



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4259

by Rep. William Davis

SYNOPSIS AS INTRODUCED:

New Act

Creates the Ammunition Accountability Act. Provides that all firearm ammunition manufactured or sold in the State of Illinois on or after January 1, 2010 shall be coded by the manufacturer. Provides that effective January 1, 2011, all firearm ammunition used within the State of Illinois shall be coded by the manufacturer. Provides that on or after January 1, 2011, a person in possession of non-coded ammunition that was manufactured prior to January 1, 2010, may transfer the same only to an heir, to an individual residing in another state maintaining the ammunition in another state, or to a federally licensed firearms dealer. Provides that the Department of State Police shall be responsible for establishing and maintaining an Ammunition Coding System Database (ACSD) containing specified information. Establishes penalties and exemptions.

LRB095 16615 RLC 42646 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning ammunition.

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

4 Section 1. Short title. This Act may be cited as the
5 Ammunition Accountability Act.

6 Section 5. Definitions. For purposes of this Act:

7 (a) "Coded" and "coded ammunition" mean a bullet carrying a
8 unique identifier that has been applied by etching the same
9 onto the base of the bullet.

10 (b) "Firearm ammunition" shall have the meaning provided in
11 Section 1.1 of the Firearm Owners Identification Card Act,
12 except that it shall not include shotgun shells or ammunition
13 designed to be used in muzzle-loading "black powder" firearms.

14 Section 10. Prohibition on sale, manufacture, or use of
15 non-coded ammunition.

16 (a) All firearm ammunition manufactured or sold in the
17 State of Illinois on or after January 1, 2010 shall be coded by
18 the manufacturer.

19 (b) Effective January 1, 2011, all firearm ammunition used
20 within the State of Illinois shall be coded by the
21 manufacturer.

22 (c) On or after January 1, 2011, a person in possession of

1 non-coded ammunition that was manufactured prior to January 1,
2 2010, may transfer the same only to an heir, to an individual
3 residing in another state maintaining the ammunition in another
4 state, or to a federally licensed firearms dealer.

5 (d) This Section does not apply to any memorabilia or
6 display item that is filled with a permanent inert substance or
7 that is otherwise permanently altered in a manner that prevents
8 ready modification for use as live ammunition.

9 Section 15. Authority to establish an Ammunition Coding
10 System Database.

11 (a) The Department of State Police shall be responsible for
12 establishing and maintaining an Ammunition Coding System
13 Database (ACSD) containing the following information:

14 (1) Manufacturer registry. The manufacturers shall:
15 (i) register with the Department of State Police in a
16 manner prescribed by the Department through rule; and (ii)
17 maintain records on the business premises for a period of
18 seven years concerning all sales, loans, and transfers of
19 ammunition, to, from, or within the State.

20 (2) Vendor registry. The vendors shall:

21 (A) register with Department of State Police in a
22 manner prescribed by the Department through rule;

23 (B) record the following information in a format
24 prescribed by rule by the Department of State Police:

25 (i) the date of the transaction; (ii) the name of the

1 transferee; (iii) the purchaser's driver's license
2 number or other government issued identification card
3 number; (iv) the date of birth of the purchaser; (v)
4 the unique identifier of all ammunition; and (vi) such
5 other information as the Department of State Police may
6 by rule prescribe; and

7 (C) maintain records on the business premises for a
8 period of 3 years from the date of the recorded
9 purchase.

10 (b) To the greatest extent possible or practical, the ACSD
11 shall be built within the framework of existing firearms
12 databases. The ACSD shall be operational no later than January
13 1, 2010.

14 (c) Privacy of individuals is of the utmost importance.
15 Access to information in the ACSD is reserved for law
16 enforcement personnel and to be released only in connection
17 with a criminal investigation.

18 Section 20. Penalties.

19 (a) Any vendor that knowingly fails to comply with this
20 Act, or who knowingly falsifies the records required to be kept
21 under this Act, is guilty of a Class 4 felony and is subject to
22 a fine of \$2,500 for each violation. Each retail package of
23 ammunition sold in violation of this Act shall be deemed a
24 separate violation.

25 (b) Any manufacturer that knowingly fails to comply with

1 the requirement of this Act is guilty of a business offense,
2 and is subject to a fine of \$5,000 for a first violation and
3 for a second violation is guilty of a business offense and is
4 subject to a fine of \$10,000, and for a third or subsequent
5 violation is guilty of a business offense and is subject to a
6 fine of \$25,000. Each wholesale package manufactured in
7 violation of this Act shall be deemed a separate violation.

8 (c) Any person who knowingly destroys, obliterates, or
9 otherwise renders unreadable, the serialization required
10 pursuant to this Act, on any bullet or assembled ammunition, is
11 guilty of a Class 4 felony and is subject to a fine of \$2,500.
12 This subsection (c) shall not apply to any person who destroys,
13 obliterates, or otherwise renders unreadable, the
14 serialization required hereunder in the process of filling
15 ammunition with a permanent inert substance or otherwise
16 permanently altering it in a manner that prevents ready
17 modification for use as live ammunition.