

HB1443



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB1443

by Rep. Ann Williams

SYNOPSIS AS INTRODUCED:

430 ILCS 65/3.1

from Ch. 38, par. 83-3.1

Amends the Firearm Owners Identification Card Act. Provides that a federally licensed firearm dealer may charge a fee, not to exceed \$10, for the inquiry as to whether the purchaser of a firearm, stun gun, or taser is disqualified under federal or State law from acquiring or possessing the firearm, stun gun, or taser.

LRB099 06016 RLC 26070 b

FISCAL NOTE ACT
MAY APPLY

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 Firearm Owners Identification Card Act is
5 amended by changing Section 3.1 as follows:

6 (430 ILCS 65/3.1) (from Ch. 38, par. 83-3.1)

7 Sec. 3.1. Dial up system.

8 (a) The Department of State Police shall provide a dial up
9 telephone system or utilize other existing technology which
10 shall be used by any federally licensed firearm dealer, gun
11 show promoter, or gun show vendor who is to transfer a firearm,
12 stun gun, or taser under the provisions of this Act. The
13 Department of State Police may utilize existing technology
14 which allows the caller to be charged a fee not to exceed \$2.
15 Fees collected by the Department of State Police shall be
16 deposited in the State Police Services Fund and used to provide
17 the service. A federally licensed firearm dealer may charge a
18 fee, not to exceed \$10, for the inquiry required under
19 subsection (b) of this Section.

20 (b) Upon receiving a request from a federally licensed
21 firearm dealer, gun show promoter, or gun show vendor, the
22 Department of State Police shall immediately approve, or within
23 the time period established by Section 24-3 of the Criminal

1 Code of 2012 regarding the delivery of firearms, stun guns, and
2 tasers notify the inquiring dealer, gun show promoter, or gun
3 show vendor of any objection that would disqualify the
4 transferee from acquiring or possessing a firearm, stun gun, or
5 taser. In conducting the inquiry, the Department of State
6 Police shall initiate and complete an automated search of its
7 criminal history record information files and those of the
8 Federal Bureau of Investigation, including the National
9 Instant Criminal Background Check System, and of the files of
10 the Department of Human Services relating to mental health and
11 developmental disabilities to obtain any felony conviction or
12 patient hospitalization information which would disqualify a
13 person from obtaining or require revocation of a currently
14 valid Firearm Owner's Identification Card.

15 (c) If receipt of a firearm would not violate Section 24-3
16 of the Criminal Code of 2012, federal law, or this Act the
17 Department of State Police shall:

18 (1) assign a unique identification number to the
19 transfer; and

20 (2) provide the licensee, gun show promoter, or gun
21 show vendor with the number.

22 (d) Approvals issued by the Department of State Police for
23 the purchase of a firearm are valid for 30 days from the date
24 of issue.

25 (e) (1) The Department of State Police must act as the
26 Illinois Point of Contact for the National Instant Criminal

1 Background Check System.

2 (2) The Department of State Police and the Department of
3 Human Services shall, in accordance with State and federal law
4 regarding confidentiality, enter into a memorandum of
5 understanding with the Federal Bureau of Investigation for the
6 purpose of implementing the National Instant Criminal
7 Background Check System in the State. The Department of State
8 Police shall report the name, date of birth, and physical
9 description of any person prohibited from possessing a firearm
10 pursuant to the Firearm Owners Identification Card Act or 18
11 U.S.C. 922(g) and (n) to the National Instant Criminal
12 Background Check System Index, Denied Persons Files.

13 (3) The Department of State Police shall provide notice of
14 the disqualification of a person under subsection (b) of this
15 Section or the revocation of a person's Firearm Owner's
16 Identification Card under Section 8 of this Act, and the reason
17 for the disqualification or revocation, to all law enforcement
18 agencies with jurisdiction to assist with the seizure of the
19 person's Firearm Owner's Identification Card.

20 (f) The Department of State Police shall adopt rules not
21 inconsistent with this Section to implement this system.

22 (Source: P.A. 97-1150, eff. 1-25-13; 98-63, eff. 7-9-13.)