



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB1349

Introduced 02/09/05, by Rep. Deborah L. Graham

SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-560 new
720 ILCS 5/24-11 new

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Creates a Handgun Roster Board within the Department of State Police. Provides that the Board shall review the status of personalized handgun technology and report its findings to the Governor and the General Assembly on an annual basis beginning on or before July 1, 2006. Amends the Criminal Code of 1961. Provides that a dealer may not sell, offer for sale, rent, or transfer in this State a handgun manufactured on or before December 31, 2005 unless the handgun is sold, offered for sale, rented, or transferred with an external safety lock. Provides that beginning January 1, 2006, a dealer may not sell, offer for sale, rent, or transfer in this State a handgun manufactured on or after January 1, 2006 unless the handgun has an integrated mechanical safety device. Provides that a violation is a Class 4 felony. Establishes exemptions.

LRB094 09441 RXD 39689 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning State government.

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

4 Section 5. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 2605-560 as follows:

7 (20 ILCS 2605/2605-560 new)

8 Sec. 2605-560. Handgun Roster Board.

9 (a) There is established a Handgun Roster Board in the
10 Department of State Police. The Board consists of 11 members.

11 (1) Of the 11 members of the Board:

12 (A) one shall be the Director of State Police as an
13 ex officio member; and

14 (B) ten shall be appointed by the Governor with the
15 advice and consent of the Senate.

16 (2) Of the 10 appointed members of the Board:

17 (A) one shall be a representative of the Illinois
18 Association of Chiefs of Police;

19 (B) one shall be a representative of the Illinois
20 State's Attorneys Association;

21 (C) one shall be a handgun dealer, gunsmith, or
22 representative of a handgun manufacturer;

23 (D) one shall be a resident of the State who is a
24 representative of the National Rifle Association or
25 its affiliated State association;

26 (E) one shall be a representative of the Illinois
27 Council Against Handgun Violence; and

28 (F) five shall be public members, 2 of whom shall
29 be mechanical or electrical engineers.

30 (b) Each member of the Board, other than the Director of
31 State Police, shall serve a term of 4 years. The Director of
32 State Police shall serve as chairman. The Board shall appoint

1 such other officers as it deems appropriate. The Board shall
2 meet at the request of the chairman or of a majority of the
3 members.

4 (c) The Board members shall receive no additional
5 compensation for their service as members of the Board but may
6 be reimbursed for their actual expenses for service on the
7 Board from appropriations made to the Department of State
8 Police for that purpose.

9 Section 10. The Criminal Code of 1961 is amended by adding
10 Section 24-11 as follows:

11 (720 ILCS 5/24-11 new)

12 Sec. 24-11. Handgun safety devices.

13 (a) In this Section:

14 "Authorized user" means the owner and any person authorized
15 by the owner to possess and use the handgun.

16 "External safety lock" means an external device that is:

17 (1) attached to a handgun with a key or combination
18 lock; and

19 (2) designed to prevent a handgun from being discharged
20 unless the device has been deactivated.

21 "Handgun" has the meaning ascribed to it in clause (h) (2)
22 of subsection (A) of Section 24-3 of this Code.

23 "Handgun Roster Board" means the Board created in Section
24 2605-560 of the Department of State Police Law.

25 "Integrated mechanical safety device" means a disabling or
26 locking device that is:

27 (1) built into a handgun; and

28 (2) designed to prevent the handgun from being
29 discharged unless the device has been deactivated.

30 "Personalized handgun" means a handgun manufactured with
31 incorporated design technology that:

32 (1) allows the handgun to be fired only by the
33 authorized user; and

34 (2) prevents any of the safety characteristics of the

1 handgun from being readily deactivated.

2 (b) A dealer may not sell, offer for sale, rent, or
3 transfer in this State a handgun manufactured on or before
4 December 31, 2005 unless the handgun is sold, offered for sale,
5 rented, or transferred with an external safety lock.

6 (c) On or after January 1, 2006, a dealer may not sell,
7 offer for sale, rent, or transfer in the State a handgun
8 manufactured on or after January 1, 2006, unless the handgun
9 has an integrated mechanical safety device.

10 (d) The Handgun Roster Board annually shall:

11 (1) review the status of personalized handgun
12 technology; and

13 (2) on or before July 1, report its findings to the
14 Governor and to the General Assembly.

15 (e) In reviewing the status of personalized handgun
16 technology under paragraph (1) of subsection (d) of this
17 Section, the Handgun Roster Board shall consider:

18 (1) the number and variety of models and calibers of
19 personalized handguns that are available for sale;

20 (2) each study, analysis, or other evaluation of
21 personalized handguns conducted or commissioned by: (A)
22 the National Institute of Justice; (B) a federal, State, or
23 local law enforcement laboratory; or (C) any other entity
24 with an expertise in handgun technology; and

25 (3) any other information that the Handgun Roster Board
26 considers relevant.

27 (f) This Section does not apply to:

28 (1) the purchase, sale, or transportation of a handgun
29 to or by a federally licensed gun dealer or manufacturer
30 that provides or services a handgun for: (i) personnel of
31 any unit of the federal government; (ii) members of the
32 armed forces of the United States or the National Guard;
33 (iii) law enforcement personnel of the State or any local
34 law enforcement agency in the State while acting within the
35 scope of their official duties; and (iv) an organization
36 that is required by federal law governing its specific

1 business or activity to maintain handguns and applicable
2 ammunition;

3 (2) a firearm modified to be permanently inoperative;

4 (3) the sale or transfer of a handgun by a federally
5 licensed gun dealer or manufacturer covered under item (1)
6 of this subsection;

7 (4) the sale or transfer of a handgun by a federally
8 licensed gun dealer or manufacturer to a lawful customer
9 outside the State; or

10 (5) an antique firearm.

11 (g) A dealer who violates subsection (b) or (c) of this
12 Section is guilty of a Class 4 felony.