imminent death or  
9 great bodily harm to the unlicensed transferee;

10 (7) transfers to a law enforcement or corrections  
11 agency or a law enforcement or corrections officer acting  
12 within the course and scope of his or her official duties;

13 (8) transfers of firearms that have been rendered  
14 permanently inoperable to a nonprofit historical society,  
15 museum, or institutional collection; and

16 (9) transfers to a person who is exempt from the  
17 requirement of possessing a Firearm Owner's Identification  
18 Card under Section 2 of this Act.

19 (a-20) The Department of State Police shall develop an  
20 Internet-based system for individuals to determine the  
21 validity of a Firearm Owner's Identification Card prior to the  
22 sale or transfer of a firearm. The Department shall have the  
23 Internet-based system completed and available for use by July  
24 1, 2015. The Department shall adopt rules not inconsistent with  
25 this Section to implement this system.

26 (b) Any person within this State who transfers or causes to

1 be transferred any firearm, stun gun, or taser shall keep a  
2 record of such transfer for a period of 10 years from the date  
3 of transfer. Such record shall contain the date of the  
4 transfer; the description, serial number or other information  
5 identifying the firearm, stun gun, or taser if no serial number  
6 is available; and, if the transfer was completed within this  
7 State, the transferee's Firearm Owner's Identification Card  
8 number or license to carry a concealed firearm number and any  
9 approval number or documentation provided by the Department of  
10 State Police pursuant to subsection (a-10) of this Section. On  
11 or after January 1, 2006, the record shall contain the date of  
12 application for transfer of the firearm. On demand of a peace  
13 officer such transferor shall produce for inspection such  
14 record of transfer. If the transfer or sale took place at a gun  
15 show, the record shall include the unique identification  
16 number. Failure to record the unique identification number or  
17 approval number is a petty offense.

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

1 may be shipped only to an address on either of those 2  
2 documents.

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

6 (Source: P.A. 97-1135, eff. 12-4-12; 98-508, eff. 8-19-13.)

7 Section 10. The Criminal Code of 2012 is amended by  
8 changing Section 24-3 as follows:

9 (720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

10 Sec. 24-3. Unlawful sale or delivery of firearms.

11 (A) A person commits the offense of unlawful sale or  
12 delivery of firearms when he or she knowingly does any of the  
13 following:

14 (a) Sells or gives any firearm of a size which may be  
15 concealed upon the person to any person under 18 years of  
16 age.

17 (b) Sells or gives any firearm to a person under 21  
18 years of age who has been convicted of a misdemeanor other  
19 than a traffic offense or adjudged delinquent.

20 (c) Sells or gives any firearm to any narcotic addict.

21 (d) Sells or gives any firearm to any person who has  
22 been convicted of a felony under the laws of this or any  
23 other jurisdiction.

24 (e) Sells or gives any firearm to any person who has

1           been a patient in a mental institution within the past 5  
2           years. In this subsection (e):

3                   "Mental institution" means any hospital,  
4                   institution, clinic, evaluation facility, mental  
5                   health center, or part thereof, which is used primarily  
6                   for the care or treatment of persons with mental  
7                   illness.

8                   "Patient in a mental institution" means the person  
9                   was admitted, either voluntarily or involuntarily, to  
10                  a mental institution for mental health treatment,  
11                  unless the treatment was voluntary and solely for an  
12                  alcohol abuse disorder and no other secondary  
13                  substance abuse disorder or mental illness.

14                  (f) Sells or gives any firearms to any person who is  
15                  intellectually disabled.

16                  (g) Delivers any firearm of a size which may be  
17                  concealed upon the person, incidental to a sale, without  
18                  withholding delivery of such firearm for at least 72 hours  
19                  after application for its purchase has been made, or  
20                  delivers any rifle, shotgun or other long gun, or a stun  
21                  gun or taser, incidental to a sale, without withholding  
22                  delivery of such rifle, shotgun or other long gun, or a  
23                  stun gun or taser for at least 24 hours after application  
24                  for its purchase has been made. However, this paragraph (g)  
25                  does not apply to: (1) the sale of a firearm to a law  
26                  enforcement officer if the seller of the firearm knows that

1 the person to whom he or she is selling the firearm is a  
2 law enforcement officer or the sale of a firearm to a  
3 person who desires to purchase a firearm for use in  
4 promoting the public interest incident to his or her  
5 employment as a bank guard, armed truck guard, or other  
6 similar employment; (2) a mail order sale of a firearm to a  
7 nonresident of Illinois under which the firearm is mailed  
8 to a point outside the boundaries of Illinois; (3) the sale  
9 of a firearm to a nonresident of Illinois while at a  
10 firearm showing or display recognized by the Illinois  
11 Department of State Police; or (4) the sale of a firearm to  
12 a dealer licensed as a federal firearms dealer under  
13 Section 923 of the federal Gun Control Act of 1968 (18  
14 U.S.C. 923). For purposes of this paragraph (g),  
15 "application" means when the buyer and seller reach an  
16 agreement to purchase a firearm.

17 (h) While holding any license as a dealer, importer,  
18 manufacturer or pawnbroker under the federal Gun Control  
19 Act of 1968, manufactures, sells or delivers to any  
20 unlicensed person a handgun having a barrel, slide, frame  
21 or receiver which is a die casting of zinc alloy or any  
22 other nonhomogeneous metal which will melt or deform at a  
23 temperature of less than 800 degrees Fahrenheit. For  
24 purposes of this paragraph, (1) "firearm" is defined as in  
25 the Firearm Owners Identification Card Act; and (2)  
26 "handgun" is defined as a firearm designed to be held and

1 fired by the use of a single hand, and includes a  
2 combination of parts from which such a firearm can be  
3 assembled.

4 (i) Sells or gives a firearm of any size to any person  
5 under 18 years of age who does not possess a valid Firearm  
6 Owner's Identification Card.

7 (j) Sells or gives a firearm while engaged in the  
8 business of selling firearms at wholesale or retail without  
9 being licensed as a federal firearms dealer under Section  
10 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923).  
11 In this paragraph (j):

12 A person "engaged in the business" means a person who  
13 devotes time, attention, and labor to engaging in the  
14 activity as a regular course of trade or business with the  
15 principal objective of livelihood and profit, but does not  
16 include a person who makes occasional repairs of firearms  
17 or who occasionally fits special barrels, stocks, or  
18 trigger mechanisms to firearms.

19 "With the principal objective of livelihood and  
20 profit" means that the intent underlying the sale or  
21 disposition of firearms is predominantly one of obtaining  
22 livelihood and pecuniary gain, as opposed to other intents,  
23 such as improving or liquidating a personal firearms  
24 collection; however, proof of profit shall not be required  
25 as to a person who engages in the regular and repetitive  
26 purchase and disposition of firearms for criminal purposes

1 or terrorism.

2 (k) Sells or transfers ownership of a firearm to a  
3 person who does not display to the seller or transferor of  
4 the firearm a currently valid Firearm Owner's  
5 Identification Card that has previously been issued in the  
6 transferee's name by the Department of State Police under  
7 the provisions of the Firearm Owners Identification Card  
8 Act or a license to carry a concealed firearm issued under  
9 the Firearm Concealed Carry Act. This paragraph (k) does  
10 not apply to the transfer of a firearm to a person who is  
11 exempt from the requirement of possessing a Firearm Owner's  
12 Identification Card under Section 2 of the Firearm Owners  
13 Identification Card Act. For the purposes of this Section,  
14 a currently valid Firearm Owner's Identification Card  
15 means (i) a Firearm Owner's Identification Card that has  
16 not expired or (ii) an approval number issued in accordance  
17 with subsection (a-10) of subsection 3 or Section 3.1 of  
18 the Firearm Owners Identification Card Act shall be proof  
19 that the Firearm Owner's Identification Card was valid.

20 (1) In addition to the other requirements of this  
21 paragraph (k), all persons who are not federally  
22 licensed firearms dealers must also have complied with  
23 subsection (a-10) of Section 3 of the Firearm Owners  
24 Identification Card Act by determining the validity of  
25 a purchaser's Firearm Owner's Identification Card.

26 (2) All sellers or transferors who have complied

1 with the requirements of subparagraph (l) of this  
2 paragraph (k) shall not be liable for damages in any  
3 civil action arising from the use or misuse by the  
4 transferee of the firearm transferred, except for  
5 willful or wanton misconduct on the part of the seller  
6 or transferor.

7 (l) Not being entitled to the possession of a firearm,  
8 delivers the firearm, knowing it to have been stolen or  
9 converted. It may be inferred that a person who possesses a  
10 firearm with knowledge that its serial number has been  
11 removed or altered has knowledge that the firearm is stolen  
12 or converted.

13 (B) Paragraph (h) of subsection (A) does not include  
14 firearms sold within 6 months after enactment of Public Act  
15 78-355 (approved August 21, 1973, effective October 1, 1973),  
16 nor is any firearm legally owned or possessed by any citizen or  
17 purchased by any citizen within 6 months after the enactment of  
18 Public Act 78-355 subject to confiscation or seizure under the  
19 provisions of that Public Act. Nothing in Public Act 78-355  
20 shall be construed to prohibit the gift or trade of any firearm  
21 if that firearm was legally held or acquired within 6 months  
22 after the enactment of that Public Act.

23 (C) Sentence.

24 (1) Any person convicted of unlawful sale or delivery  
25 of firearms in violation of paragraph (c), (e), (f), (g),  
26 or (h) of subsection (A) commits a Class 4 felony.

1           (2) Any person convicted of unlawful sale or delivery  
2 of firearms in violation of paragraph (b) or (i) of  
3 subsection (A) commits a Class 3 felony.

4           (3) Any person convicted of unlawful sale or delivery  
5 of firearms in violation of paragraph (a) of subsection (A)  
6 commits a Class 2 felony.

7           (4) Any person convicted of unlawful sale or delivery  
8 of firearms in violation of paragraph (a), (b), or (i) of  
9 subsection (A) in any school, on the real property  
10 comprising a school, within 1,000 feet of the real property  
11 comprising a school, at a school related activity, or on or  
12 within 1,000 feet of any conveyance owned, leased, or  
13 contracted by a school or school district to transport  
14 students to or from school or a school related activity,  
15 regardless of the time of day or time of year at which the  
16 offense was committed, commits a Class 1 felony. Any person  
17 convicted of a second or subsequent violation of unlawful  
18 sale or delivery of firearms in violation of paragraph (a),  
19 (b), or (i) of subsection (A) in any school, on the real  
20 property comprising a school, within 1,000 feet of the real  
21 property comprising a school, at a school related activity,  
22 or on or within 1,000 feet of any conveyance owned, leased,  
23 or contracted by a school or school district to transport  
24 students to or from school or a school related activity,  
25 regardless of the time of day or time of year at which the  
26 offense was committed, commits a Class 1 felony for which

1 the sentence shall be a term of imprisonment of no less  
2 than 5 years and no more than 15 years.

3 (5) Any person convicted of unlawful sale or delivery  
4 of firearms in violation of paragraph (a) or (i) of  
5 subsection (A) in residential property owned, operated, or  
6 managed by a public housing agency or leased by a public  
7 housing agency as part of a scattered site or mixed-income  
8 development, in a public park, in a courthouse, on  
9 residential property owned, operated, or managed by a  
10 public housing agency or leased by a public housing agency  
11 as part of a scattered site or mixed-income development, on  
12 the real property comprising any public park, on the real  
13 property comprising any courthouse, or on any public way  
14 within 1,000 feet of the real property comprising any  
15 public park, courthouse, or residential property owned,  
16 operated, or managed by a public housing agency or leased  
17 by a public housing agency as part of a scattered site or  
18 mixed-income development commits a Class 2 felony.

19 (6) Any person convicted of unlawful sale or delivery  
20 of firearms in violation of paragraph (j) of subsection (A)  
21 commits a Class A misdemeanor. A second or subsequent  
22 violation is a Class 4 felony.

23 (7) Any person convicted of unlawful sale or delivery  
24 of firearms in violation of paragraph (k) of subsection (A)  
25 commits a Class 4 felony, except that a violation of  
26 subparagraph (1) of paragraph (k) of subsection (A) shall

1 not be punishable as a crime or petty offense. A third or  
2 subsequent conviction for a violation of paragraph (k) of  
3 subsection (A) is a Class 1 felony.

4 (8) A person 18 years of age or older convicted of  
5 unlawful sale or delivery of firearms in violation of  
6 paragraph (a) or (i) of subsection (A), when the firearm  
7 that was sold or given to another person under 18 years of  
8 age was used in the commission of or attempt to commit a  
9 forcible felony, shall be fined or imprisoned, or both, not  
10 to exceed the maximum provided for the most serious  
11 forcible felony so committed or attempted by the person  
12 under 18 years of age who was sold or given the firearm.

13 (9) Any person convicted of unlawful sale or delivery  
14 of firearms in violation of paragraph (d) of subsection (A)  
15 commits a Class 3 felony.

16 (10) Any person convicted of unlawful sale or delivery  
17 of firearms in violation of paragraph (l) of subsection (A)  
18 commits a Class 2 felony if the delivery is of one firearm.  
19 Any person convicted of unlawful sale or delivery of  
20 firearms in violation of paragraph (l) of subsection (A)  
21 commits a Class 1 felony if the delivery is of not less  
22 than 2 and not more than 5 firearms at the same time or  
23 within a one year period. Any person convicted of unlawful  
24 sale or delivery of firearms in violation of paragraph (l)  
25 of subsection (A) commits a Class X felony for which he or  
26 she shall be sentenced to a term of imprisonment of not

1 less than 6 years and not more than 30 years if the  
2 delivery is of not less than 6 and not more than 10  
3 firearms at the same time or within a 2 year period. Any  
4 person convicted of unlawful sale or delivery of firearms  
5 in violation of paragraph (1) of subsection (A) commits a  
6 Class X felony for which he or she shall be sentenced to a  
7 term of imprisonment of not less than 6 years and not more  
8 than 40 years if the delivery is of not less than 11 and  
9 not more than 20 firearms at the same time or within a 3  
10 year period. Any person convicted of unlawful sale or  
11 delivery of firearms in violation of paragraph (1) of  
12 subsection (A) commits a Class X felony for which he or she  
13 shall be sentenced to a term of imprisonment of not less  
14 than 6 years and not more than 50 years if the delivery is  
15 of not less than 21 and not more than 30 firearms at the  
16 same time or within a 4 year period. Any person convicted  
17 of unlawful sale or delivery of firearms in violation of  
18 paragraph (1) of subsection (A) commits a Class X felony  
19 for which he or she shall be sentenced to a term of  
20 imprisonment of not less than 6 years and not more than 60  
21 years if the delivery is of 31 or more firearms at the same  
22 time or within a 5 year period.

23 (D) For purposes of this Section:

24 "School" means a public or private elementary or secondary  
25 school, community college, college, or university.

26 "School related activity" means any sporting, social,

1 academic, or other activity for which students' attendance or  
2 participation is sponsored, organized, or funded in whole or in  
3 part by a school or school district.

4 (E) A prosecution for a violation of paragraph (k) of  
5 subsection (A) of this Section may be commenced within 6 years  
6 after the commission of the offense. A prosecution for a  
7 violation of this Section other than paragraph (g) of  
8 subsection (A) of this Section may be commenced within 5 years  
9 after the commission of the offense defined in the particular  
10 paragraph.

11 (Source: P.A. 97-227, eff. 1-1-12; 97-347, eff. 1-1-12; 97-813,  
12 eff. 7-13-12; 97-1167, eff. 6-1-13; 98-508, eff. 8-19-13.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.