



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3162

by Rep. Jerry Costello, II

SYNOPSIS AS INTRODUCED:

430 ILCS 68/5-5
430 ILCS 68/5-25

Amends the Firearm Dealer License Certification Act. Provides that "retail location" does not include the World Shooting and Recreational Complex. Provides that the provisions of the Act related to the certification of a license do not apply to transfers of firearms to a resident registered competitor or attendee or non-resident registered competitor or attendee by a licensed federal firearms dealer at a competitive shooting event held at the World Shooting and Recreational Complex that is sanctioned by a national governing body.

LRB101 10470 SLF 55576 b

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Firearm Dealer License Certification Act is
5 amended by changing Sections 5-5 and 5-25 as follows:

6 (430 ILCS 68/5-5)

7 Sec. 5-5. Definitions. In this Act:

8 "Certified licensee" means a licensee that has previously
9 certified its license with the Department under this Act.

10 "Department" means the Department of State Police.

11 "Director" means the Director of State Police.

12 "Entity" means any person, firm, corporation, group of
13 individuals, or other legal entity.

14 "Inventory" means firearms in the possession of an
15 individual or entity for the purpose of sale or transfer.

16 "License" means a Federal Firearms License authorizing a
17 person or entity to engage in the business of dealing firearms.

18 "Licensee" means a person, firm, corporation, or other
19 entity who has been given, and is currently in possession of, a
20 valid Federal Firearms License.

21 "Retail location" means a store open to the public from
22 which a certified licensee engages in the business of selling,
23 transferring, or facilitating a sale or transfer of a firearm.

1 For purposes of this Act, the World Shooting and Recreational
2 Complex, a gun show, or similar event at which a certified
3 licensee engages in business from time to time is not a retail
4 location.

5 (Source: P.A. 100-1178, eff. 1-18-19.)

6 (430 ILCS 68/5-25)

7 Sec. 5-25. Exemptions.

8 The provisions of this Act related to the certification of
9 a license do not apply to a person or entity that engages in
10 the following activities:

11 (1) temporary transfers of firearms solely for use at
12 the location or on the premises where the transfer takes
13 place, such as transfers at a shooting range for use at
14 that location;

15 (2) temporary transfers of firearms solely for use
16 while in the presence of the transferor or transfers for
17 the purposes of firearm safety training by a firearms
18 safety training instructor;

19 (3) transfers of firearms among immediate family or
20 household members, as "immediate family or household
21 member" is defined in Section 3-2.7-10 of the Unified Code
22 of Corrections, provided that both the transferor and
23 transferee have a currently valid Firearm Owner's
24 Identification Card; however, this paragraph (3) does not
25 limit the familial gift exemption under paragraph (2) of

1 subsection (a-15) of Section 3 of the Firearm Owners
2 Identification Card Act;

3 (4) transfers by persons or entities acting under
4 operation of law or a court order;

5 (5) transfers by persons or entities liquidating all or
6 part of a collection. For purposes of this paragraph (5),
7 "collection" means 2 or more firearms which are of special
8 interest to collectors by reason of some quality other than
9 is associated with firearms intended for sporting use or as
10 offensive or defensive weapons;

11 (6) transfers of firearms that have been rendered
12 permanently inoperable to a nonprofit historical society,
13 museum, or institutional collection;

14 (7) transfers by a law enforcement or corrections
15 agency or a law enforcement or corrections officer acting
16 within the course and scope of his or her official duties;

17 (8) transfers to a State or local law enforcement
18 agency by a person who has his or her Firearm Owner's
19 Identification Card revoked;

20 (9) transfers of curios and relics, as defined under
21 federal law, between collectors licensed under subsection
22 (b) of Section 923 of the federal Gun Control Act of 1968;

23 (10) transfers by a person or entity licensed as an
24 auctioneer under the Auction License Act; ~~or~~

25 (10.5) transfers of firearms to a resident registered
26 competitor or attendee or non-resident registered

1 competitor or attendee by a licensed federal firearms
2 dealer under Section 923 of the federal Gun Control Act of
3 1968 at a competitive shooting event held at the World
4 Shooting and Recreational Complex that is sanctioned by a
5 national governing body; or

6 (11) transfers between a pawnshop and a customer which
7 amount to a bailment. For purposes of this paragraph (11),
8 "bailment" means the act of placing property in the custody
9 and control of another, by agreement in which the holder is
10 responsible for the safekeeping and return of the property.

11 (Source: P.A. 100-1178, eff. 1-18-19.)