



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3563

by Rep. Jerry F. Costello, II

SYNOPSIS AS INTRODUCED:

430 ILCS 65/1.1	from Ch. 38, par. 83-1.1
430 ILCS 65/3a	from Ch. 38, par. 83-3a
720 ILCS 5/24-3	from Ch. 38, par. 24-3

Amends the Firearm Owners Identification Card Act. Provides that nothing in the definition of "gun show" shall be construed to exclude a gun show held in conjunction with competitive shooting events at the World Shooting Complex sanctioned by a national governing body in which the sale or transfer of firearms is authorized under the Criminal Code of 2012. Provides that any non-resident registered participant of a competitive shooting event held at the World Shooting Complex sanctioned by a national governing body, who is not prohibited by the laws of Illinois, the state of his or her domicile, or the United States from obtaining, possessing, or using a firearm may purchase or obtain a rifle, shotgun, or other long gun or ammunition for a rifle, shotgun, or other long gun at the competitive shooting event. Amends the Criminal Code of 2012. Provides that waiting period for the delivery of a firearm after application for its purchase has been made does not apply to the transfer or sale of any rifle, shotgun, or other long gun to a resident registered participant or non-resident registered participant by any dealer licensed as a federal firearms dealer under the federal Gun Control Act of 1968 at competitive shooting events held at the World Shooting Complex sanctioned by a national governing body. Provides that the Department of Natural Resources shall give notice to the Department of State Police at least 30 calendar days prior to any competitive shooting events at the World Shooting Complex sanctioned by a national governing body. Provides that the sanctioning body shall provide a list of all registered participants at least 24 hours before the events to the Department of State Police. Provides that any changes to the list of registered participants shall be forwarded to the Department of State Police as soon as practicable.

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1 AN ACT concerning firearms and firearm ammunition.

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 Sections 1.1 and 3a as follows:

6 (430 ILCS 65/1.1) (from Ch. 38, par. 83-1.1)

7 Sec. 1.1. For purposes of this Act:

8 "Addicted to narcotics" means a person who has been:

9 (1) convicted of an offense involving the use or
10 possession of cannabis, a controlled substance, or
11 methamphetamine within the past year; or

12 (2) determined by the Department of State Police to be
13 addicted to narcotics based upon federal law or federal
14 guidelines.

15 "Addicted to narcotics" does not include possession or use
16 of a prescribed controlled substance under the direction and
17 authority of a physician or other person authorized to
18 prescribe the controlled substance when the controlled
19 substance is used in the prescribed manner.

20 "Adjudicated as a mentally disabled person" means the
21 person is the subject of a determination by a court, board,
22 commission or other lawful authority that the person, as a
23 result of marked subnormal intelligence, or mental illness,

1 mental impairment, incompetency, condition, or disease:

2 (1) presents a clear and present danger to himself,
3 herself, or to others;

4 (2) lacks the mental capacity to manage his or her own
5 affairs or is adjudicated a disabled person as defined in
6 Section 11a-2 of the Probate Act of 1975;

7 (3) is not guilty in a criminal case by reason of
8 insanity, mental disease or defect;

9 (3.5) is guilty but mentally ill, as provided in
10 Section 5-2-6 of the Unified Code of Corrections;

11 (4) is incompetent to stand trial in a criminal case;

12 (5) is not guilty by reason of lack of mental
13 responsibility under Articles 50a and 72b of the Uniform
14 Code of Military Justice, 10 U.S.C. 850a, 876b;

15 (6) is a sexually violent person under subsection (f)
16 of Section 5 of the Sexually Violent Persons Commitment
17 Act;

18 (7) is a sexually dangerous person under the Sexually
19 Dangerous Persons Act;

20 (8) is unfit to stand trial under the Juvenile Court
21 Act of 1987;

22 (9) is not guilty by reason of insanity under the
23 Juvenile Court Act of 1987;

24 (10) is subject to involuntary admission as an
25 inpatient as defined in Section 1-119 of the Mental Health
26 and Developmental Disabilities Code;

1 (11) is subject to involuntary admission as an
2 outpatient as defined in Section 1-119.1 of the Mental
3 Health and Developmental Disabilities Code;

4 (12) is subject to judicial admission as set forth in
5 Section 4-500 of the Mental Health and Developmental
6 Disabilities Code; or

7 (13) is subject to the provisions of the Interstate
8 Agreements on Sexually Dangerous Persons Act.

9 "Clear and present danger" means a person who:

10 (1) communicates a serious threat of physical violence
11 against a reasonably identifiable victim or poses a clear
12 and imminent risk of serious physical injury to himself,
13 herself, or another person as determined by a physician,
14 clinical psychologist, or qualified examiner; or

15 (2) demonstrates threatening physical or verbal
16 behavior, such as violent, suicidal, or assaultive
17 threats, actions, or other behavior, as determined by a
18 physician, clinical psychologist, qualified examiner,
19 school administrator, or law enforcement official.

20 "Clinical psychologist" has the meaning provided in
21 Section 1-103 of the Mental Health and Developmental
22 Disabilities Code.

23 "Controlled substance" means a controlled substance or
24 controlled substance analog as defined in the Illinois
25 Controlled Substances Act.

26 "Counterfeit" means to copy or imitate, without legal

1 authority, with intent to deceive.

2 "Developmentally disabled" means a disability which is
3 attributable to any other condition which results in impairment
4 similar to that caused by an intellectual disability and which
5 requires services similar to those required by intellectually
6 disabled persons. The disability must originate before the age
7 of 18 years, be expected to continue indefinitely, and
8 constitute a substantial handicap.

9 "Federally licensed firearm dealer" means a person who is
10 licensed as a federal firearms dealer under Section 923 of the
11 federal Gun Control Act of 1968 (18 U.S.C. 923).

12 "Firearm" means any device, by whatever name known, which
13 is designed to expel a projectile or projectiles by the action
14 of an explosion, expansion of gas or escape of gas; excluding,
15 however:

16 (1) any pneumatic gun, spring gun, paint ball gun, or
17 B-B gun which expels a single globular projectile not
18 exceeding .18 inch in diameter or which has a maximum
19 muzzle velocity of less than 700 feet per second;

20 (1.1) any pneumatic gun, spring gun, paint ball gun, or
21 B-B gun which expels breakable paint balls containing
22 washable marking colors;

23 (2) any device used exclusively for signalling or
24 safety and required or recommended by the United States
25 Coast Guard or the Interstate Commerce Commission;

26 (3) any device used exclusively for the firing of stud

1 cartridges, explosive rivets or similar industrial
2 ammunition; and

3 (4) an antique firearm (other than a machine-gun)
4 which, although designed as a weapon, the Department of
5 State Police finds by reason of the date of its
6 manufacture, value, design, and other characteristics is
7 primarily a collector's item and is not likely to be used
8 as a weapon.

9 "Firearm ammunition" means any self-contained cartridge or
10 shotgun shell, by whatever name known, which is designed to be
11 used or adaptable to use in a firearm; excluding, however:

12 (1) any ammunition exclusively designed for use with a
13 device used exclusively for signalling or safety and
14 required or recommended by the United States Coast Guard or
15 the Interstate Commerce Commission; and

16 (2) any ammunition designed exclusively for use with a
17 stud or rivet driver or other similar industrial
18 ammunition.

19 "Gun show" means an event or function:

20 (1) at which the sale and transfer of firearms is the
21 regular and normal course of business and where 50 or more
22 firearms are displayed, offered, or exhibited for sale,
23 transfer, or exchange; or

24 (2) at which not less than 10 gun show vendors display,
25 offer, or exhibit for sale, sell, transfer, or exchange
26 firearms.

1 "Gun show" includes the entire premises provided for an
2 event or function, including parking areas for the event or
3 function, that is sponsored to facilitate the purchase, sale,
4 transfer, or exchange of firearms as described in this Section.
5 Nothing in this definition shall be construed to exclude a gun
6 show held in conjunction with competitive shooting events at
7 the World Shooting Complex sanctioned by a national governing
8 body in which the sale or transfer of firearms is authorized
9 under subparagraph (5) of paragraph (g) of subsection (A) of
10 Section 24-3 of the Criminal Code of 2012.

11 "Gun show" does not include training or safety classes,
12 competitive shooting events, such as rifle, shotgun, or handgun
13 matches, trap, skeet, or sporting clays shoots, dinners,
14 banquets, raffles, or any other event where the sale or
15 transfer of firearms is not the primary course of business.

16 "Gun show promoter" means a person who organizes or
17 operates a gun show.

18 "Gun show vendor" means a person who exhibits, sells,
19 offers for sale, transfers, or exchanges any firearms at a gun
20 show, regardless of whether the person arranges with a gun show
21 promoter for a fixed location from which to exhibit, sell,
22 offer for sale, transfer, or exchange any firearm.

23 "Intellectually disabled" means significantly subaverage
24 general intellectual functioning which exists concurrently
25 with impairment in adaptive behavior and which originates
26 before the age of 18 years.

1 "Involuntarily admitted" has the meaning as prescribed in
2 Sections 1-119 and 1-119.1 of the Mental Health and
3 Developmental Disabilities Code.

4 "Mental health facility" means any licensed private
5 hospital or hospital affiliate, institution, or facility, or
6 part thereof, and any facility, or part thereof, operated by
7 the State or a political subdivision thereof which provide
8 treatment of persons with mental illness and includes all
9 hospitals, institutions, clinics, evaluation facilities,
10 mental health centers, colleges, universities, long-term care
11 facilities, and nursing homes, or parts thereof, which provide
12 treatment of persons with mental illness whether or not the
13 primary purpose is to provide treatment of persons with mental
14 illness.

15 "Patient" means:

16 (1) a person who voluntarily receives mental health
17 treatment as an in-patient or resident of any public or
18 private mental health facility, unless the treatment was
19 solely for an alcohol abuse disorder and no other secondary
20 substance abuse disorder or mental illness; or

21 (2) a person who voluntarily receives mental health
22 treatment as an out-patient or is provided services by a
23 public or private mental health facility, and who poses a
24 clear and present danger to himself, herself, or to others.

25 "Physician" has the meaning as defined in Section 1-120 of
26 the Mental Health and Developmental Disabilities Code.

1 "Qualified examiner" has the meaning provided in Section
2 1-122 of the Mental Health and Developmental Disabilities Code.

3 "Sanctioned competitive shooting event" means a shooting
4 contest officially recognized by a national or state shooting
5 sport association, and includes any sight-in or practice
6 conducted in conjunction with the event.

7 "School administrator" means the person required to report
8 under the School Administrator Reporting of Mental Health Clear
9 and Present Danger Determinations Law.

10 "Stun gun or taser" has the meaning ascribed to it in
11 Section 24-1 of the Criminal Code of 2012.

12 (Source: P.A. 97-776, eff. 7-13-12; 97-1150, eff. 1-25-13;
13 97-1167, eff. 6-1-13; 98-63, eff. 7-9-13.)

14 (430 ILCS 65/3a) (from Ch. 38, par. 83-3a)

15 Sec. 3a. (a) Any resident of Illinois who has obtained a
16 firearm owner's identification card pursuant to this Act and
17 who is not otherwise prohibited from obtaining, possessing or
18 using a firearm may purchase or obtain a rifle or shotgun or
19 ammunition for a rifle or shotgun in Iowa, Missouri, Indiana,
20 Wisconsin or Kentucky.

21 (b) Any resident of Iowa, Missouri, Indiana, Wisconsin or
22 Kentucky or a non-resident with a valid non-resident hunting
23 license, who is 18 years of age or older and who is not
24 prohibited by the laws of Illinois, the state of his domicile,
25 or the United States from obtaining, possessing or using a

1 firearm, may purchase or obtain a rifle, shotgun or ammunition
2 for a rifle or shotgun in Illinois.

3 (b-5) Any non-resident who is participating in a sanctioned
4 competitive shooting event, who is 18 years of age or older and
5 who is not prohibited by the laws of Illinois, the state of his
6 or her domicile, or the United States from obtaining,
7 possessing, or using a firearm, may purchase or obtain a
8 shotgun or shotgun ammunition in Illinois for the purpose of
9 participating in that event. A person may purchase or obtain a
10 shotgun or shotgun ammunition under this subsection only at the
11 site where the sanctioned competitive shooting event is being
12 held.

13 (b-10) Any non-resident registered participant of a
14 competitive shooting event held at the World Shooting Complex
15 sanctioned by a national governing body, who is not prohibited
16 by the laws of Illinois, the state of his or her domicile, or
17 the United States from obtaining, possessing, or using a
18 firearm may purchase or obtain a rifle, shotgun, or other long
19 gun or ammunition for a rifle, shotgun, or other long gun at
20 the competitive shooting event. The sanctioning body shall
21 provide a list of registered participants as required under
22 subparagraph (5) of paragraph (g) of subsection (A) of Section
23 24-3 of the Criminal Code of 2012.

24 (c) Any transaction under this Section is subject to the
25 provisions of the Gun Control Act of 1968 (18 U.S.C. 922
26 (b) (3)).

1 (Source: P.A. 94-353, eff. 7-29-05.)

2 Section 10. The Criminal Code of 2012 is amended by
3 changing Section 24-3 as follows:

4 (720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

5 Sec. 24-3. Unlawful sale or delivery of firearms.

6 (A) A person commits the offense of unlawful sale or
7 delivery of firearms when he or she knowingly does any of the
8 following:

9 (a) Sells or gives any firearm of a size which may be
10 concealed upon the person to any person under 18 years of
11 age.

12 (b) Sells or gives any firearm to a person under 21
13 years of age who has been convicted of a misdemeanor other
14 than a traffic offense or adjudged delinquent.

15 (c) Sells or gives any firearm to any narcotic addict.

16 (d) Sells or gives any firearm to any person who has
17 been convicted of a felony under the laws of this or any
18 other jurisdiction.

19 (e) Sells or gives any firearm to any person who has
20 been a patient in a mental institution within the past 5
21 years. In this subsection (e):

22 "Mental institution" means any hospital,
23 institution, clinic, evaluation facility, mental
24 health center, or part thereof, which is used primarily

1 for the care or treatment of persons with mental
2 illness.

3 "Patient in a mental institution" means the person
4 was admitted, either voluntarily or involuntarily, to
5 a mental institution for mental health treatment,
6 unless the treatment was voluntary and solely for an
7 alcohol abuse disorder and no other secondary
8 substance abuse disorder or mental illness.

9 (f) Sells or gives any firearms to any person who is
10 intellectually disabled.

11 (g) Delivers any firearm of a size which may be
12 concealed upon the person, incidental to a sale, without
13 withholding delivery of such firearm for at least 72 hours
14 after application for its purchase has been made, or
15 delivers any rifle, shotgun or other long gun, or a stun
16 gun or taser, incidental to a sale, without withholding
17 delivery of such rifle, shotgun or other long gun, or a
18 stun gun or taser for at least 24 hours after application
19 for its purchase has been made. However, this paragraph (g)
20 does not apply to: (1) the sale of a firearm to a law
21 enforcement officer if the seller of the firearm knows that
22 the person to whom he or she is selling the firearm is a
23 law enforcement officer or the sale of a firearm to a
24 person who desires to purchase a firearm for use in
25 promoting the public interest incident to his or her
26 employment as a bank guard, armed truck guard, or other

1 similar employment; (2) a mail order sale of a firearm to a
2 nonresident of Illinois under which the firearm is mailed
3 to a point outside the boundaries of Illinois; (3) the sale
4 of a firearm to a nonresident of Illinois while at a
5 firearm showing or display recognized by the Illinois
6 Department of State Police; ~~or~~ (4) the sale of a firearm to
7 a dealer licensed as a federal firearms dealer under
8 Section 923 of the federal Gun Control Act of 1968 (18
9 U.S.C. 923); or (5) the transfer or sale of any rifle,
10 shotgun, or other long gun to a resident registered
11 participant or non-resident registered participant by any
12 dealer licensed as a federal firearms dealer under Section
13 923 of the federal Gun Control Act of 1968 at competitive
14 shooting events held at the World Shooting Complex
15 sanctioned by a national governing body. For purposes of
16 transfers or sales under subparagraph (5) of this paragraph
17 (g), the Department of Natural Resources shall give notice
18 to the Department of State Police at least 30 calendar days
19 prior to any competitive shooting events at the World
20 Shooting Complex sanctioned by a national governing body.
21 The sanctioning body shall provide a list of all registered
22 participants at least 24 hours before the events to the
23 Department of State Police. Any changes to the list of
24 registered participants shall be forwarded to the
25 Department of State Police as soon as practicable. For
26 purposes of this paragraph (g), "application" means when

1 the buyer and seller reach an agreement to purchase a
2 firearm.

3 (h) While holding any license as a dealer, importer,
4 manufacturer or pawnbroker under the federal Gun Control
5 Act of 1968, manufactures, sells or delivers to any
6 unlicensed person a handgun having a barrel, slide, frame
7 or receiver which is a die casting of zinc alloy or any
8 other nonhomogeneous metal which will melt or deform at a
9 temperature of less than 800 degrees Fahrenheit. For
10 purposes of this paragraph, (1) "firearm" is defined as in
11 the Firearm Owners Identification Card Act; and (2)
12 "handgun" is defined as a firearm designed to be held and
13 fired by the use of a single hand, and includes a
14 combination of parts from which such a firearm can be
15 assembled.

16 (i) Sells or gives a firearm of any size to any person
17 under 18 years of age who does not possess a valid Firearm
18 Owner's Identification Card.

19 (j) Sells or gives a firearm while engaged in the
20 business of selling firearms at wholesale or retail without
21 being licensed as a federal firearms dealer under Section
22 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923).
23 In this paragraph (j):

24 A person "engaged in the business" means a person who
25 devotes time, attention, and labor to engaging in the
26 activity as a regular course of trade or business with the

1 principal objective of livelihood and profit, but does not
2 include a person who makes occasional repairs of firearms
3 or who occasionally fits special barrels, stocks, or
4 trigger mechanisms to firearms.

5 "With the principal objective of livelihood and
6 profit" means that the intent underlying the sale or
7 disposition of firearms is predominantly one of obtaining
8 livelihood and pecuniary gain, as opposed to other intents,
9 such as improving or liquidating a personal firearms
10 collection; however, proof of profit shall not be required
11 as to a person who engages in the regular and repetitive
12 purchase and disposition of firearms for criminal purposes
13 or terrorism.

14 (k) Sells or transfers ownership of a firearm to a
15 person who does not display to the seller or transferor of
16 the firearm a currently valid Firearm Owner's
17 Identification Card that has previously been issued in the
18 transferee's name by the Department of State Police under
19 the provisions of the Firearm Owners Identification Card
20 Act. This paragraph (k) does not apply to the transfer of a
21 firearm to a person who is exempt from the requirement of
22 possessing a Firearm Owner's Identification Card under
23 Section 2 of the Firearm Owners Identification Card Act.
24 For the purposes of this Section, a currently valid Firearm
25 Owner's Identification Card means (i) a Firearm Owner's
26 Identification Card that has not expired or (ii) an

1 approval number issued in accordance with subsection
2 (a-10) of subsection 3 or Section 3.1 of the Firearm Owners
3 Identification Card Act shall be proof that the Firearm
4 Owner's Identification Card was valid.

5 (1) In addition to the other requirements of this
6 paragraph (k), all persons who are not federally
7 licensed firearms dealers must also have complied with
8 subsection (a-10) of Section 3 of the Firearm Owners
9 Identification Card Act by determining the validity of
10 a purchaser's Firearm Owner's Identification Card.

11 (2) All sellers or transferors who have complied
12 with the requirements of subparagraph (1) of this
13 paragraph (k) shall not be liable for damages in any
14 civil action arising from the use or misuse by the
15 transferee of the firearm transferred, except for
16 willful or wanton misconduct on the part of the seller
17 or transferor.

18 (1) Not being entitled to the possession of a firearm,
19 delivers the firearm, knowing it to have been stolen or
20 converted. It may be inferred that a person who possesses a
21 firearm with knowledge that its serial number has been
22 removed or altered has knowledge that the firearm is stolen
23 or converted.

24 (B) Paragraph (h) of subsection (A) does not include
25 firearms sold within 6 months after enactment of Public Act
26 78-355 (approved August 21, 1973, effective October 1, 1973),

1 nor is any firearm legally owned or possessed by any citizen or
2 purchased by any citizen within 6 months after the enactment of
3 Public Act 78-355 subject to confiscation or seizure under the
4 provisions of that Public Act. Nothing in Public Act 78-355
5 shall be construed to prohibit the gift or trade of any firearm
6 if that firearm was legally held or acquired within 6 months
7 after the enactment of that Public Act.

8 (C) Sentence.

9 (1) Any person convicted of unlawful sale or delivery
10 of firearms in violation of paragraph (c), (e), (f), (g),
11 or (h) of subsection (A) commits a Class 4 felony.

12 (2) Any person convicted of unlawful sale or delivery
13 of firearms in violation of paragraph (b) or (i) of
14 subsection (A) commits a Class 3 felony.

15 (3) Any person convicted of unlawful sale or delivery
16 of firearms in violation of paragraph (a) of subsection (A)
17 commits a Class 2 felony.

18 (4) Any person convicted of unlawful sale or delivery
19 of firearms in violation of paragraph (a), (b), or (i) of
20 subsection (A) in any school, on the real property
21 comprising a school, within 1,000 feet of the real property
22 comprising a school, at a school related activity, or on or
23 within 1,000 feet of any conveyance owned, leased, or
24 contracted by a school or school district to transport
25 students to or from school or a school related activity,
26 regardless of the time of day or time of year at which the

1 offense was committed, commits a Class 1 felony. Any person
2 convicted of a second or subsequent violation of unlawful
3 sale or delivery of firearms in violation of paragraph (a),
4 (b), or (i) of subsection (A) in any school, on the real
5 property comprising a school, within 1,000 feet of the real
6 property comprising a school, at a school related activity,
7 or on or within 1,000 feet of any conveyance owned, leased,
8 or contracted by a school or school district to transport
9 students to or from school or a school related activity,
10 regardless of the time of day or time of year at which the
11 offense was committed, commits a Class 1 felony for which
12 the sentence shall be a term of imprisonment of no less
13 than 5 years and no more than 15 years.

14 (5) Any person convicted of unlawful sale or delivery
15 of firearms in violation of paragraph (a) or (i) of
16 subsection (A) in residential property owned, operated, or
17 managed by a public housing agency or leased by a public
18 housing agency as part of a scattered site or mixed-income
19 development, in a public park, in a courthouse, on
20 residential property owned, operated, or managed by a
21 public housing agency or leased by a public housing agency
22 as part of a scattered site or mixed-income development, on
23 the real property comprising any public park, on the real
24 property comprising any courthouse, or on any public way
25 within 1,000 feet of the real property comprising any
26 public park, courthouse, or residential property owned,

1 operated, or managed by a public housing agency or leased
2 by a public housing agency as part of a scattered site or
3 mixed-income development commits a Class 2 felony.

4 (6) Any person convicted of unlawful sale or delivery
5 of firearms in violation of paragraph (j) of subsection (A)
6 commits a Class A misdemeanor. A second or subsequent
7 violation is a Class 4 felony.

8 (7) Any person convicted of unlawful sale or delivery
9 of firearms in violation of paragraph (k) of subsection (A)
10 commits a Class 4 felony, except that a violation of
11 subparagraph (1) of paragraph (k) of subsection (A) shall
12 not be punishable as a crime or petty offense. A third or
13 subsequent conviction for a violation of paragraph (k) of
14 subsection (A) is a Class 1 felony.

15 (8) A person 18 years of age or older convicted of
16 unlawful sale or delivery of firearms in violation of
17 paragraph (a) or (i) of subsection (A), when the firearm
18 that was sold or given to another person under 18 years of
19 age was used in the commission of or attempt to commit a
20 forcible felony, shall be fined or imprisoned, or both, not
21 to exceed the maximum provided for the most serious
22 forcible felony so committed or attempted by the person
23 under 18 years of age who was sold or given the firearm.

24 (9) Any person convicted of unlawful sale or delivery
25 of firearms in violation of paragraph (d) of subsection (A)
26 commits a Class 3 felony.

1 (10) Any person convicted of unlawful sale or delivery
2 of firearms in violation of paragraph (1) of subsection (A)
3 commits a Class 2 felony if the delivery is of one firearm.
4 Any person convicted of unlawful sale or delivery of
5 firearms in violation of paragraph (1) of subsection (A)
6 commits a Class 1 felony if the delivery is of not less
7 than 2 and not more than 5 firearms at the same time or
8 within a one year period. Any person convicted of unlawful
9 sale or delivery of firearms in violation of paragraph (1)
10 of subsection (A) commits a Class X felony for which he or
11 she shall be sentenced to a term of imprisonment of not
12 less than 6 years and not more than 30 years if the
13 delivery is of not less than 6 and not more than 10
14 firearms at the same time or within a 2 year period. Any
15 person convicted of unlawful sale or delivery of firearms
16 in violation of paragraph (1) of subsection (A) commits a
17 Class X felony for which he or she shall be sentenced to a
18 term of imprisonment of not less than 6 years and not more
19 than 40 years if the delivery is of not less than 11 and
20 not more than 20 firearms at the same time or within a 3
21 year period. Any person convicted of unlawful sale or
22 delivery of firearms in violation of paragraph (1) of
23 subsection (A) commits a Class X felony for which he or she
24 shall be sentenced to a term of imprisonment of not less
25 than 6 years and not more than 50 years if the delivery is
26 of not less than 21 and not more than 30 firearms at the

1 same time or within a 4 year period. Any person convicted
2 of unlawful sale or delivery of firearms in violation of
3 paragraph (1) of subsection (A) commits a Class X felony
4 for which he or she shall be sentenced to a term of
5 imprisonment of not less than 6 years and not more than 60
6 years if the delivery is of 31 or more firearms at the same
7 time or within a 5 year period.

8 (D) For purposes of this Section:

9 "School" means a public or private elementary or secondary
10 school, community college, college, or university.

11 "School related activity" means any sporting, social,
12 academic, or other activity for which students' attendance or
13 participation is sponsored, organized, or funded in whole or in
14 part by a school or school district.

15 (E) A prosecution for a violation of paragraph (k) of
16 subsection (A) of this Section may be commenced within 6 years
17 after the commission of the offense. A prosecution for a
18 violation of this Section other than paragraph (g) of
19 subsection (A) of this Section may be commenced within 5 years
20 after the commission of the offense defined in the particular
21 paragraph.

22 (Source: P.A. 97-227, eff. 1-1-12; 97-347, eff. 1-1-12; 97-813,
23 eff. 7-13-12; 97-1167, eff. 6-1-13; 98-508, eff. 8-19-13.)