



Sen. Celina Villanueva

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10400SB2801sam002

LRB104 16462 RLC 35579 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 semiautomatic 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 "Peace officer" has the meaning given the term in Section  
11 2-13 of the Criminal Code of 2012.

12 "Retired peace officer" has the same meaning as "qualified  
13 retired law enforcement officer" in 18 U.S.C. 926C.

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

20 Section 10. Unlawful acts.

21 (a) It is unlawful for a person to manufacture a  
22 convertible pistol.

23 (b) It is unlawful for a certified licensee, as defined in  
24 Section 5-5 of the Firearm Dealer License Certification Act,  
25 to sell, offer to sell, exchange, give, transfer, or deliver

1 any convertible pistol.

2 Section 15. Penalties.

3 (a) A violation of this Act is punishable by a civil  
4 penalty of \$10,000, which shall be paid to the Illinois State  
5 Police. If the person who committed the violation is a  
6 certified dealer, at the discretion of the Illinois State  
7 Police, the Illinois State Police shall suspend or revoke the  
8 certified dealer's license under the Firearm Dealer License  
9 Certification Act. The civil penalty and license suspension or  
10 revocation shall be assessed by the Illinois State Police  
11 after a hearing is held in accordance with Sections 5-95 and  
12 5-100 of the Firearm Dealer License Certification Act.

13 (b) A second violation of this Act is punishable by a civil  
14 penalty of \$25,000, which shall be paid to the Illinois State  
15 Police and, if the person who committed the violation is a  
16 certified dealer, the Illinois State Police shall revoke the  
17 certified dealer's license pursuant to the Firearm Dealer  
18 License Certification Act. The civil penalty and license  
19 revocation shall be assessed by the Illinois State Police  
20 after a hearing is held in accordance with Sections 5-95 and  
21 5-100 of the Firearm Dealer License Certification Act.

22 Section 20. Exemptions.

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

1           (1) Sales to or purchases by peace officers or retired  
2 peace officers.

3           (2) Sales to or transfers by law enforcement agencies  
4 for the purpose of equipping the agency's peace officers  
5 as defined in paragraph (1).

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

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

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

24           (6) A firearm modified to render it permanently  
25 inoperative.

26           (7) A certified licensed firearm dealer or

1 manufacturer that is:

2 (A) providing or servicing a convertible pistol  
3 for a law enforcement unit or for personnel exempted  
4 under paragraphs (1) through (5);

5 (B) acting to sell or transfer a convertible  
6 pistol to a licensed firearm dealer in another state  
7 or to an individual purchaser in another state through  
8 a licensed firearm dealer; or

9 (C) acting to return a convertible pistol to a  
10 customer, licensed firearm dealer, or manufacturer in  
11 another state under the terms of a warranty or for  
12 repair.

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

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

23 (10) The receipt of a convertible pistol by a personal  
24 representative of an estate for purposes of exercising the  
25 powers and duties of a personal representative of an  
26 estate.

1           (11) Receipt of a convertible pistol by a person who  
2 is retired in good standing from service with a law  
3 enforcement agency of the State or a unit of local  
4 government in the State and is not otherwise prohibited  
5 from receiving a convertible pistol if:

6           (A) the convertible pistol is sold or transferred  
7 to the person by the law enforcement agency on  
8 retirement; or

9           (B) the convertible pistol was purchased or  
10 obtained by the person for official use with the law  
11 enforcement agency before retirement.

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

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

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

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

1 licensed firearm dealer or gunsmith upon the completion of  
2 servicing the convertible pistol.

3 (14) The manufacture, transportation, sale, or rental  
4 of blank-firing convertible pistols to persons authorized,  
5 permitted, or both authorized and permitted, to acquire  
6 and possess those weapons or attachments for the purpose  
7 of rental for use solely as props for a motion picture,  
8 television, or video production or entertainment event.

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

11 (b) The Illinois State Police may adopt rules to implement  
12 this Act.

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

15 (5 ILCS 100/5-45.71 new)

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