

1 AN ACT in relation to 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 or attempting to purchase a firearm in
14 violation of subsection (c):

15 (A) is guilty of a Class 4 felony for
16 purchasing or attempting to purchase one firearm;

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

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

25 (D) is guilty of a Class 1 felony for
26 purchasing or attempting to purchase not less than
27 11 firearms and not more than 20 firearms at the
28 same time or within a 3 year period;

29 (E) is guilty of a Class X felony for which
30 the person shall be sentenced to a term of
31 imprisonment of not less than 6 years and not more
32 than 30 years for purchasing or attempting to
33 purchase not less than 21 firearms and not more than
34 30 firearms at the same time or within a 4 year

1 period;

2 (F) is guilty of a Class X felony for which
3 the person shall be sentenced to a term of
4 imprisonment of not less than 6 years and not more
5 than 40 years for purchasing or attempting to
6 purchase not less than 31 firearms and not more than
7 40 firearms at the same time or within a 5 year
8 period;

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

15 (2) In addition to any other penalty that may be
16 imposed for a violation of this Section, the court may
17 sentence a person convicted of a violation of subsection
18 (c) of this Section to a fine not to exceed \$250,000 for
19 each violation.

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

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.