

SB3146



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3146

Introduced 2/6/2024, by Sen. Dale Fowler

SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-10	was 20 ILCS 2605/55a in part
20 ILCS 2605/2605-45	was 20 ILCS 2605/55a-5
20 ILCS 2605/2605-595	
20 ILCS 2605/2605-605	
30 ILCS 500/1-10	
430 ILCS 68/Act rep.	
720 ILCS 5/24-5.1	

Repeals the Firearm Dealer License Certification Act. Amends the Illinois State Police Law of the Civil Administrative Code of Illinois, the Illinois Procurement Code, and the Criminal Code of 2012 to make conforming changes. Effective immediately.

LRB103 37998 RLC 68130 b

A BILL FOR

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 Illinois State Police Law of the Civil
5 Administrative Code of Illinois is amended by changing
6 Sections 2605-10, 2605-45, 2605-595, and 2605-605 as follows:

7 (20 ILCS 2605/2605-10) (was 20 ILCS 2605/55a in part)

8 Sec. 2605-10. Powers and duties, generally.

9 (a) The Illinois State Police shall exercise the rights,
10 powers, and duties that have been vested in the Illinois State
11 Police by the following:

12 The Illinois State Police Act.

13 The Illinois State Police Radio Act.

14 The Criminal Identification Act.

15 The Illinois Vehicle Code.

16 The Firearm Owners Identification Card Act.

17 The Firearm Concealed Carry Act.

18 ~~The Firearm Dealer License Certification Act.~~

19 The Intergovernmental Missing Child Recovery Act of
20 1984.

21 The Intergovernmental Drug Laws Enforcement Act.

22 The Narcotic Control Division Abolition Act.

23 The Illinois Uniform Conviction Information Act.

1 The Murderer and Violent Offender Against Youth
2 Registration Act.

3 (b) The Illinois State Police shall have the powers and
4 duties set forth in the following Sections.

5 (c) The Illinois State Police shall exercise the rights,
6 powers, and duties vested in the Illinois State Police to
7 implement the following protective service functions for State
8 facilities, State officials, and State employees serving in
9 their official capacity:

10 (1) Utilize subject matter expertise and law
11 enforcement authority to strengthen the protection of
12 State government facilities, State employees, State
13 officials, and State critical infrastructure.

14 (2) Coordinate State, federal, and local law
15 enforcement activities involving the protection of State
16 facilities, officials, and employees.

17 (3) Conduct investigations of criminal threats to
18 State facilities, State critical infrastructure, State
19 officials, and State employees.

20 (4) Train State officials and employees in personal
21 protection, crime prevention, facility occupant emergency
22 planning, and incident management.

23 (5) Establish standard protocols for prevention and
24 response to criminal threats to State facilities, State
25 officials, State employees, and State critical
26 infrastructure and standard protocols for reporting of

1 suspicious activities.

2 (6) Establish minimum operational standards,
3 qualifications, training, and compliance requirements for
4 State employees and contractors engaged in the protection
5 of State facilities and employees.

6 (7) At the request of departments or agencies of State
7 government, conduct security assessments, including, but
8 not limited to, examination of alarm systems, cameras
9 systems, access points, personnel readiness, and emergency
10 protocols based on risk and need.

11 (8) Oversee the planning and implementation of
12 security and law enforcement activities necessary for the
13 protection of major, multi-jurisdictional events
14 implicating potential criminal threats to State officials,
15 State employees, or State-owned, State-leased, or
16 State-operated critical infrastructure or facilities.

17 (9) Oversee and direct the planning and implementation
18 of security and law enforcement activities by the
19 departments and agencies of the State necessary for the
20 protection of State employees, State officials, and
21 State-owned, State-leased, or State-operated critical
22 infrastructure or facilities from criminal activity.

23 (10) Advise the Governor and Homeland Security Advisor
24 on any matters necessary for the effective protection of
25 State facilities, critical infrastructure, officials, and
26 employees from criminal threats.

1 (11) Utilize intergovernmental agreements and
2 administrative rules as needed for the effective,
3 efficient implementation of law enforcement and support
4 activities necessary for the protection of State
5 facilities, State infrastructure, State employees, and,
6 upon the express written consent of State constitutional
7 officials, State constitutional officials.

8 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 1-1-24;
9 103-564, eff. 11-17-23.)

10 (20 ILCS 2605/2605-45) (was 20 ILCS 2605/55a-5)

11 Sec. 2605-45. Division of Justice Services. The Division
12 of Justice Services shall provide administrative and technical
13 services and support to the Illinois State Police, criminal
14 justice agencies, and the public and shall exercise the
15 following functions:

16 (1) Operate and maintain the Law Enforcement Agencies
17 Data System (LEADS), a statewide, computerized
18 telecommunications system designed to provide services,
19 information, and capabilities to the law enforcement and
20 criminal justice community in the State of Illinois. The
21 Director is responsible for establishing policy,
22 procedures, and regulations consistent with State and
23 federal rules, policies, and law by which LEADS operates.
24 The Director shall designate a statewide LEADS
25 Administrator for management of the system. The Director

1 may appoint a LEADS Advisory Policy Board to reflect the
2 needs and desires of the law enforcement and criminal
3 justice community and to make recommendations concerning
4 policies and procedures.

5 (2) Pursue research and the publication of studies
6 pertaining to local law enforcement activities.

7 (3) Serve as the State's point of contact for the
8 Federal Bureau of Investigation's Uniform Crime Reporting
9 Program and National Incident-Based Reporting System.

10 (4) Operate an electronic data processing and computer
11 center for the storage and retrieval of data pertaining to
12 criminal activity.

13 (5) Exercise the rights, powers, and duties vested in
14 the Illinois State Police by the Cannabis Regulation and
15 Tax Act and the Compassionate Use of Medical Cannabis
16 Program Act.

17 (6) (Blank).

18 (6.5) Exercise the rights, powers, and duties vested
19 in the Illinois State Police by the Firearm Owners
20 Identification Card Act, the Firearm Concealed Carry Act,
21 the Firearm Transfer Inquiry Program, and the prohibited
22 persons portal under Section 2605-304, ~~and the Firearm~~
23 ~~Dealer License Certification Act.~~

24 (7) Exercise other duties that may be assigned by the
25 Director to fulfill the responsibilities and achieve the
26 purposes of the Illinois State Police.

1 (8) Exercise the rights, powers, and duties vested by
2 law in the Illinois State Police by the Criminal
3 Identification Act and the Illinois Uniform Conviction
4 Information Act.

5 (9) Exercise the powers and perform the duties that
6 have been vested in the Illinois State Police by the
7 Murderer and Violent Offender Against Youth Registration
8 Act, the Sex Offender Registration Act, and the Sex
9 Offender Community Notification Law and adopt reasonable
10 rules necessitated thereby.

11 (10) Serve as the State central repository for
12 criminal history record information.

13 (11) Share all necessary information with the
14 Concealed Carry Licensing Review Board and the Firearms
15 Owner's Identification Card Review Board necessary for the
16 execution of their duties.

17 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 1-1-24.)

18 (20 ILCS 2605/2605-595)

19 Sec. 2605-595. State Police Firearm Services Fund.

20 (a) There is created in the State treasury a special fund
21 known as the State Police Firearm Services Fund. The Fund
22 shall receive revenue under the Firearm Concealed Carry Act,
23 ~~the Firearm Dealer License Certification Act,~~ and Section 5 of
24 the Firearm Owners Identification Card Act. The Fund may also
25 receive revenue from grants, pass-through grants, donations,

1 appropriations, and any other legal source.

2 (a-5) (Blank).

3 (b) The Illinois State Police may use moneys in the Fund to
4 finance any of its lawful purposes, mandates, functions, and
5 duties under the Firearm Owners Identification Card Act,~~the~~
6 ~~Firearm Dealer License Certification Act,~~ and the Firearm
7 Concealed Carry Act, including the cost of sending notices of
8 expiration of Firearm Owner's Identification Cards, concealed
9 carry licenses, the prompt and efficient processing of
10 applications under the Firearm Owners Identification Card Act
11 and the Firearm Concealed Carry Act, the improved efficiency
12 and reporting of the LEADS and federal NICS law enforcement
13 data systems, and support for investigations required under
14 these Acts and law. Any surplus funds beyond what is needed to
15 comply with the aforementioned purposes shall be used by the
16 Illinois State Police to improve the Law Enforcement Agencies
17 Data System (LEADS) and criminal history background check
18 system.

19 (c) Investment income that is attributable to the
20 investment of moneys in the Fund shall be retained in the Fund
21 for the uses specified in this Section.

22 (Source: P.A. 102-505, eff. 8-20-21; 102-538, eff. 8-20-21;
23 103-363, eff. 7-28-23.)

24 (20 ILCS 2605/2605-605)

25 Sec. 2605-605. Violent Crime Intelligence Task Force. The

1 Director of the Illinois State Police shall establish a
2 statewide multi-jurisdictional Violent Crime Intelligence Task
3 Force led by the Illinois State Police dedicated to combating
4 gun violence, gun-trafficking, and other violent crime with
5 the primary mission of preservation of life and reducing the
6 occurrence and the fear of crime. The objectives of the Task
7 Force shall include, but not be limited to, reducing and
8 preventing illegal possession and use of firearms,
9 firearm-related homicides, and other violent crimes, and
10 solving firearm-related crimes.

11 (1) The Task Force may develop and acquire information,
12 training, tools, and resources necessary to implement a
13 data-driven approach to policing, with an emphasis on
14 intelligence development.

15 (2) The Task Force may utilize information sharing,
16 partnerships, crime analysis, and evidence-based practices to
17 assist in the reduction of firearm-related shootings,
18 homicides, and gun-trafficking, including, but not limited to,
19 ballistic data, eTrace data, DNA evidence, latent
20 fingerprints, firearm training data, and National Integrated
21 Ballistic Information Network (NIBIN) data. The Task Force may
22 design a model crime gun intelligence strategy which may
23 include, but is not limited to, comprehensive collection and
24 documentation of all ballistic evidence, timely transfer of
25 NIBIN and eTrace leads to an intelligence center, which may
26 include the Division of Criminal Investigation of the Illinois

1 State Police, timely dissemination of intelligence to
2 investigators, investigative follow-up, and coordinated
3 prosecution.

4 (3) The Task Force may recognize and utilize best
5 practices of community policing and may develop potential
6 partnerships with faith-based and community organizations to
7 achieve its goals.

8 (4) The Task Force may identify and utilize best practices
9 in drug-diversion programs and other community-based services
10 to redirect low-level offenders.

11 (5) The Task Force may assist in violence suppression
12 strategies including, but not limited to, details in
13 identified locations that have shown to be the most prone to
14 gun violence and violent crime, focused deterrence against
15 violent gangs and groups considered responsible for the
16 violence in communities, and other intelligence driven methods
17 deemed necessary to interrupt cycles of violence or prevent
18 retaliation.

19 (6) In consultation with the Chief Procurement Officer,
20 the Illinois State Police may obtain contracts for software,
21 commodities, resources, and equipment to assist the Task Force
22 with achieving this Act. Any contracts necessary to support
23 the delivery of necessary software, commodities, resources,
24 and equipment are not subject to the Illinois Procurement
25 Code, except for Sections 20-60, 20-65, 20-70, and 20-160 and
26 Article 50 of that Code, provided that the Chief Procurement

1 Officer may, in writing with justification, waive any
2 certification required under Article 50 of the Illinois
3 Procurement Code.

4 (7) The Task Force shall conduct enforcement operations
5 against persons whose Firearm Owner's Identification Cards
6 have been revoked or suspended and persons who fail to comply
7 with the requirements of Section 9.5 of the Firearm Owners
8 Identification Card Act, prioritizing individuals presenting a
9 clear and present danger to themselves or to others under
10 paragraph (2) of subsection (d) of Section 8.1 of the Firearm
11 Owners Identification Card Act.

12 (8) The Task Force shall collaborate with local law
13 enforcement agencies to enforce provisions of the Firearm
14 Owners Identification Card Act, the Firearm Concealed Carry
15 Act, ~~the Firearm Dealer License Certification Act,~~ and Article
16 24 of the Criminal Code of 2012.

17 (9) To implement this Section, the Director of the
18 Illinois State Police may establish intergovernmental
19 agreements with law enforcement agencies in accordance with
20 the Intergovernmental Cooperation Act.

21 (10) Law enforcement agencies that participate in
22 activities described in paragraphs (7) through (9) may apply
23 to the Illinois State Police for grants from the State Police
24 Revocation Enforcement Fund.

25 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
26 102-813, eff. 5-13-22.)

1 Section 10. The Illinois Procurement Code is amended by
2 changing Section 1-10 as follows:

3 (30 ILCS 500/1-10)

4 Sec. 1-10. Application.

5 (a) This Code applies only to procurements for which
6 bidders, offerors, potential contractors, or contractors were
7 first solicited on or after July 1, 1998. This Code shall not
8 be construed to affect or impair any contract, or any
9 provision of a contract, entered into based on a solicitation
10 prior to the implementation date of this Code as described in
11 Article 99, including, but not limited to, any covenant
12 entered into with respect to any revenue bonds or similar
13 instruments. All procurements for which contracts are
14 solicited between the effective date of Articles 50 and 99 and
15 July 1, 1998 shall be substantially in accordance with this
16 Code and its intent.

17 (b) This Code shall apply regardless of the source of the
18 funds with which the contracts are paid, including federal
19 assistance moneys. This Code shall not apply to:

20 (1) Contracts between the State and its political
21 subdivisions or other governments, or between State
22 governmental bodies, except as specifically provided in
23 this Code.

24 (2) Grants, except for the filing requirements of

1 Section 20-80.

2 (3) Purchase of care, except as provided in Section
3 5-30.6 of the Illinois Public Aid Code and this Section.

4 (4) Hiring of an individual as an employee and not as
5 an independent contractor, whether pursuant to an
6 employment code or policy or by contract directly with
7 that individual.

8 (5) Collective bargaining contracts.

9 (6) Purchase of real estate, except that notice of
10 this type of contract with a value of more than \$25,000
11 must be published in the Procurement Bulletin within 10
12 calendar days after the deed is recorded in the county of
13 jurisdiction. The notice shall identify the real estate
14 purchased, the names of all parties to the contract, the
15 value of the contract, and the effective date of the
16 contract.

17 (7) Contracts necessary to prepare for anticipated
18 litigation, enforcement actions, or investigations,
19 provided that the chief legal counsel to the Governor
20 shall give his or her prior approval when the procuring
21 agency is one subject to the jurisdiction of the Governor,
22 and provided that the chief legal counsel of any other
23 procuring entity subject to this Code shall give his or
24 her prior approval when the procuring entity is not one
25 subject to the jurisdiction of the Governor.

26 (8) (Blank).

1 (9) Procurement expenditures by the Illinois
2 Conservation Foundation when only private funds are used.

3 (10) (Blank).

4 (11) Public-private agreements entered into according
5 to the procurement requirements of Section 20 of the
6 Public-Private Partnerships for Transportation Act and
7 design-build agreements entered into according to the
8 procurement requirements of Section 25 of the
9 Public-Private Partnerships for Transportation Act.

10 (12) (A) Contracts for legal, financial, and other
11 professional and artistic services entered into by the
12 Illinois Finance Authority in which the State of Illinois
13 is not obligated. Such contracts shall be awarded through
14 a competitive process authorized by the members of the
15 Illinois Finance Authority and are subject to Sections
16 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
17 as well as the final approval by the members of the
18 Illinois Finance Authority of the terms of the contract.

19 (B) Contracts for legal and financial services entered
20 into by the Illinois Housing Development Authority in
21 connection with the issuance of bonds in which the State
22 of Illinois is not obligated. Such contracts shall be
23 awarded through a competitive process authorized by the
24 members of the Illinois Housing Development Authority and
25 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
26 and 50-37 of this Code, as well as the final approval by

1 the members of the Illinois Housing Development Authority
2 of the terms of the contract.

3 (13) Contracts for services, commodities, and
4 equipment to support the delivery of timely forensic
5 science services in consultation with and subject to the
6 approval of the Chief Procurement Officer as provided in
7 subsection (d) of Section 5-4-3a of the Unified Code of
8 Corrections, except for the requirements of Sections
9 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
10 Code; however, the Chief Procurement Officer may, in
11 writing with justification, waive any certification
12 required under Article 50 of this Code. For any contracts
13 for services which are currently provided by members of a
14 collective bargaining agreement, the applicable terms of
15 the collective bargaining agreement concerning
16 subcontracting shall be followed.

17 On and after January 1, 2019, this paragraph (13),
18 except for this sentence, is inoperative.

19 (14) Contracts for participation expenditures required
20 by a domestic or international trade show or exhibition of
21 an exhibitor, member, or sponsor.

22 (15) Contracts with a railroad or utility that
23 requires the State to reimburse the railroad or utilities
24 for the relocation of utilities for construction or other
25 public purpose. Contracts included within this paragraph
26 (15) shall include, but not be limited to, those

1 associated with: relocations, crossings, installations,
2 and maintenance. For the purposes of this paragraph (15),
3 "railroad" means any form of non-highway ground
4 transportation that runs on rails or electromagnetic
5 guideways and "utility" means: (1) public utilities as
6 defined in Section 3-105 of the Public Utilities Act, (2)
7 telecommunications carriers as defined in Section 13-202
8 of the Public Utilities Act, (3) electric cooperatives as
9 defined in Section 3.4 of the Electric Supplier Act, (4)
10 telephone or telecommunications cooperatives as defined in
11 Section 13-212 of the Public Utilities Act, (5) rural
12 water or waste water systems with 10,000 connections or
13 less, (6) a holder as defined in Section 21-201 of the
14 Public Utilities Act, and (7) municipalities owning or
15 operating utility systems consisting of public utilities
16 as that term is defined in Section 11-117-2 of the
17 Illinois Municipal Code.

18 (16) Procurement expenditures necessary for the
19 Department of Public Health to provide the delivery of
20 timely newborn screening services in accordance with the
21 Newborn Metabolic Screening Act.

22 (17) Procurement expenditures necessary for the
23 Department of Agriculture, the Department of Financial and
24 Professional Regulation, the Department of Human Services,
25 and the Department of Public Health to implement the
26 Compassionate Use of Medical Cannabis Program and Opioid

1 Alternative Pilot Program requirements and ensure access
2 to medical cannabis for patients with debilitating medical
3 conditions in accordance with the Compassionate Use of
4 Medical Cannabis Program Act.

5 (18) This Code does not apply to any procurements
6 necessary for the Department of Agriculture, the
7 Department of Financial and Professional Regulation, the
8 Department of Human Services, the Department of Commerce
9 and Economic Opportunity, and the Department of Public
10 Health to implement the Cannabis Regulation and Tax Act if
11 the applicable agency has made a good faith determination
12 that it is necessary and appropriate for the expenditure
13 to fall within this exemption and if the process is
14 conducted in a manner substantially in accordance with the
15 requirements of Sections 20-160, 25-60, 30-22, 50-5,
16 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
17 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
18 Section 50-35, compliance applies only to contracts or
19 subcontracts over \$100,000. Notice of each contract
20 entered into under this paragraph (18) that is related to
21 the procurement of goods and services identified in
22 paragraph (1) through (9) of this subsection shall be
23 published in the Procurement Bulletin within 14 calendar
24 days after contract execution. The Chief Procurement
25 Officer shall prescribe the form and content of the
26 notice. Each agency shall provide the Chief Procurement

1 Officer, on a monthly basis, in the form and content
2 prescribed by the Chief Procurement Officer, a report of
3 contracts that are related to the procurement of goods and
4 services identified in this subsection. At a minimum, this
5 report shall include the name of the contractor, a
6 description of the supply or service provided, the total
7 amount of the contract, the term of the contract, and the
8 exception to this Code utilized. A copy of any or all of
9 these contracts shall be made available to the Chief
10 Procurement Officer immediately upon request. The Chief
11 Procurement Officer shall submit a report to the Governor
12 and General Assembly no later than November 1 of each year
13 that includes, at a minimum, an annual summary of the
14 monthly information reported to the Chief Procurement
15 Officer. This exemption becomes inoperative 5 years after
16 June 25, 2019 (the effective date of Public Act 101-27).

17 (19) Acquisition of modifications or adjustments,
18 limited to assistive technology devices and assistive
19 technology services, adaptive equipment, repairs, and
20 replacement parts to provide reasonable accommodations (i)
21 that enable a qualified applicant with a disability to
22 complete the job application process and be considered for
23 the position such qualified applicant desires, (ii) that
24 modify or adjust the work environment to enable a
25 qualified current employee with a disability to perform
26 the essential functions of the position held by that

1 employee, (iii) to enable a qualified current employee
2 with a disability to enjoy equal benefits and privileges
3 of employment as are enjoyed by other similarly situated
4 employees without disabilities, and (iv) that allow a
5 customer, client, claimant, or member of the public
6 seeking State services full use and enjoyment of and
7 access to its programs, services, or benefits.

8 For purposes of this paragraph (19):

9 "Assistive technology devices" means any item, piece
10 of equipment, or product system, whether acquired
11 commercially off the shelf, modified, or customized, that
12 is used to increase, maintain, or improve functional
13 capabilities of individuals with disabilities.

14 "Assistive technology services" means any service that
15 directly assists an individual with a disability in
16 selection, acquisition, or use of an assistive technology
17 device.

18 "Qualified" has the same meaning and use as provided
19 under the federal Americans with Disabilities Act when
20 describing an individual with a disability.

21 (20) Procurement expenditures necessary for the
22 Illinois Commerce Commission to hire third-party
23 facilitators pursuant to Sections 16-105.17 and 16-108.18
24 of the Public Utilities Act or an ombudsman pursuant to
25 Section 16-107.5 of the Public Utilities Act, a
26 facilitator pursuant to Section 16-105.17 of the Public

1 Utilities Act, or a grid auditor pursuant to Section
2 16-105.10 of the Public Utilities Act.

3 (21) Procurement expenditures for the purchase,
4 renewal, and expansion of software, software licenses, or
5 software maintenance agreements that support the efforts
6 of the Illinois State Police to enforce, regulate, and
7 administer the Firearm Owners Identification Card Act, the
8 Firearm Concealed Carry Act, the Firearms Restraining
9 Order Act, ~~the Firearm Dealer License Certification Act,~~
10 the Law Enforcement Agencies Data System (LEADS), the
11 Uniform Crime Reporting Act, the Criminal Identification
12 Act, the Illinois Uniform Conviction Information Act, and
13 the Gun Trafficking Information Act, or establish or
14 maintain record management systems necessary to conduct
15 human trafficking investigations or gun trafficking or
16 other stolen firearm investigations. This paragraph (21)
17 applies to contracts entered into on or after January 10,
18 2023 (the effective date of Public Act 102-1116) and the
19 renewal of contracts that are in effect on January 10,
20 2023 (the effective date of Public Act 102-1116).

21 (22) Contracts for project management services and
22 system integration services required for the completion of
23 the State's enterprise resource planning project. This
24 exemption becomes inoperative 5 years after June 7, 2023
25 (the effective date of the changes made to this Section by
26 Public Act 103-8). This paragraph (22) applies to

1 contracts entered into on or after June 7, 2023 (the
2 effective date of the changes made to this Section by
3 Public Act 103-8) and the renewal of contracts that are in
4 effect on June 7, 2023 (the effective date of the changes
5 made to this Section by Public Act 103-8).

6 (23) Procurements necessary for the Department of
7 Insurance to implement the Illinois Health Benefits
8 Exchange Law if the Department of Insurance has made a
9 good faith determination that it is necessary and
10 appropriate for the expenditure to fall within this
11 exemption. The procurement process shall be conducted in a
12 manner substantially in accordance with the requirements
13 of Sections 20-160 and 25-60 and Article 50 of this Code. A
14 copy of these contracts shall be made available to the
15 Chief Procurement Officer immediately upon request. This
16 paragraph is inoperative 5 years after June 27, 2023 (the
17 effective date of Public Act 103-103).

18 (24) ~~(22)~~ Contracts for public education programming,
19 noncommercial sustaining announcements, public service
20 announcements, and public awareness and education
21 messaging with the nonprofit trade associations of the
22 providers of those services that inform the public on
23 immediate and ongoing health and safety risks and hazards.

24 Notwithstanding any other provision of law, for contracts
25 with an annual value of more than \$100,000 entered into on or
26 after October 1, 2017 under an exemption provided in any

1 paragraph of this subsection (b), except paragraph (1), (2),
2 or (5), each State agency shall post to the appropriate
3 procurement bulletin the name of the contractor, a description
4 of the supply or service provided, the total amount of the
5 contract, the term of the contract, and the exception to the
6 Code utilized. The chief procurement officer shall submit a
7 report to the Governor and General Assembly no later than
8 November 1 of each year that shall include, at a minimum, an
9 annual summary of the monthly information reported to the
10 chief procurement officer.

11 (c) This Code does not apply to the electric power
12 procurement process provided for under Section 1-75 of the
13 Illinois Power Agency Act and Section 16-111.5 of the Public
14 Utilities Act. This Code does not apply to the procurement of
15 technical and policy experts pursuant to Section 1-129 of the
16 Illinois Power Agency Act.

17 (d) Except for Section 20-160 and Article 50 of this Code,
18 and as expressly required by Section 9.1 of the Illinois
19 Lottery Law, the provisions of this Code do not apply to the
20 procurement process provided for under Section 9.1 of the
21 Illinois Lottery Law.

22 (e) This Code does not apply to the process used by the
23 Capital Development Board to retain a person or entity to
24 assist the Capital Development Board with its duties related
25 to the determination of costs of a clean coal SNG brownfield
26 facility, as defined by Section 1-10 of the Illinois Power

1 Agency Act, as required in subsection (h-3) of Section 9-220
2 of the Public Utilities Act, including calculating the range
3 of capital costs, the range of operating and maintenance
4 costs, or the sequestration costs or monitoring the
5 construction of clean coal SNG brownfield facility for the
6 full duration of construction.

7 (f) (Blank).

8 (g) (Blank).

9 (h) This Code does not apply to the process to procure or
10 contracts entered into in accordance with Sections 11-5.2 and
11 11-5.3 of the Illinois Public Aid Code.

12 (i) Each chief procurement officer may access records
13 necessary to review whether a contract, purchase, or other
14 expenditure is or is not subject to the provisions of this
15 Code, unless such records would be subject to attorney-client
16 privilege.

17 (j) This Code does not apply to the process used by the
18 Capital Development Board to retain an artist or work or works
19 of art as required in Section 14 of the Capital Development
20 Board Act.

21 (k) This Code does not apply to the process to procure
22 contracts, or contracts entered into, by the State Board of
23 Elections or the State Electoral Board for hearing officers
24 appointed pursuant to the Election Code.

25 (l) This Code does not apply to the processes used by the
26 Illinois Student Assistance Commission to procure supplies and

1 services paid for from the private funds of the Illinois
2 Prepaid Tuition Fund. As used in this subsection (l), "private
3 funds" means funds derived from deposits paid into the
4 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

5 (m) This Code shall apply regardless of the source of
6 funds with which contracts are paid, including federal
7 assistance moneys. Except as specifically provided in this
8 Code, this Code shall not apply to procurement expenditures
9 necessary for the Department of Public Health to conduct the
10 Healthy Illinois Survey in accordance with Section 2310-431 of
11 the Department of Public Health Powers and Duties Law of the
12 Civil Administrative Code of Illinois.

13 (Source: P.A. 102-175, eff. 7-29-21; 102-483, eff. 1-1-22;
14 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662, eff.
15 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22;
16 102-1116, eff. 1-10-23; 103-8, eff. 6-7-23; 103-103, eff.
17 6-27-23; 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; revised
18 1-2-24.)

19 (430 ILCS 68/Act rep.)

20 Section 15. The Firearm Dealer License Certification Act
21 is repealed.

22 Section 20. The Criminal Code of 2012 is amended by
23 changing Section 24-5.1 as follows:

1 (720 ILCS 5/24-5.1)

2 Sec. 24-5.1. Serialization of unfinished frames or
3 receivers; prohibition on unserialized firearms; exceptions;
4 penalties.

5 (a) In this Section:

6 "Bona fide supplier" means an established business entity
7 engaged in the development and sale of firearms parts to one or
8 more federal firearms manufacturers or federal firearms
9 importers.

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

12 "Federal firearms importer" means a licensed importer
13 pursuant to 18 U.S.C. 921(a)(9).

14 "Federal firearms manufacturer" means a licensed
15 manufacturer pursuant to 18 U.S.C. 921(a)(10).

16 "Frame or receiver" means a part of a firearm that, when
17 the complete weapon is assembled, is visible from the exterior
18 and provides housing or a structure designed to hold or
19 integrate one or more fire control components, even if pins or
20 other attachments are required to connect those components to
21 the housing or structure. For models of firearms in which
22 multiple parts provide such housing or structure, the part or
23 parts that the Director of the federal Bureau of Alcohol,
24 Tobacco, Firearms and Explosives has determined are a frame or
25 receiver constitute the frame or receiver. For purposes of
26 this definition, "fire control component" means a component

1 necessary for the firearm to initiate, complete, or continue
2 the firing sequence, including any of the following: hammer,
3 bolt, bolt carrier, breechblock, cylinder, trigger mechanism,
4 firing pin, striker, or slide rails.

5 "Security exemplar" means an object to be fabricated at
6 the direction of the United States Attorney General that is
7 (1) constructed of 3.7 ounces of material type 17-4 PH
8 stainless steel in a shape resembling a handgun and (2)
9 suitable for testing and calibrating metal detectors.

10 "Three-dimensional printer" means a computer or
11 computer-drive machine capable of producing a
12 three-dimensional object from a digital model.

13 "Undetectable firearm" means (1) a firearm constructed
14 entirely of non-metal substances; (2) a firearm that, after
15 removal of all parts but the major components of the firearm,
16 is not detectable by walk-through metal detectors calibrated
17 and operated to detect the security exemplar; or (3) a firearm
18 that includes a major component of a firearm, which, if
19 subject to the types of detection devices commonly used at
20 airports for security screening, would not generate an image
21 that accurately depicts the shape of the component.

22 "Undetectable firearm" does not include a firearm subject to
23 the provisions of 18 U.S.C. 922(p) (3) through (6).

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

26 (1) has reached a stage in manufacture where it may

1 readily be completed, assembled, or converted to be a
2 functional firearm; or

3 (2) is marketed or sold to the public to become or be
4 used as the frame or receiver of a functional firearm once
5 completed, assembled, or converted.

6 "Unserialized" means lacking a serial number imprinted by:

7 (1) a federal firearms manufacturer, federal firearms
8 importer, federal firearms dealer, or other federal
9 licensee authorized to provide marking services, pursuant
10 to a requirement under federal law; or

11 (2) a federal firearms dealer or other federal
12 licensee authorized to provide marking services pursuant
13 to subsection (f) of this Section.

14 (b) It is unlawful for any person to knowingly sell, offer
15 to sell, or transfer an unserialized unfinished frame or
16 receiver or unserialized firearm, including those produced
17 using a three-dimensional printer, unless the party purchasing
18 or receiving the unfinished frame or receiver or unserialized
19 firearm is a federal firearms importer, federal firearms
20 manufacturer, or federal firearms dealer.

21 (c) Beginning 180 days after May 18, 2022 (the effective
22 date of Public Act 102-889) ~~this amendatory Act of the 102nd~~
23 ~~General Assembly~~, it is unlawful for any person to knowingly
24 possess, transport, or receive an unfinished frame or
25 receiver, unless:

26 (1) the party possessing or receiving the unfinished

1 frame or receiver is a federal firearms importer or
2 federal firearms manufacturer;

3 (2) the unfinished frame or receiver is possessed or
4 transported by a person for transfer to a federal firearms
5 importer or federal firearms manufacturer; or

6 (3) the unfinished frame or receiver has been
7 imprinted with a serial number issued by a federal
8 firearms importer or federal firearms manufacturer in
9 compliance with subsection (f) of this Section.

10 (d) Beginning 180 days after May 18, 2022 (the effective
11 date of Public Act 102-889) ~~this amendatory Act of the 102nd~~
12 ~~General Assembly~~, unless the party receiving the firearm is a
13 federal firearms importer or federal firearms manufacturer, it
14 is unlawful for any person to knowingly possess, purchase,
15 transport, or receive a firearm that is not imprinted with a
16 serial number by (1) a federal firearms importer or federal
17 firearms manufacturer in compliance with all federal laws and
18 regulations regulating the manufacture and import of firearms
19 or (2) a federal firearms manufacturer, federal firearms
20 dealer, or other federal licensee authorized to provide
21 marking services in compliance with the unserialized firearm
22 serialization process under subsection (f) of this Section.

23 (e) Any firearm or unfinished frame or receiver
24 manufactured using a three-dimensional printer must also be
25 serialized in accordance with the requirements of subsection
26 (f) within 30 days after May 18, 2022 (the effective date of

1 Public Act 102-889) ~~this amendatory Act of the 102nd General~~
2 ~~Assembly~~, or prior to reaching a stage of manufacture where it
3 may be readily completed, assembled, or converted to be a
4 functional firearm.

5 (f) Unserialized unfinished frames or receivers and
6 unserialized firearms serialized pursuant to this Section
7 shall be serialized in compliance with all of the following:

8 (1) An unserialized unfinished frame or receiver and
9 unserialized firearm shall be serialized by a federally
10 licensed firearms dealer or other federal licensee
11 authorized to provide marking services with the licensee's
12 abbreviated federal firearms license number as a prefix
13 (which is the first 3 and last 5 digits) followed by a
14 hyphen, and then followed by a number as a suffix, such as
15 12345678-(number). The serial number or numbers must be
16 placed in a manner that accords with the requirements
17 under federal law for affixing serial numbers to firearms,
18 including the requirements that the serial number or
19 numbers be at the minimum size and depth, and not
20 susceptible to being readily obliterated, altered, or
21 removed, and the licensee must retain records that accord
22 with the requirements under federal law in the case of the
23 sale of a firearm. The imprinting of any serial number
24 upon an ~~a~~ undetectable firearm must be done on a steel
25 plaque in compliance with 18 U.S.C. 922(p).

26 (2) Every federally licensed firearms dealer or other

1 federal licensee that engraves, casts, stamps, or
2 otherwise conspicuously and permanently places a unique
3 serial number pursuant to this Section shall maintain a
4 record of such indefinitely. ~~Licensees subject to the
5 Firearm Dealer License Certification Act shall make all
6 records accessible for inspection upon the request of the
7 Illinois State Police or a law enforcement agency in
8 accordance with Section 5-35 of the Firearm Dealer License
9 Certification Act.~~

10 (3) Every federally licensed firearms dealer or other
11 federal licensee that engraves, casts, stamps, or
12 otherwise conspicuously and permanently places a unique
13 serial number pursuant to this Section shall record it at
14 the time of every transaction involving the transfer of a
15 firearm, rifle, shotgun, finished frame or receiver, or
16 unfinished frame or receiver that has been so marked in
17 compliance with the federal guidelines set forth in 27 CFR
18 478.124.

19 (4) Every federally licensed firearms dealer or other
20 federal licensee that engraves, casts, stamps, or
21 otherwise conspicuously and permanently places a unique
22 serial number pursuant to this Section shall review and
23 confirm the validity of the owner's Firearm Owner's
24 Identification Card issued under the Firearm Owners
25 Identification Card Act prior to returning the firearm to
26 the owner.

1 (g) Within 30 days after May 18, 2022 (the effective date
2 of Public Act 102-889) ~~this amendatory Act of the 102nd~~
3 ~~General Assembly~~, the Director of the Illinois State Police
4 shall issue a public notice regarding the provisions of this
5 Section. The notice shall include posting on the Illinois
6 State Police website and may include written notification or
7 any other means of communication statewide to all
8 Illinois-based federal firearms manufacturers, federal
9 firearms dealers, or other federal licensees authorized to
10 provide marking services in compliance with the serialization
11 process in subsection (f) in order to educate the public.

12 (h) Exceptions. This Section does not apply to an
13 unserialized unfinished frame or receiver or an unserialized
14 firearm that:

15 (1) has been rendered permanently inoperable;

16 (2) is an antique firearm, as defined in 18 U.S.C.
17 921(a)(16);

18 (3) was manufactured prior to October 22, 1968;

19 (4) is an unfinished frame or receiver and is
20 possessed by a bona fide supplier exclusively for transfer
21 to a federal firearms manufacturer or federal firearms
22 importer, or is possessed by a federal firearms
23 manufacturer or federal firearms importer in compliance
24 with all federal laws and regulations regulating the
25 manufacture and import of firearms; except this exemption
26 does not apply if an unfinished frame or receiver is

1 possessed for transfer or is transferred to a person other
2 than a federal firearms manufacturer or federal firearms
3 importer; or

4 (5) is possessed by a person who received the
5 unserialized unfinished frame or receiver or unserialized
6 firearm through inheritance, and is not otherwise
7 prohibited from possessing the unserialized unfinished
8 frame or receiver or unserialized firearm, for a period
9 not exceeding 30 days after inheriting the unserialized
10 unfinished frame or receiver or unserialized firearm.

11 (i) Penalties.

12 (1) A person who violates subsection (c) or (d) is
13 guilty of a Class A misdemeanor for a first violation and
14 is guilty of a Class 3 felony for a second or subsequent
15 violation.

16 (2) A person who violates subsection (b) is guilty of
17 a Class 4 felony for a first violation and is guilty of a
18 Class 2 felony for a second or subsequent violation.

19 (Source: P.A. 102-889, eff. 5-18-22; revised 1-3-24.)

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