

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 1961 is amended by  
5 changing Section 24-3.5 as follows:

6 (720 ILCS 5/24-3.5)

7 Sec. 24-3.5. Unlawful purchase of a firearm.

8 (a) For purposes of this Section, "firearms transaction  
9 record form" means a form:

- 10 (1) executed by a transferee of a firearm stating:  
11 (i) the transferee's name and address (including county  
12 or similar political subdivision); (ii) whether the  
13 transferee is a citizen of the United States; (iii) the  
14 transferee's State of residence; and (iv) the date and  
15 place of birth, height, weight, and race of the  
16 transferee; and

- 17 (2) on which the transferee certifies that he or  
18 she is not prohibited by federal law from transporting or  
19 shipping a firearm in interstate or foreign commerce or  
20 receiving a firearm that has been shipped or transported  
21 in interstate or foreign commerce or possessing a firearm  
22 in or affecting commerce.

23 (b) A person commits the offense of unlawful purchase of  
24 a firearm who knowingly purchases or attempts to purchase a  
25 firearm with the intent to deliver that firearm to another  
26 person who is prohibited by federal or State law from  
27 possessing a firearm.

28 (c) A person commits the offense of unlawful purchase of  
29 a firearm when he or she, in purchasing or attempting to  
30 purchase a firearm, intentionally provides false or  
31 misleading information on a United States Department of the

1 Treasury, Bureau of Alcohol, Tobacco and Firearms firearms  
2 transaction record form.

3 (d) Exemption. It is not a violation of subsection (b)  
4 of this Section for a person to make a gift or loan of a  
5 firearm to a person who is not prohibited by federal or State  
6 law from possessing a firearm if the transfer of the firearm  
7 is made in accordance with Section 3 of the Firearm Owners  
8 Identification Card Act.

9 (e) Sentence.

10 (1) A person who commits the offense of unlawful  
11 purchase of a firearm by purchasing or attempting to  
12 purchase a firearm with intent to deliver the firearm in  
13 violation of subsection (b) or by purchasing or  
14 attempting to purchase a firearm in violation of  
15 subsection (c):

16 (A) is guilty of a Class 4 felony for  
17 purchasing or attempting to purchase one firearm;

18 (B) is guilty of a Class 3 felony for  
19 purchasing or attempting to purchase not less than 2  
20 firearms and not more than 5 firearms at the same  
21 time or within a one year period;

22 (C) is guilty of a Class 2 felony for  
23 purchasing or attempting to purchase not less than 6  
24 firearms and not more than 10 firearms at the same  
25 time or within a 2 year period;

26 (D) is guilty of a Class 1 felony for  
27 purchasing or attempting to purchase not less than  
28 11 firearms and not more than 20 firearms at the  
29 same time or within a 3 year period;

30 (E) is guilty of a Class X felony for which  
31 the person shall be sentenced to a term of  
32 imprisonment of not less than 6 years and not more  
33 than 30 years for purchasing or attempting to  
34 purchase not less than 21 firearms and not more than

1 30 firearms at the same time or within a 4 year  
2 period;

3 (F) is guilty of a Class X felony for which  
4 the person shall be sentenced to a term of  
5 imprisonment of not less than 6 years and not more  
6 than 40 years for purchasing or attempting to  
7 purchase not less than 31 firearms and not more than  
8 40 firearms at the same time or within a 5 year  
9 period;

10 (G) is guilty of a Class X felony for which  
11 the person shall be sentenced to a term of  
12 imprisonment of not less than 6 years and not more  
13 than 50 years for purchasing or attempting to  
14 purchase more than 40 firearms at the same time or  
15 within a 6 year period.

16 (1.5) A person who commits the offense of unlawful  
17 purchase of a firearm by purchasing or attempting to  
18 purchase a firearm with the intent to deliver the firearm  
19 in violation of subsection (b) or by purchasing or  
20 attempting to purchase a firearm in violation of  
21 subsection (c) shall be sentenced to an additional term  
22 of imprisonment of 10 years for each firearm purchased or  
23 attempted to be purchased that was:

24 (A) used in a crime that involved a violation  
25 of the Cannabis Control Act or the Illinois  
26 Controlled Substances Act;

27 (B) used in a crime committed against a law  
28 enforcement officer; or

29 (C) used in the commission of a felony.

30 (2) In addition to any other penalty that may be  
31 imposed for a violation of this Section, the court may  
32 sentence a person convicted of a violation of subsection  
33 (c) of this Section to a fine not to exceed \$250,000 for  
34 each violation.

1 (Source: P.A. 91-265, eff. 1-1-00.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.