

1 AMENDMENT TO SENATE BILL 1646

2 AMENDMENT NO. _____. Amend Senate Bill 1646 as follows:
3 on page 1, line 5, by replacing "and 16-21" with "16-21, and
4 24-3.5"; and

5 on page 10, by inserting between lines 1 and 2 the following:

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.

1 (b) A person commits the offense of unlawful purchase of
2 a firearm who knowingly purchases or attempts to purchase a
3 firearm with the intent to deliver that firearm to another
4 person who is prohibited by federal or State law from
5 possessing a firearm.

6 (c) A person commits the offense of unlawful purchase of
7 a firearm when he or she, in purchasing or attempting to
8 purchase a firearm, intentionally provides false or
9 misleading information on a United States Department of the
10 Treasury, Bureau of Alcohol, Tobacco and Firearms firearms
11 transaction record form.

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

18 (e) Sentence.

19 (1) A person who commits the offense of unlawful
20 purchase of a firearm by purchasing a firearm with intent
21 to deliver the firearm in violation of subsection (b) or
22 by purchasing or attempting to purchase a firearm in
23 violation of subsection (c):

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

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

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

34 (D) is guilty of a Class 1 felony for

1 purchasing or attempting to purchase not less than
2 11 firearms and not more than 20 firearms at the
3 same time or within a 3 year period;

4 (E) is guilty of a Class X felony for which
5 the person shall be sentenced to a term of
6 imprisonment of not less than 6 years and not more
7 than 30 years for purchasing or attempting to
8 purchase not less than 21 firearms and not more than
9 30 firearms at the same time or within a 4 year
10 period;

11 (F) is guilty of a Class X felony for which
12 the person shall be sentenced to a term of
13 imprisonment of not less than 6 years and not more
14 than 40 years for purchasing or attempting to
15 purchase not less than 31 firearms and not more than
16 40 firearms at the same time or within a 5 year
17 period;

18 (G) is guilty of a Class X felony for which
19 the person shall be sentenced to a term of
20 imprisonment of not less than 6 years and not more
21 than 50 years for purchasing or attempting to
22 purchase more than 40 firearms at the same time or
23 within a 6 year period.

24 (2) In addition to any other penalty that may be
25 imposed for a violation of this Section, the court may
26 sentence a person convicted of a violation of subsection
27 (c) of this Section to a fine not to exceed \$250,000 for
28 each violation.

29 (Source: P.A. 91-265, eff. 1-1-00.)"; and

30 on page 10, by inserting below line 7 the following:

31 "Section 99. Effective date. This Section and the
32 changes to Section 24-3.5 of the Criminal Code of 1961 take
33 effect upon becoming law."