



Sen. Celina Villanueva

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LRB104 16462 RLC 35194 a

1 AMENDMENT TO SENATE BILL 2801

2 AMENDMENT NO. _____. Amend Senate Bill 2801 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Responsible Gun Manufacturing Act.

6 Section 5. Definitions. As used in this Act:

7 "Common household tools" means screwdrivers, pipe
8 wrenches, pliers, hacksaws, crowbars, electric drills or
9 rotary tools, hammers, chisels, files, and crescent wrenches.

10 "Convertible pistol" means any semiautomatic pistol with a
11 cruciform trigger bar that can be readily altered by hand or
12 with common household tools so that it can be converted into a
13 machine-gun by the installation or attachment of a switch.

14 "Convertible pistol" does not include hammer-fired
15 semi-automatic pistols. A tab or other piece of material on a
16 pistol frame is not sufficient to prevent ready alteration so

1 that the pistol can be converted into a machine-gun by the
2 installation or attachment of a switch, and will not prevent
3 such pistol from qualifying as a convertible pistol under this
4 definition, if that tab or other piece of material can be
5 readily removed with common household tools.

6 "Cruciform trigger bar" means a component in a
7 semiautomatic pistol that serves as a linkage between the
8 trigger and firing pin and has its sear incorporated in a
9 cross-shaped surface.

10 "Switch" means any device or instrument that, when
11 installed in or attached to the rear of the slide of a
12 semiautomatic pistol, replaces the backplate and interferes
13 with the trigger mechanism and, thereby, enables the pistol to
14 discharge a number of shots or bullets rapidly or
15 automatically with one continuous pull of the trigger.

16 Section 10. Unlawful acts.

17 (a) It is unlawful for a person to manufacture a
18 convertible pistol.

19 (b) It is unlawful for a certified licensee, as defined in
20 Section 5-5 of the Firearm Dealer License Certification Act,
21 to sell, offer to sell, exchange, give, transfer, or deliver
22 any convertible pistol.

23 Section 15. Penalties.

24 (a) A violation of this Act is punishable by a civil

1 penalty of \$10,000, which shall be paid to the Illinois State
2 Police. If the person who committed the violation is a
3 certified dealer, at the discretion of the Illinois State
4 Police, the Illinois State Police shall suspend or revoke the
5 certified dealer's license under the Firearm Dealer License
6 Certification Act. The civil penalty and license suspension or
7 revocation shall be assessed by the Illinois State Police
8 after a hearing is held in accordance with Sections 5-95 and
9 5-100 of the Firearm Dealer License Certification Act.

10 (b) A second violation of this Act is punishable by a civil
11 penalty of \$25,000, which shall be paid to the Illinois State
12 Police and, if the person who committed the violation is a
13 certified dealer, the Illinois State Police shall revoke the
14 certified dealer's license pursuant to the Firearm Dealer
15 License Certification Act. The civil penalty and license
16 revocation shall be assessed by the Illinois State Police
17 after a hearing is held in accordance with Sections 5-95 and
18 5-100 of the Firearm Dealer License Certification Act.

19 Section 20. Exemptions.

20 (a) This Act does not apply to or affect any of the
21 following:

22 (1) Sales to or purchases by peace officers, as
23 defined in Section 2-13 of the Criminal Code of 2012, for
24 use in their official duties.

25 (2) Sales to or transfers by local law enforcement

1 agencies for the purpose of equipping the agency's peace
2 officers as defined in paragraph (1).

3 (3) Sales to wardens, superintendents, and keepers of
4 prisons, penitentiaries, jails, and other institutions for
5 use in the detention of persons accused or convicted of an
6 offense.

7 (4) Sales to or purchases by members of the Armed
8 Services or Reserve Forces of the United States or the
9 Illinois National Guard, for use in their official duties.

10 (5) Any company that employs armed security officers
11 in this State at a nuclear energy, storage, weapons, or
12 development site or facility regulated by the federal
13 Nuclear Regulatory Commission and any person employed as
14 an armed security force member at a nuclear energy,
15 storage, weapons, or development site or facility
16 regulated by the federal Nuclear Regulatory Commission who
17 has completed the background screening and training
18 mandated by the rules and regulations of the federal
19 Nuclear Regulatory Commission and for the performance of
20 official duties.

21 (6) A firearm modified to render it permanently
22 inoperative.

23 (7) A certified licensed firearms dealer or
24 manufacturer that is:

25 (A) providing or servicing a convertible pistol
26 for a law enforcement unit or for personnel exempted

1 under paragraphs (1) through (5);

2 (B) acting to sell or transfer a convertible
3 pistol to a licensed firearm dealer in another state
4 or to an individual purchaser in another state through
5 a licensed firearms dealer; or

6 (C) acting to return a convertible pistol to a
7 customer, licensed firearms dealer, or manufacturer in
8 another state under the terms of a warranty or for
9 repair.

10 (8) Sales, purchases, or transfers to organizations
11 that are required or authorized by federal law governing
12 their specific business or activity to acquire convertible
13 pistols.

14 (9) The receipt of a convertible pistol by
15 inheritance, and possession of the convertible pistol, if
16 the decedent lawfully possessed the convertible pistol and
17 the person inheriting the convertible pistol is not
18 otherwise disqualified from possessing a firearm under
19 federal or State law.

20 (10) The receipt of a convertible pistol by a personal
21 representative of an estate for purposes of exercising the
22 powers and duties of a personal representative of an
23 estate.

24 (11) Receipt of a convertible pistol by a person who
25 is retired in good standing from service with a law
26 enforcement agency of the State or a unit of local

1 government in the State and is not otherwise prohibited
2 from receiving a convertible pistol if:

3 (A) the convertible pistol is sold or transferred
4 to the person by the law enforcement agency on
5 retirement; or

6 (B) the convertible pistol was purchased or
7 obtained by the person for official use with the law
8 enforcement agency before retirement.

9 (12) Transfer, receipt, and testing by, or shipping to
10 or from:

11 (A) an ISO 17025 accredited, National Institute of
12 Justice-approved ballistics testing laboratory; or

13 (B) a facility or entity that manufactures or
14 provides research and development testing, analysis,
15 or engineering for personal protective equipment or
16 vehicle protection systems.

17 (13) The temporary transfer of a convertible pistol
18 that was lawfully purchased and possessed before the
19 effective date of this Act or otherwise lawfully obtained
20 following the effective date of this Act to a certified
21 licensed firearms dealer or gunsmith for the purpose of
22 servicing the convertible pistol or the return of the
23 convertible pistol to its lawful owner by a certified
24 licensed firearms dealer or gunsmith upon the completion
25 of servicing the convertible pistol.

26 (14) The manufacture, transportation, sale, or rental

1 of blank-firing convertible pistols to persons authorized,
2 permitted, or both authorized and permitted, to acquire
3 and possess those weapons or attachments for the purpose
4 of rental for use solely as props for a motion picture,
5 television, or video production or entertainment event.

6 (15) A convertible pistol delivered to a certified
7 licensee before the effective date of this Act.

8 (b) The Illinois State Police may adopt rules to implement
9 this Act.

10 Section 90. The Illinois Administrative Procedure Act is
11 amended by adding Section 5-45.71 as follows:

12 (5 ILCS 100/5-45.71 new)

13 Sec. 5-45.71. Emergency rules; implementation of the
14 Responsible Gun Manufacturing Act. To provide for the
15 expeditious and timely implementation of the Responsible Gun
16 Manufacturing Act, emergency rules implementing that Act may
17 be adopted in accordance with Section 5-45 by the Illinois
18 State Police. The adoption of emergency rules authorized by
19 Section 5-45 and this Section is deemed to be necessary for the
20 public interest, safety, and welfare. This Section is repealed
21 on January 1, 2028."