



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5558

Introduced 2/9/2024, by Rep. Tracy Katz Muhl

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-4.1

Amends the Criminal Code of 2012. Eliminates the criminal penalty for failure to report a lost or stolen firearm to the local law enforcement agency within 72 hours after obtaining knowledge of the loss or theft. Provides that if a firearm that has been lost is found by a law enforcement officer, whether or not the firearm has been reported by its previous possessor as lost or stolen to the local law enforcement agency within the time period required by this provision, the law enforcement agency, upon the identification of the previous possessor of the firearm, shall issue a citation for which a penalty shall be set at \$500 for a first offense and \$1,000 for a second offense. Provides that if the offender fails to pay the fine, the offender forfeits the lost firearm and the offender's Firearm Owner's Identification Card and concealed carry license, if any have been issued to the offender, are revoked. Provides that after 3 lost or stolen firearms, the court shall revoke the person's Firearm Owner's Identification Card and concealed carry license if issued to the person. Provides that any person whose Firearm Owner's Identification Card or concealed carry license is revoked as a result of this provision shall surrender all the person's firearms, Firearm Owner's Identification Card, and concealed carry license to the local law enforcement agency.

LRB103 38826 RLC 69621 b

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 2012 is amended by
5 changing Section 24-4.1 as follows:

6 (720 ILCS 5/24-4.1)

7 Sec. 24-4.1. Report of lost or stolen firearms.

8 (a) If a person who possesses a valid Firearm Owner's
9 Identification Card and who possesses or acquires a firearm
10 thereafter loses the firearm, or if the firearm is stolen from
11 the person, the person must report the loss or theft to the
12 local law enforcement agency within 72 hours after obtaining
13 knowledge of the loss or theft.

14 (b) A law enforcement agency having jurisdiction shall
15 take a written report and shall, as soon as practical, enter
16 the firearm's serial number as stolen into the Law Enforcement
17 Agencies Data System (LEADS).

18 (c) A person shall not be in violation of this Section if:

19 (1) the failure to report is due to an act of God, act
20 of war, or inability of a law enforcement agency to
21 receive the report;

22 (2) the person is hospitalized, in a coma, or is
23 otherwise seriously physically or mentally impaired as to

1 prevent the person from reporting; or

2 (3) the person's designee makes a report if the person
3 is unable to make the report.

4 (c-1) If a firearm that has been lost is found by a law
5 enforcement officer, whether or not the firearm has been
6 reported by its previous possessor as lost or stolen to the
7 local law enforcement agency within the time period required
8 by subsection (a), the law enforcement agency, upon the
9 identification of the previous possessor of the firearm, shall
10 issue a citation for which a penalty shall be set at \$500 for a
11 first offense and \$1,000 for a second offense. If the offender
12 fails to pay the fine, the offender forfeits the lost firearm
13 and the offender's Firearm Owner's Identification Card and
14 concealed carry license, if any have been issued to the
15 offender, are revoked. After 3 lost or stolen firearms, the
16 court shall revoke the person's Firearm Owner's Identification
17 Card and concealed carry license if issued to the person. Any
18 person whose Firearm Owner's Identification Card or concealed
19 carry license is revoked as a result of this subsection (c-1)
20 shall surrender all the person's firearms, Firearm Owner's
21 Identification Card, and concealed carry license to the local
22 law enforcement agency.

23 (d) Sentence. A person who violates this Section is guilty
24 of a petty offense for a first violation. A second or
25 subsequent violation of this Section is a Class A misdemeanor.

26 (Source: P.A. 98-508, eff. 8-19-13.)