

HB2587



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2587

Introduced 2/6/2025, by Rep. Bradley Fritts and Michael J. Coffey, Jr.

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-3

from Ch. 38, par. 24-3

Amends the Criminal Code of 2012. Provides that the 72-hour waiting period before delivery of a concealable firearm after application for its purchase has been made does not apply to a person who has been issued a valid license to carry a concealed handgun under the Firearm Concealed Carry Act. Effective immediately.

LRB104 11018 RLC 21100 b

A BILL FOR

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 2012 is amended by
5 changing Section 24-3 as follows:

6 (720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

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

8 (A) A person commits the offense of unlawful sale or
9 delivery of firearms when he or she knowingly does any of the
10 following:

11 (a) Sells or gives any firearm of a size which may be
12 concealed upon the person to any person under 18 years of
13 age.

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

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

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

21 (e) Sells or gives any firearm to any person who has
22 been a patient in a mental institution within the past 5
23 years. In this subsection (e):

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

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

12 (f) Sells or gives any firearms to any person who is a
13 person with an intellectual disability.

14 (g) Delivers any firearm, incidental to a sale,
15 without withholding delivery of the firearm for at least
16 72 hours after application for its purchase has been made,
17 or delivers a stun gun or taser, incidental to a sale,
18 without withholding delivery of the stun gun or taser for
19 at least 24 hours after application for its purchase has
20 been made. However, this paragraph (g) does not apply to:

21 (1) the sale of a firearm to a law enforcement officer if
22 the seller of the firearm knows that the person to whom he
23 or she is selling the firearm is a law enforcement officer
24 or the sale of a firearm to a person who desires to
25 purchase a firearm for use in promoting the public
26 interest incident to his or her employment as a bank

1 guard, armed truck guard, or other similar employment; (2)
2 a mail order sale of a firearm from a federally licensed
3 firearms dealer to a nonresident of Illinois under which
4 the firearm is mailed to a federally licensed firearms
5 dealer outside the boundaries of Illinois; (3) (blank);
6 (4) the sale of a firearm to a dealer licensed as a federal
7 firearms dealer under Section 923 of the federal Gun
8 Control Act of 1968 (18 U.S.C. 923); (4.1) the sale of a
9 firearm to a person who has been issued a valid license to
10 carry a concealed handgun under the Firearm Concealed
11 Carry Act; or (5) the transfer or sale of any rifle,
12 shotgun, or other long gun to a resident registered
13 competitor or attendee or non-resident registered
14 competitor or attendee by any dealer licensed as a federal
15 firearms dealer under Section 923 of the federal Gun
16 Control Act of 1968 at competitive shooting events held at
17 the World Shooting Complex sanctioned by a national
18 governing body. For purposes of transfers or sales under
19 subparagraph (5) of this paragraph (g), the Department of
20 Natural Resources shall give notice to the Illinois State
21 Police at least 30 calendar days prior to any competitive
22 shooting events at the World Shooting Complex sanctioned
23 by a national governing body. The notification shall be
24 made on a form prescribed by the Illinois State Police.
25 The sanctioning body shall provide a list of all
26 registered competitors and attendees at least 24 hours

1 before the events to the Illinois State Police. Any
2 changes to the list of registered competitors and
3 attendees shall be forwarded to the Illinois State Police
4 as soon as practicable. The Illinois State Police must
5 destroy the list of registered competitors and attendees
6 no later than 30 days after the date of the event. Nothing
7 in this paragraph (g) relieves a federally licensed
8 firearm dealer from the requirements of conducting a NICS
9 background check through the Illinois Point of Contact
10 under 18 U.S.C. 922(t). For purposes of this paragraph
11 (g), "application" means when the buyer and seller reach
12 an agreement to purchase a firearm. For purposes of this
13 paragraph (g), "national governing body" means a group of
14 persons who adopt rules and formulate policy on behalf of
15 a national firearm sporting organization.

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

1 combination of parts from which such a firearm can be
2 assembled.

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

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

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

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

1 (k) Sells or transfers ownership of a firearm to a
2 person who does not display to the seller or transferor of
3 the firearm either: (1) a currently valid Firearm Owner's
4 Identification Card that has previously been issued in the
5 transferee's name by the Illinois State Police under the
6 provisions of the Firearm Owners Identification Card Act;
7 or (2) a currently valid license to carry a concealed
8 firearm that has previously been issued in the
9 transferee's name by the Illinois State Police under the
10 Firearm Concealed Carry Act. This paragraph (k) does not
11 apply to the transfer of a firearm to a person who is
12 exempt from the requirement of possessing a Firearm
13 Owner's Identification Card under Section 2 of the Firearm
14 Owners Identification Card Act. For the purposes of this
15 Section, a currently valid Firearm Owner's Identification
16 Card or license to carry a concealed firearm means receipt
17 of an approval number issued in accordance with subsection
18 (a-10) of Section 3 or Section 3.1 of the Firearm Owners
19 Identification Card Act.

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 (1) 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 (1) 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
10 a firearm with knowledge that its serial number has been
11 removed or altered has knowledge that the firearm is
12 stolen 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
18 of Public Act 78-355 subject to confiscation or seizure under
19 the provisions of that Public Act. Nothing in Public Act
20 78-355 shall be construed to prohibit the gift or trade of any
21 firearm if that firearm was legally held or acquired within 6
22 months 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
6 (A) 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
11 property comprising a school, at a school related
12 activity, or on or within 1,000 feet of any conveyance
13 owned, leased, or contracted by a school or school
14 district to transport students to or from school or a
15 school related activity, regardless of the time of day or
16 time of year at which the offense was committed, commits a
17 Class 1 felony. Any person convicted of a second or
18 subsequent violation of unlawful sale or delivery of
19 firearms in violation of paragraph (a), (b), or (i) of
20 subsection (A) in any school, on the real property
21 comprising a school, within 1,000 feet of the real
22 property comprising a school, at a school related
23 activity, or on or within 1,000 feet of any conveyance
24 owned, leased, or contracted by a school or school
25 district to transport students to or from school or a
26 school related activity, regardless of the time of day or

1 time of year at which the offense was committed, commits a
2 Class 1 felony for which the sentence shall be a term of
3 imprisonment of no less than 5 years and no more than 15
4 years.

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

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

25 (7) Any person convicted of unlawful sale or delivery
26 of firearms in violation of paragraph (k) of subsection

1 (A) commits a Class 4 felony, except that a violation of
2 subparagraph (1) of paragraph (k) of subsection (A) shall
3 not be punishable as a crime or petty offense. A third or
4 subsequent conviction for a violation of paragraph (k) of
5 subsection (A) is a Class 1 felony.

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

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

18 (10) Any person convicted of unlawful sale or delivery
19 of firearms in violation of paragraph (1) of subsection
20 (A) commits a Class 2 felony if the delivery is of one
21 firearm. Any person convicted of unlawful sale or delivery
22 of firearms in violation of paragraph (1) of subsection
23 (A) commits a Class 1 felony if the delivery is of not less
24 than 2 and not more than 5 firearms at the same time or
25 within a one-year period. Any person convicted of unlawful
26 sale or delivery of firearms in violation of paragraph (1)

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

25 (D) For purposes of this Section:

26 "School" means a public or private elementary or secondary

1 school, community college, college, or university.

2 "School related activity" means any sporting, social,
3 academic, or other activity for which students' attendance or
4 participation is sponsored, organized, or funded in whole or
5 in part by a school or school district.

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

13 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
14 102-813, eff. 5-13-22.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.