



Sen. David Koehler

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10200HB0562sam002

LRB102 02734 RLC 27443 a

1 AMENDMENT TO HOUSE BILL 562

2 AMENDMENT NO. _____. Amend House Bill 562, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment
4 No. 1, on page 59, line 2, by replacing "\$10" with "\$25 ~~\$10~~";
5 and

6 by replacing line 4 on page 61 through line 18 on page 62 with
7 the following:

8 "(b) Any person within this State who transfers or causes
9 to be transferred any firearm, stun gun, or taser shall keep a
10 record of such transfer for a period of 10 years from the date
11 of transfer. Any person within this State who receives any
12 firearm, stun gun, or taser pursuant to subsection (a-10)
13 shall provide a record of the transfer within 10 days of the
14 transfer to a federally licensed firearm dealer and shall not
15 be required to maintain a transfer record. The federally
16 licensed firearm dealer shall maintain the transfer record for
17 20 years from date of receipt. A federally licensed firearm

1 dealer may charge a fee not to exceed \$25 to retain the record.
2 The record shall be provided and maintained in either an
3 electronic or paper format. The federally licensed firearm
4 dealer shall not be liable for the accuracy of any information
5 in the transfer record submitted pursuant to this Section.

6 Such records ~~record~~ shall contain the date of the transfer;
7 the description, serial number or other information
8 identifying the firearm, stun gun, or taser if no serial
9 number is available; and, if the transfer was completed within
10 this State, the transferee's Firearm Owner's Identification
11 Card number and any approval number or documentation provided
12 by the Department of State Police pursuant to subsection
13 (a-10) of this Section; if the transfer was not completed
14 within this State, the record shall contain the name and
15 address of the transferee. On or after January 1, 2006, the
16 record shall contain the date of application for transfer of
17 the firearm. On demand of a peace officer such transferor
18 shall produce for inspection such record of transfer. For any
19 transfer pursuant to subsection (a-10) of this Section, on the
20 demand of a peace officer, such transferee shall identify the
21 federally licensed firearm dealer maintaining the transfer
22 record. If the transfer or sale took place at a gun show, the
23 record shall include the unique identification number. Failure
24 to record the unique identification number or approval number
25 is a petty offense. For transfers of a firearm, stun gun, or
26 taser made on or after the effective date of this amendatory

1 Act of the 100th General Assembly, failure by the private
2 seller to maintain the transfer records in accordance with
3 this Section, or failure by a transferee pursuant to
4 subsection a-10 of this Section to identify the federally
5 licensed firearm dealer maintaining the transfer record, is a
6 Class A misdemeanor for the first offense and a Class 4 felony
7 for a second or subsequent offense occurring within 10 years
8 of the first offense and the second offense was committed
9 after conviction of the first offense. Whenever any person who
10 has not previously been convicted of any violation of
11 subsection (a-5), the court may grant supervision pursuant to
12 and consistent with the limitations of Section 5-6-1 of the
13 Unified Code of Corrections. A transferee or transferor shall
14 not be criminally liable under this Section provided that he
15 or she provides the Department of State Police with the
16 transfer records in accordance with procedures established by
17 the Department. The Department shall establish, by rule, a
18 standard form on its website.".