



Sen. Robert Peters

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1 AMENDMENT TO SENATE BILL 2279

2 AMENDMENT NO. _____. Amend Senate Bill 2279 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Responsibility in Firearm Legislation Act.

6 Section 5. Findings and purpose. The General Assembly
7 finds that the people of the State of Illinois have incurred
8 undue direct costs and financial burdens from injuries and
9 deaths as a result of the use of firearms in this State.
10 Therefore, to protect the health, safety, and welfare of the
11 people of the State of Illinois, it is necessary that firearm
12 manufacturers who generate substantial public costs share the
13 financial consequences of their for-profit activity with the
14 public and obtain licensing to sell, distribute, or import in
15 Illinois. The proceeds of licensing under this Act are
16 intended to be distributed within the State for community

1 violence intervention, victim services, evidence-based
2 high-risk youth intervention services, and evidence-based
3 violence prevention services and must be substantially related
4 to reducing public costs and harms created by firearm injury.

5 Section 10. Definitions. In this Act, unless the context
6 requires otherwise:

7 "Department" means the Department of Financial and
8 Professional Regulation.

9 "Destructive device" has the meaning given the term in 18
10 U.S.C. 921(a)(4).

11 "Direct costs" means costs incurred for the following:
12 medical treatment and care; medical devices and prescription
13 drugs; mental health treatment provided by a psychiatrist,
14 psychologist, social worker, or behavioral therapist; physical
15 therapy, occupational therapy, and rehabilitation services;
16 funeral, burial, and cremation services; emergency
17 transportation; lost wages; emergency relocation; property
18 damage; legal services; emergency child or dependent care; or
19 law enforcement and judicial costs.

20 "Distributor of firearms" or "distributor" means a person
21 who supplies firearms to retailers or other businesses that
22 sell firearms to consumers in this State.

23 "Evidence-based high-risk youth intervention services" has
24 the same meaning given to that term in the Reimagine Public
25 Safety Act.

1 "Evidence-based violence prevention services" has the same
2 meaning given to that term in the Reimagine Public Safety Act.

3 "Experience rating" means a rating determined by the
4 Department by rule that correlates with the number of firearms
5 recovered in a given year in connection with incidents
6 involving firearm injuries and firearm deaths that are linked
7 to a specific manufacturer in the State, regardless of the
8 origin of purchase, taking into account the number of firearm
9 injuries and firearm deaths associated with each firearm
10 recovered, regardless of modifications or accessories added to
11 the firearm after manufacturing, divided by the total number
12 of firearms recovered in connection with those incidents in
13 that same year.

14 "Firearm" means:

15 (1) any weapon (including a starter gun) which will or
16 is designed to or may readily be converted to expel a
17 projectile by the action of an explosive;

18 (2) the frame or receiver of any such weapon;

19 (3) any firearm muffler or firearm silencer; or

20 (4) any destructive device.

21 "Firearm" does not include an antique firearm.

22 "Firearm death" means the death of a person that is the
23 direct or proximate result of a high-velocity projectile fired
24 from a firearm. "Firearm death" includes suicides and
25 homicides.

26 "Firearm injury" means a physical, mental, or emotional

1 injury to a person that is the direct or proximate result of a
2 high-velocity projectile fired from a firearm, whether
3 self-inflicted, accidental, or intentional.

4 "Firearm trade show" means either (i) a professional
5 industry event in which firearm manufacturers, firearm
6 wholesalers, and firearm distributors showcase new firearm
7 products and firearm-related products, negotiate deals, and
8 network or (ii) a public event in which federally licensed
9 dealers and, in some cases, private collectors or private
10 sellers gather to display and sell firearms, ammunition, and
11 outdoor gear directly to the general public.

12 "Importer" means any person that brings one or more
13 manufactured firearms into the State of Illinois.

14 "Licensed dealer" means any person engaged in the business
15 of selling guns for profit and who is legally authorized by
16 federal and State authorities to manufacture, import, or sell
17 firearms.

18 "Manufacturer" means any person engaged in the manufacture
19 of firearms for purposes of sale or distribution or that holds
20 a federal firearms license type 6, 7, or 10.

21 "Organizer of a firearm trade show" means a person
22 responsible for planning, coordinating, and managing all
23 aspects of a firearm trade show.

24 "Pawnbroker" means any person whose business or occupation
25 includes the taking or receiving by way of pledge or pawn, of
26 any firearm as security for the payment or repayment of money.

1 "Private seller" means a person who makes occasional sales
2 from the person's personal collection of firearms and is not
3 required to have a Federal Firearms License.

4 "Retailer of firearms" or "retailer" means a person that
5 sells firearms directly to consumers in this State.

6 "RIFL license" or "license" means a Responsibility in
7 Firearm Legislation License granted by the Department under
8 Section 15 of this Act.

9 "Sponsor of a firearm trade show" means a person that
10 funds or provides resources for specific parts of a firearm
11 trade show in exchange for prominent marketing, visibility,
12 and networking opportunities with industry professionals and
13 consumers.

14 "Total annual aggregate fee" means the sum of all license
15 fees imposed over one year on manufacturers under this Act.

16 "Tracing" means the systematic tracking of a firearm's
17 manufacture, distribution, retail sale, and ownership.

18 Section 15. General powers and duties of the Department.

19 (a) The Department shall develop and administer the RIFL
20 Licensing Program.

21 (a-1) The Responsibility in Firearm Legislation (RIFL)
22 Licensing Program is established in the Department for the
23 licensing of manufacturers of firearms.

24 (b) Except as otherwise limited by this Act, the
25 Department has all of the powers to carry out the purposes and

1 provisions of this Act, including, but not limited to:

2 (1) obtaining and employing personnel and hiring
3 consultants that are necessary to fulfill the Department's
4 purposes, and making expenditures for that purpose within
5 the appropriations for that purpose;

6 (2) purchasing, receiving, taking by grant, gift,
7 devise, bequest, or otherwise, lease, or otherwise
8 acquiring, owning, holding, improving, employing, using,
9 and otherwise dealing in and with, real or personal
10 property, whether tangible or intangible, or any interest
11 therein, within the State;

12 (3) acquiring real or personal property, whether
13 tangible or intangible, including, without limitation,
14 property rights, interests in property, franchises,
15 obligations, contracts, and debt and equity securities;

16 (4) selling, conveying, leasing, exchanging,
17 transferring, abandoning, or otherwise disposing of, or
18 mortgaging, pledging, or creating a security interest in,
19 any of its assets, properties, or any interest therein,
20 wherever situated;

21 (5) purchasing, taking, receiving, subscribing for, or
22 otherwise acquiring, holding, making a tender offer for,
23 voting, disposing of, mortgaging, pledging or granting a
24 security interest in, using, and otherwise dealing in and
25 with, bonds and other obligations, shares or other
26 securities (or interests therein) issued by others,

1 whether engaged in a similar or different business or
2 activity;

3 (6) making and executing agreements, contracts, and
4 other instruments necessary or convenient in the exercise
5 of the powers and functions of the Department under this
6 Act, including contracts with any person;

7 (7) lending money, investing and reinvesting its funds
8 in accordance with the Public Funds Investment Act, and
9 taking and holding real and personal property as security
10 for the payment of funds loaned or invested;

11 (8) borrowing money at such rate or rates of interest
12 as the Department may determine, issuing its notes, bonds,
13 or other obligations to evidence that indebtedness, and
14 securing any of its obligations by mortgage or pledge of
15 its real or personal property, revenues, grants, and other
16 funds as provided or any interest therein, wherever
17 situated;

18 (9) procuring insurance against any loss in connection
19 with its properties or operations in such amount or
20 amounts and from such insurers as it may deem necessary or
21 desirable, and paying any premiums thereof;

22 (10) entering into management agreements for the
23 operation of any of the property or facilities owned by
24 the Department;

25 (11) maintaining an office or offices at such place or
26 places in the State as it may determine;

1 (12) requesting information, and making any inquiry,
2 investigation, or study that the Department may deem
3 necessary to enable it effectively to carry out the
4 provisions of this Act;

5 (13) accepting and expending appropriations;

6 (14) engaging in any activity or operation that is
7 incidental to and in furtherance of efficient operation to
8 accomplish the Department's purposes, including hiring
9 employees that the Department deems essential for the
10 operations of the Department;

11 (15) adopting, revising, amending, and repealing rules
12 with respect to its operations and properties as may be
13 necessary or convenient to carry out the purposes of this
14 Act, subject to the provisions of the Illinois
15 Administrative Procedure Act;

16 (16) establishing and collecting charges and fees as
17 described in this Act; and

18 (17) implementing and administering this Act.

19 (c) The personnel, administration, and other costs and
20 expenses of the Department may only be paid by appropriations
21 from the RIFL Fund or by appropriations from any other fund.
22 Any appropriation from the General Revenue Fund or any other
23 fund besides the RIFL Fund to pay for the personnel,
24 administration, and other costs and expenses of the Department
25 shall be reimbursed by transfer from the RIFL Fund at the
26 direction of the Department.

1 Section 20. Responsibility in Firearm Legislation
2 Licensing Program.

3 (a) The Responsibility in Firearm Legislation Licensing
4 Program is established and shall be administered by the
5 Department.

6 (b) A manufacturer in this State shall be issued a RIFL
7 license by the Department upon payment of a fee set by the
8 Department according to the manufacturer's responsible portion
9 of the total annual aggregate fee using the manufacturer's
10 experience rating.

11 (c) The Department shall maintain a list of all licensed
12 manufacturers under this Section to be published on the
13 Department's website.

14 (d) Retailers, distributors, and importers shall report to
15 the Department the name of the manufacturer or manufacturers
16 with whom the retailer, distributor, or importer contracts or
17 transacts by September 1, 2027, and annually thereafter.

18 (e) Before commencing the Responsibility in Firearm
19 Legislation Licensing Program under this Section, and in
20 accordance with this Act and the Illinois Procurement Code,
21 the Department shall issue a request for proposals and
22 contract with an actuarial or economics consulting firm with
23 experience or expertise to determine each eligible
24 manufacturer's portion of the initial \$50,000,000 total annual
25 aggregate fee using experience rating as defined in this Act.

1 The Department shall annually set fees for a RIFL license
2 based on the following:

3 (1) The total annual aggregate fee for all
4 manufacturers of firearms in this State shall be set by
5 the Department at an amount that the Department estimates
6 is equal to no less than 7% and no more than 15% of the
7 direct costs and financial burdens borne by the State and
8 its residents as a result of firearm deaths and firearm
9 injuries occurring in this State, as determined by the
10 Department based on the incidence of firearm deaths and
11 firearm injuries in this State in the previous year,
12 except that in the first program year the total annual
13 aggregate fee shall be equal to \$50,000,000, which is 7%
14 of the calculated direct expenses of firearm deaths and
15 firearm injuries in the State of Illinois in calendar year
16 2024. The Department shall not increase the annual
17 aggregate percentage of the direct costs assigned to
18 manufacturers by more than 1.5% per fiscal year.

19 (2) The total annual aggregate fee for all
20 manufacturers in this State shall annually thereafter be
21 adjusted by the Department based on the incidence of
22 firearm injury and firearm death and related expenses.

23 (3) The RIFL license fee for each manufacturer shall
24 be calculated according to the manufacturer's portion of
25 the total annual aggregate fee using the manufacturer's
26 experience rating.

1 (4) No more than 10% of the annual aggregate fee shall
2 be appropriated for personnel, administration, and other
3 costs of the Department, except that in the first year or
4 any year the Department contracts with an actuarial or
5 economics consulting firm under this subsection (e), the
6 percentage of the annual aggregate fee allocated for
7 personnel, administration, and other costs of the
8 Department and may be adjusted to cover the costs and
9 expenses related to the actuarial or economics consulting
10 firm under this subsection (e).

11 Costs and expenses of the State related to the actuarial
12 or economics consulting firm under this subsection (e) shall
13 either be paid by appropriations from the RIFL Fund or by
14 appropriations from any other fund. Any appropriation from the
15 General Revenue Fund or any other fund besides the RIFL Fund to
16 pay for costs and expenses related to the actuarial or
17 economics consulting firm shall be reimbursed by transfer from
18 the RIFL Fund at the direction of the Department.

19 (f) The Department shall inform each manufacturer of the
20 amount of the license fee due from the manufacturer and the
21 description of how the fee was calculated at least 90 days
22 before the license renewal date.

23 (g) The Department shall provide manufacturers with an
24 opportunity to dispute any fees levied for a license under
25 procedures established by rules adopted by the Department
26 under this Act.

1 (h) The proceeds from all fees under the Responsibility in
2 Firearm Legislation Licensing Program shall be deposited into
3 the RIFL Fund established under Section 25 for grants through
4 the Reimagine Public Safety Act under the Department of Human
5 Services Office of Firearm Violence Prevention.

6 (i) Beginning June 19, 2028, a manufacturer may not
7 operate in this State without a license issued by the
8 Department under this Act.

9 (j) Beginning June 19, 2028, a retailer may not sell a
10 firearm to a consumer in this State from a manufacturer who
11 does not have a license issued by the Department under this
12 Act.

13 (k) Beginning June 19, 2028, an importer may not import
14 firearms into this State from a manufacturer who does not have
15 a license issued by the Department under this Act.

16 (l) Beginning June 19, 2028, a distributor may not
17 distribute a firearm into this State from a manufacturer who
18 does not have a license issued by the Department under this
19 Act.

20 (m) Beginning June 19, 2028, a licensed dealer,
21 pawnbroker, private seller, sponsor of a firearm trade show,
22 or organizer of a firearm trade show may not sell, distribute,
23 sponsor, or organize to effectuate the selling of firearms in
24 this State from a manufacturer who does not have a license
25 issued by the Department under this Act.

1 Section 25. RIFL Fund. The RIFL Fund is created as a
2 special fund in the State treasury. Proceeds from fees imposed
3 for RIFL licenses under Section 20 of this Act or from fees
4 imposed under rules adopted under this Act shall be collected
5 by the Department and deposited into the Fund. Civil penalties
6 collected under Section 35 shall be deposited into the Fund.
7 Interest and dividends shall be reinvested into the Fund.
8 Moneys in the RIFL Fund, as directed by the Department and in
9 consultation with the Department of Human Services Office of
10 Firearm Violence Prevention, shall be expended to provide for
11 grants through the Reimagine Public Safety Act under the
12 Department of Human Services Office of Firearm Violence
13 Prevention, for costs, expenses, and reimbursements under
14 paragraph (4) of subsection (e) of Section 20, and for no other
15 purpose, except that moneys in the RIFL Fund, as directed by
16 the Department, may be transferred to reimburse appropriations
17 from other funds pursuant to subsection (f) of Section 20,
18 subsection (c) of Section 35, or subsection (e) of Section 20.
19 Subsections (b) and (c) of Section 5 of the State Finance Act
20 do not apply to the RIFL Fund.

21 Section 30. RIFL firearm recovery reporting.

22 (a) Beginning June 1, 2027, all law enforcement agencies
23 shall report to the Illinois State Police any firearms
24 identified by physical recovery or through tracing that
25 resulted in a firearm injury or firearm death, and shall

1 include the manufacturer, and, if available, the serial
2 number, make, or model of the firearm.

3 (b) The Illinois State Police shall compile all reports
4 and provide a report to the Department by December 1, 2027, and
5 annually thereafter.

6 (c) The Department shall make available on the
7 Department's public website the substance of the reports
8 received under this Section.

9 (d) The Department, in consultation with the Illinois
10 State Police, shall, by rule, establish procedures
11 implementing this Section.

12 Section 35. Enforcement and penalties.

13 (a) The State's Attorney of the county where the violation
14 occurs or the Attorney General may investigate violations of
15 this Act or rules adopted under this Act and bring civil
16 actions to enforce this Act or rules adopted under this Act.
17 Any civil penalty collected under this Act or rules adopted
18 under this Act shall be deposited into the RIFL Fund.

19 (b) A manufacturer who violates subsection (i) of Section
20 20 is subject to a civil penalty of up to \$250,000. After 60
21 days of continuous violation of subsection (i) of Section 20,
22 the manufacturer shall be prohibited from operating in the
23 State. A manufacturer is liable for all fees, fines, or other
24 penalties levied, including any fees, fines, or penalties for
25 late payment or other fees, fines, or penalties under rules

1 adopted by the Department. A license shall not be reinstated
2 until all outstanding fees, fines, and other penalties are
3 paid in full. All fines and penalties shall be paid into the
4 RIFL Fund.

5 (c) A retailer, distributor, importer, licensed dealer,
6 private seller, sponsor of a firearm trade show, or organizer
7 of a firearm trade show who violates subsection (j), (k), (l),
8 or (m) of Section 20 is subject to a civil penalty of up to
9 \$10,000 per violation. It is an affirmative defense that a
10 retailer, distributor, importer, licensed dealer, private
11 seller, sponsor of a firearm trade show, or organizer of a
12 firearm trade show reasonably relied upon the list of
13 manufacturers under Section 20 of this Act.

14 (d) The Department may adopt rules that provide for other
15 civil penalties for violations of this Act or rules adopted
16 under this Act of no more than \$10,000 per violation for
17 retailers, distributors, importers, licensed dealers, private
18 sellers, sponsors of a firearm trade show, or organizers of a
19 firearm trade show.

20 (e) The State's Attorney of the county where the violation
21 occurs or the Attorney General may bring an action for an
22 equitable or other remedy in a court to enforce this Act or to
23 prevent a violation of this Act.

24 (f) If a manufacturer that operates in the State on or
25 after the effective date of this Act stops operating in the
26 State for any period of time and stops paying fees under

1 Section 20 but then later resumes operating in the State, the
2 manufacturer must pay all the fees under Section 20 for the
3 years the manufacturer was not operating in the State or not
4 paying its annual fees under Section 20.

5 Section 40. Rulemaking. The Department shall adopt rules
6 to implement and administer this Act.

7 Section 90. The State Finance Act is amended by changing
8 Section 5 and by adding Section 5.1038 as follows:

9 (30 ILCS 105/5) (from Ch. 127, par. 141)

10 Sec. 5. Special funds.

11 (a) There are special funds in the State Treasury
12 designated as specified in the Sections which succeed this
13 Section 5 and precede Section 5d.

14 (b) Except as provided in the Illinois Vehicle Hijacking
15 and Motor Vehicle Theft Prevention and Insurance Verification
16 Act and the Responsibility in Firearm Legislation Act, when
17 any special fund in the State Treasury is discontinued by an
18 Act of the General Assembly, any balance remaining therein on
19 the effective date of such Act shall be transferred to the
20 General Revenue Fund, or to such other fund as such Act shall
21 provide. Warrants outstanding against such discontinued fund
22 at the time of the transfer of any such balance therein shall
23 be paid out of the fund to which the transfer was made.

1 (c) Except as provided in the Responsibility in Firearm
2 Legislation Act, when ~~When~~ any special fund in the State
3 Treasury has been inactive for 18 months or longer, the
4 Comptroller may terminate the fund, and the balance remaining
5 in such fund shall be transferred by the Comptroller to the
6 General Revenue Fund. When a special fund has been terminated
7 by the Comptroller as provided in this Section, the General
8 Assembly shall repeal or amend all Sections of the statutes
9 creating or otherwise referring to that fund.

10 The Comptroller shall be allowed the discretion to
11 maintain or dissolve any federal trust fund which has been
12 inactive for 18 months or longer.

13 (d) (Blank).

14 (e) (Blank).

15 (Source: P.A. 102-904, eff. 1-1-23; 103-266, eff. 1-1-24;
16 103-616, eff. 7-1-24.)

17 (30 ILCS 105/5.1038 new)

18 Sec. 5.1038. The Responsibility in Firearm Legislation
19 Fund."