



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB2956

Introduced 12/15/2021, by Sen. Jacqueline Y. Collins - Ann Gillespie - Christopher Belt - Julie A. Morrison - Mike Simmons, et al.

#### SYNOPSIS AS INTRODUCED:

New Act  
5 ILCS 140/7.5  
720 ILCS 5/24-5.1 new

Creates the Unserialized Firearm Serialization Act. Provides that the Illinois State Police shall maintain a database of each firearm possessed in the State that does not have a serial number imprinted on the firearm by a federal firearms importer or a federal firearms manufacturer. Provides that within 180 days after the effective date of the Act, the owner of a firearm that does not have a serial number imprinted on the firearm by a federal firearms importer or a federal firearms manufacturer shall submit an application to register the firearm with the Illinois State Police. Provides that upon the filing of the application, the Illinois State Police shall assign a unique serial number and conditionally register the firearm pending confirmation that the serial number has been imprinted on the firearm. Amends the Criminal Code of 2012 to provide criminal penalties for a person to knowingly sell, offer to sell, or transfer a firearm that is not imprinted with a serial number issued under the Unserialized Firearm Serialization Act or by a federal firearms importer or federal firearms manufacturer in compliance with all federal laws and regulations regulating the manufacture and import of firearms, unless the person selling and the person receiving or purchasing the firearm is a law enforcement agency, federal firearms importer, or federal firearms manufacturer. Provides other exceptions. Amend the Freedom of Information Act to make conforming changes. Contains a severability provision.

LRB102 21246 RLC 30357 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning firearms.

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

4 Section 1. Short title. This Act may be cited as the  
5 Unserialized Firearm Serialization Act.

6 Section 5. Definitions. In this Act, "federal firearms  
7 importer" and "federal firearms manufacturer" have the  
8 meanings ascribed to them in Section 24-5.1 of the Criminal  
9 Code of 2012.

10 Section 10. Firearms database. The Illinois State Police  
11 shall maintain a database of each firearm possessed in this  
12 State that does not have a serial number imprinted on the  
13 firearm by a federal firearms importer or a federal firearms  
14 manufacturer. The database shall include the name of the owner  
15 of the firearm, the owner's Firearm Owner's Identification  
16 Card number, a photograph of the firearm, the serial number  
17 assigned to the firearm by the Illinois State Police, and a  
18 photograph of the serial number that has been imprinted on the  
19 firearm.

20 Section 15. Registration of unserialized firearms.

21 (a) Within 180 days after the effective date of this Act,

1 the owner of a firearm that does not have a serial number  
2 imprinted on the firearm by a federal firearms importer or a  
3 federal firearms manufacturer shall submit an application to  
4 register the firearm with the Illinois State Police.

5 (b) Upon the filing of the application, the Illinois State  
6 Police shall assign a unique serial number and conditionally  
7 register the firearm pending confirmation that the serial  
8 number has been imprinted on the firearm.

9 (c) The conditional registration of the firearm shall be  
10 revoked if the confirmation of the imprinting of the serial  
11 number has not been received within 30 days after the issuance  
12 of the serial number.

13 Section 20. Confidentiality of database.

14 (a) The Illinois State Police shall maintain the  
15 confidentiality of the database at all times. No information  
16 regarding a particular applicant, application, or firearm may  
17 be disclosed by the Illinois State Police except to a law  
18 enforcement agency for a valid law enforcement purpose.

19 (b) Other than the total number of firearms included in  
20 the database and information disclosed to law enforcement  
21 agencies for valid law enforcement purposes, all information  
22 provided to the Illinois State Police under this Act shall be  
23 exempt from disclosure under the Freedom of Information Act.

24 Section 25. Rules. Within 60 days after the effective date

1 of this Act, the Director of the Illinois State Police shall  
2 adopt rules regarding the creation of the database, the  
3 application process, the issuing of serial numbers, and the  
4 standards required for the imprinting of serial numbers on  
5 conditionally registered firearms.

6 Section 90. The Freedom of Information Act is amended by  
7 changing Section 7.5 as follows:

8 (5 ILCS 140/7.5)

9 Sec. 7.5. Statutory exemptions. To the extent provided for  
10 by the statutes referenced below, the following shall be  
11 exempt from inspection and copying:

12 (a) All information determined to be confidential  
13 under Section 4002 of the Technology Advancement and  
14 Development Act.

15 (b) Library circulation and order records identifying  
16 library users with specific materials under the Library  
17 Records Confidentiality Act.

18 (c) Applications, related documents, and medical  
19 records received by the Experimental Organ Transplantation  
20 Procedures Board and any and all documents or other  
21 records prepared by the Experimental Organ Transplantation  
22 Procedures Board or its staff relating to applications it  
23 has received.

24 (d) Information and records held by the Department of

1 Public Health and its authorized representatives relating  
2 to known or suspected cases of sexually transmissible  
3 disease or any information the disclosure of which is  
4 restricted under the Illinois Sexually Transmissible  
5 Disease Control Act.

6 (e) Information the disclosure of which is exempted  
7 under Section 30 of the Radon Industry Licensing Act.

8 (f) Firm performance evaluations under Section 55 of  
9 the Architectural, Engineering, and Land Surveying  
10 Qualifications Based Selection Act.

11 (g) Information the disclosure of which is restricted  
12 and exempted under Section 50 of the Illinois Prepaid  
13 Tuition Act.

14 (h) Information the disclosure of which is exempted  
15 under the State Officials and Employees Ethics Act, and  
16 records of any lawfully created State or local inspector  
17 general's office that would be exempt if created or  
18 obtained by an Executive Inspector General's office under  
19 that Act.

20 (i) Information contained in a local emergency energy  
21 plan submitted to a municipality in accordance with a  
22 local emergency energy plan ordinance that is adopted  
23 under Section 11-21.5-5 of the Illinois Municipal Code.

24 (j) Information and data concerning the distribution  
25 of surcharge moneys collected and remitted by carriers  
26 under the Emergency Telephone System Act.

1           (k) Law enforcement officer identification information  
2           or driver identification information compiled by a law  
3           enforcement agency or the Department of Transportation  
4           under Section 11-212 of the Illinois Vehicle Code.

5           (l) Records and information provided to a residential  
6           health care facility resident sexual assault and death  
7           review team or the Executive Council under the Abuse  
8           Prevention Review Team Act.

9           (m) Information provided to the predatory lending  
10          database created pursuant to Article 3 of the Residential  
11          Real Property Disclosure Act, except to the extent  
12          authorized under that Article.

13          (n) Defense budgets and petitions for certification of  
14          compensation and expenses for court appointed trial  
15          counsel as provided under Sections 10 and 15 of the  
16          Capital Crimes Litigation Act. This subsection (n) shall  
17          apply until the conclusion of the trial of the case, even  
18          if the prosecution chooses not to pursue the death penalty  
19          prior to trial or sentencing.

20          (o) Information that is prohibited from being  
21          disclosed under Section 4 of the Illinois Health and  
22          Hazardous Substances Registry Act.

23          (p) Security portions of system safety program plans,  
24          investigation reports, surveys, schedules, lists, data, or  
25          information compiled, collected, or prepared by or for the  
26          Department of Transportation under Sections 2705-300 and

1 2705-616 of the Department of Transportation Law of the  
2 Civil Administrative Code of Illinois, the Regional  
3 Transportation Authority under Section 2.11 of the  
4 Regional Transportation Authority Act, or the St. Clair  
5 County Transit District under the Bi-State Transit Safety  
6 Act.

7 (q) Information prohibited from being disclosed by the  
8 Personnel Record Review Act.

9 (r) Information prohibited from being disclosed by the  
10 Illinois School Student Records Act.

11 (s) Information the disclosure of which is restricted  
12 under Section 5-108 of the Public Utilities Act.

13 (t) All identified or deidentified health information  
14 in the form of health data or medical records contained  
15 in, stored in, submitted to, transferred by, or released  
16 from the Illinois Health Information Exchange, and  
17 identified or deidentified health information in the form  
18 of health data and medical records of the Illinois Health  
19 Information Exchange in the possession of the Illinois  
20 Health Information Exchange Office due to its  
21 administration of the Illinois Health Information  
22 Exchange. The terms "identified" and "deidentified" shall  
23 be given the same meaning as in the Health Insurance  
24 Portability and Accountability Act of 1996, Public Law  
25 104-191, or any subsequent amendments thereto, and any  
26 regulations promulgated thereunder.

1 (u) Records and information provided to an independent  
2 team of experts under the Developmental Disability and  
3 Mental Health Safety Act (also known as Brian's Law).

4 (v) Names and information of people who have applied  
5 for or received Firearm Owner's Identification Cards under  
6 the Firearm Owners Identification Card Act or applied for  
7 or received a concealed carry license under the Firearm  
8 Concealed Carry Act, unless otherwise authorized by the  
9 Firearm Concealed Carry Act; and databases under the  
10 Firearm Concealed Carry Act, records of the Concealed  
11 Carry Licensing Review Board under the Firearm Concealed  
12 Carry Act, and law enforcement agency objections under the  
13 Firearm Concealed Carry Act.

14 (v-5) Records of the Firearm Owner's Identification  
15 Card Review Board that are exempted from disclosure under  
16 Section 10 of the Firearm Owners Identification Card Act.

17 (w) Personally identifiable information which is  
18 exempted from disclosure under subsection (g) of Section  
19 19.1 of the Toll Highway Act.

20 (x) Information which is exempted from disclosure  
21 under Section 5-1014.3 of the Counties Code or Section  
22 8-11-21 of the Illinois Municipal Code.

23 (y) Confidential information under the Adult  
24 Protective Services Act and its predecessor enabling  
25 statute, the Elder Abuse and Neglect Act, including  
26 information about the identity and administrative finding



1           against any caregiver of a verified and substantiated  
2           decision of abuse, neglect, or financial exploitation of  
3           an eligible adult maintained in the Registry established  
4           under Section 7.5 of the Adult Protective Services Act.

5           (z) Records and information provided to a fatality  
6           review team or the Illinois Fatality Review Team Advisory  
7           Council under Section 15 of the Adult Protective Services  
8           Act.

9           (aa) Information which is exempted from disclosure  
10          under Section 2.37 of the Wildlife Code.

11          (bb) Information which is or was prohibited from  
12          disclosure by the Juvenile Court Act of 1987.

13          (cc) Recordings made under the Law Enforcement  
14          Officer-Worn Body Camera Act, except to the extent  
15          authorized under that Act.

16          (dd) Information that is prohibited from being  
17          disclosed under Section 45 of the Condominium and Common  
18          Interest Community Ombudsperson Act.

19          (ee) Information that is exempted from disclosure  
20          under Section 30.1 of the Pharmacy Practice Act.

21          (ff) Information that is exempted from disclosure  
22          under the Revised Uniform Unclaimed Property Act.

23          (gg) Information that is prohibited from being  
24          disclosed under Section 7-603.5 of the Illinois Vehicle  
25          Code.

26          (hh) Records that are exempt from disclosure under

1 Section 1A-16.7 of the Election Code.

2 (ii) Information which is exempted from disclosure  
3 under Section 2505-800 of the Department of Revenue Law of  
4 the Civil Administrative Code of Illinois.

5 (jj) Information and reports that are required to be  
6 submitted to the Department of Labor by registering day  
7 and temporary labor service agencies but are exempt from  
8 disclosure under subsection (a-1) of Section 45 of the Day  
9 and Temporary Labor Services Act.

10 (kk) Information prohibited from disclosure under the  
11 Seizure and Forfeiture Reporting Act.

12 (ll) Information the disclosure of which is restricted  
13 and exempted under Section 5-30.8 of the Illinois Public  
14 Aid Code.

15 (mm) Records that are exempt from disclosure under  
16 Section 4.2 of the Crime Victims Compensation Act.

17 (nn) Information that is exempt from disclosure under  
18 Section 70 of the Higher Education Student Assistance Act.

19 (oo) Communications, notes, records, and reports  
20 arising out of a peer support counseling session  
21 prohibited from disclosure under the First Responders  
22 Suicide Prevention Act.

23 (pp) Names and all identifying information relating to  
24 an employee of an emergency services provider or law  
25 enforcement agency under the First Responders Suicide  
26 Prevention Act.

1           (qq) Information and records held by the Department of  
2 Public Health and its authorized representatives collected  
3 under the Reproductive Health Act.

4           (rr) Information that is exempt from disclosure under  
5 the Cannabis Regulation and Tax Act.

6           (ss) Data reported by an employer to the Department of  
7 Human Rights pursuant to Section 2-108 of the Illinois  
8 Human Rights Act.

9           (tt) Recordings made under the Children's Advocacy  
10 Center Act, except to the extent authorized under that  
11 Act.

12           (uu) Information that is exempt from disclosure under  
13 Section 50 of the Sexual Assault Evidence Submission Act.

14           (vv) Information that is exempt from disclosure under  
15 subsections (f) and (j) of Section 5-36 of the Illinois  
16 Public Aid Code.

17           (wv) Information that is exempt from disclosure under  
18 Section 16.8 of the State Treasurer Act.

19           (xx) Information that is exempt from disclosure or  
20 information that shall not be made public under the  
21 Illinois Insurance Code.

22           (yy) Information prohibited from being disclosed under  
23 the Illinois Educational Labor Relations Act.

24           (zz) Information prohibited from being disclosed under  
25 the Illinois Public Labor Relations Act.

26           (aaa) Information prohibited from being disclosed

1 under Section 1-167 of the Illinois Pension Code.

2 (bbb) ~~(ccc)~~ Information that is prohibited from  
3 disclosure by the Illinois Police Training Act and the  
4 Illinois State Police Act.

5 (ccc) ~~(ddd)~~ Records exempt from disclosure under  
6 Section 2605-304 of the Illinois ~~Department of~~ State  
7 Police Law of the Civil Administrative Code of Illinois.

8 (ddd) ~~(bbb)~~ Information prohibited from being  
9 disclosed under Section 35 of the Address Confidentiality  
10 for Victims of Domestic Violence, Sexual Assault, Human  
11 Trafficking, or Stalking Act.

12 (eee) ~~(ddd)~~ Information prohibited from being  
13 disclosed under subsection (b) of Section 75 of the  
14 Domestic Violence Fatality Review Act.

15 (fff) Information that is exempt from disclosure under  
16 the Unserialized Firearm Serialization Act.

17 (Source: P.A. 101-13, eff. 6-12-19; 101-27, eff. 6-25-19;  
18 101-81, eff. 7-12-19; 101-221, eff. 1-1-20; 101-236, eff.  
19 1-1-20; 101-375, eff. 8-16-19; 101-377, eff. 8-16-19; 101-452,  
20 eff. 1-1-20; 101-466, eff. 1-1-20; 101-600, eff. 12-6-19;  
21 101-620, eff. 12-20-19; 101-649, eff. 7-7-20; 101-652, eff.  
22 1-1-22; 101-656, eff. 3-23-21; 102-36, eff. 6-25-21; 102-237,  
23 eff. 1-1-22; 102-292, eff. 1-1-22; 102-520, eff. 8-20-21;  
24 102-559, eff. 8-20-21; revised 10-5-21.)

25 Section 95. The Criminal Code of 2012 is amended by adding

1 Section 24-5.1 as follows:

2 (720 ILCS 5/24-5.1 new)

3 Sec. 24-5.1. Prohibition on the transfer, purchase,  
4 manufacture, importation, or possession of unfinished frames  
5 or receivers and unserialized firearms; exceptions; penalties.

6 (a) In this Section:

7 "Unfinished frame or receiver" means any forging, casting,  
8 printing, extrusion, machined body, or similar article that:

9 (1) has reached a stage in manufacture where it may  
10 readily be completed, assembled, or converted to be a  
11 functional frame or receiver when combined with other  
12 parts; or

13 (2) is marketed or sold to the public to become a  
14 functional frame or receiver.

15 "Federal firearms importer" means a licensed importer  
16 under 18 U.S.C. 921(a)(9).

17 "Federal firearms manufacturer" means a licensed  
18 manufacturer under 18 U.S.C. 921(a)(10).

19 "Federal firearms dealer" means a licensed manufacturer  
20 pursuant to 18 U.S.C. 921(a)(11).

21 (b) 180 days after the effective date of this amendatory  
22 Act of the 102nd General Assembly, it is unlawful for any  
23 person to knowingly possess, transport, or receive an  
24 unfinished frame or receiver, unless the person possessing or  
25 receiving the unfinished frame or receiver is a federal

1 firearms importer or federal firearms manufacturer or the  
2 unfinished frame or receiver is required by federal law to be,  
3 and has been, imprinted with a serial number issued by a  
4 federal firearms importer or federal firearms manufacturer.

5 (c) It is unlawful for any person to knowingly sell, offer  
6 to sell, transfer, or purchase an unfinished frame or  
7 receiver, unless the person purchasing the unfinished frame or  
8 receiver is a federal firearms importer, federal firearms  
9 manufacturer, or federal firearms dealer or the unfinished  
10 frame or receiver is required by federal law to be, and has  
11 been, imprinted with a serial number issued by a federal  
12 firearms importer or federal firearms manufacturer.

13 (d) 365 days after the effective date of this amendatory  
14 Act of the 102nd General Assembly, it is unlawful for any  
15 person to knowingly possess, purchase, transport, or receive a  
16 firearm that is not imprinted with a serial number issued  
17 under the Unserialized Firearm Serialization Act or by the  
18 federal firearms importer or federal firearms manufacturer in  
19 compliance with all federal laws and regulations regulating  
20 the manufacture and import of firearms, unless the person  
21 receiving the firearm is a law enforcement agency, federal  
22 firearms importer, or federal firearms manufacturer.

23 (e) It is unlawful for any person to knowingly sell, offer  
24 to sell, or transfer a firearm that is not imprinted with a  
25 serial number issued under the Unserialized Firearm  
26 Serialization Act or by a federal firearms importer or federal

1 firearms manufacturer in compliance with all federal laws and  
2 regulations regulating the manufacture and import of firearms,  
3 unless the person selling and the person receiving or  
4 purchasing the firearm is a law enforcement agency, federal  
5 firearms importer, or federal firearms manufacturer.

6 (f) Subsections (d) and (e) do not apply to a firearm that:

7 (1) has been rendered permanently inoperable;

8 (2) is an antique firearm, as defined in 18 U.S.C.

9 921(a)(16); or

10 (3) was manufactured before 1968.

11 (g) Sentence. A first violation of this Section is a Class  
12 A misdemeanor. A second or subsequent violation is a Class 3  
13 felony.

14 Section 100. Severability. The provisions of this Act are  
15 severable under Section 1.31 of the Statute on Statutes.