

1 AN ACT concerning regulation.

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

4 Section 5. The Criminal Code of 2012 is amended by adding
5 Section 24-5.1 as follows:

6 (720 ILCS 5/24-5.1 new)

7 Sec. 24-5.1. Serialization of unfinished frames or
8 receivers; prohibition on unserialized firearms; exceptions;
9 penalties.

10 (a) In this Section:

11 "Bona fide supplier" means an established business entity
12 engaged in the development and sale of firearms parts to one or
13 more federal firearms manufacturers or federal firearms
14 importers.

15 "Federal firearms dealer" means a licensed manufacturer
16 pursuant to 18 U.S.C. 921(a)(11).

17 "Federal firearms importer" means a licensed importer
18 pursuant to 18 U.S.C. 921(a)(9).

19 "Federal firearms manufacturer" means a licensed
20 manufacturer pursuant to 18 U.S.C. 921(a)(10).

21 "Frame or receiver" means a part of a firearm that, when
22 the complete weapon is assembled, is visible from the exterior
23 and provides housing or a structure designed to hold or

1 integrate one or more fire control components, even if pins or
2 other attachments are required to connect those components to
3 the housing or structure. For models of firearms in which
4 multiple parts provide such housing or structure, the part or
5 parts that the Director of the federal Bureau of Alcohol,
6 Tobacco, Firearms and Explosives has determined are a frame or
7 receiver constitute the frame or receiver. For purposes of
8 this definition, "fire control component" means a component
9 necessary for the firearm to initiate, complete, or continue
10 the firing sequence, including any of the following: hammer,
11 bolt, bolt carrier, breechblock, cylinder, trigger mechanism,
12 firing pin, striker, or slide rails.

13 "Security exemplar" means an object to be fabricated at
14 the direction of the United States Attorney General that is
15 (1) constructed of 3.7 ounces of material type 17-4 PH
16 stainless steel in a shape resembling a handgun and (2)
17 suitable for testing and calibrating metal detectors.

18 "Three-dimensional printer" means a computer or
19 computer-drive machine capable of producing a
20 three-dimensional object from a digital model.

21 "Undetectable firearm" means (1) a firearm constructed
22 entirely of non-metal substances; (2) a firearm that, after
23 removal of all parts but the major components of the firearm,
24 is not detectable by walk-through metal detectors calibrated
25 and operated to detect the security exemplar; or (3) a firearm
26 that includes a major component of a firearm, which, if

1 subject to the types of detection devices commonly used at
2 airports for security screening, would not generate an image
3 that accurately depicts the shape of the component.
4 "Undetectable firearm" does not include a firearm subject to
5 the provisions of 18 U.S.C. 922(p) (3) through (6).

6 "Unfinished frame or receiver" means any forging, casting,
7 printing, extrusion, machined body, or similar article that:

8 (1) has reached a stage in manufacture where it may
9 readily be completed, assembled, or converted to be a
10 functional firearm; or

11 (2) is marketed or sold to the public to become or be
12 used as the frame or receiver of a functional firearm once
13 completed, assembled, or converted.

14 "Unserialized" means lacking a serial number imprinted by:

15 (1) a federal firearms manufacturer, federal firearms
16 importer, federal firearms dealer, or other federal
17 licensee authorized to provide marking services, pursuant
18 to a requirement under federal law; or

19 (2) a federal firearms dealer or other federal
20 licensee authorized to provide marking services pursuant
21 to subsection (f) of this Section.

22 (b) It is unlawful for any person to knowingly sell, offer
23 to sell, or transfer an unserialized unfinished frame or
24 receiver or serialized firearm, including those produced
25 using a three-dimensional printer, unless the party purchasing
26 or receiving the unfinished frame or receiver or serialized

1 firearm is a federal firearms importer, federal firearms
2 manufacturer, or federal firearms dealer.

3 (c) Beginning 180 days after the effective date of this
4 amendatory Act of the 102nd General Assembly, it is unlawful
5 for any person to knowingly possess, transport, or receive an
6 unfinished frame or receiver, unless:

7 (1) the party possessing or receiving the unfinished
8 frame or receiver is a federal firearms importer or
9 federal firearms manufacturer;

10 (2) the unfinished frame or receiver is possessed or
11 transported by a person for transfer to a federal firearms
12 importer or federal firearms manufacturer; or

13 (3) the unfinished frame or receiver has been
14 imprinted with a serial number issued by a federal
15 firearms importer or federal firearms manufacturer in
16 compliance with subsection (f) of this Section.

17 (d) Beginning 180 days after the effective date of this
18 amendatory Act of the 102nd General Assembly, unless the party
19 receiving the firearm is a federal firearms importer or
20 federal firearms manufacturer, it is unlawful for any person
21 to knowingly possess, purchase, transport, or receive a
22 firearm that is not imprinted with a serial number by (1) a
23 federal firearms importer or federal firearms manufacturer in
24 compliance with all federal laws and regulations regulating
25 the manufacture and import of firearms or (2) a federal
26 firearms manufacturer, federal firearms dealer, or other

1 federal licensee authorized to provide marking services in
2 compliance with the unserialized firearm serialization process
3 under subsection (f) of this Section.

4 (e) Any firearm or unfinished frame or receiver
5 manufactured using a three-dimensional printer must also be
6 serialized in accordance with the requirements of subsection
7 (f) within 30 days after the effective date of this amendatory
8 Act of the 102nd General Assembly, or prior to reaching a stage
9 of manufacture where it may be readily completed, assembled,
10 or converted to be a functional firearm.

11 (f) Unserialized unfinished frames or receivers and
12 unserialized firearms serialized pursuant to this Section
13 shall be serialized in compliance with all of the following:

14 (1) An unserialized unfinished frame or receiver and
15 unserialized firearm shall be serialized by a federally
16 licensed firearms dealer or other federal licensee
17 authorized to provide marking services with the licensee's
18 abbreviated federal firearms license number as a prefix
19 (which is the first 3 and last 5 digits) followed by a
20 hyphen, and then followed by a number as a suffix, such as
21 12345678- (number). The serial number or numbers must be
22 placed in a manner that accords with the requirements
23 under federal law for affixing serial numbers to firearms,
24 including the requirements that the serial number or
25 numbers be at the minimum size and depth, and not
26 susceptible to being readily obliterated, altered, or

1 removed, and the licensee must retain records that accord
2 with the requirements under federal law in the case of the
3 sale of a firearm. The imprinting of any serial number
4 upon a undetectable firearm must be done on a steel plaque
5 in compliance with 18 U.S.C. 922(p).

6 (2) Every federally licensed firearms dealer or other
7 federal licensee that engraves, casts, stamps, or
8 otherwise conspicuously and permanently places a unique
9 serial number pursuant to this Section shall maintain a
10 record of such indefinitely. Licensees subject to the
11 Firearm Dealer License Certification Act shall make all
12 records accessible for inspection upon the request of the
13 Illinois State Police or a law enforcement agency in
14 accordance with Section 5-35 of the Firearm Dealer License
15 Certification Act.

16 (3) Every federally licensed firearms dealer or other
17 federal licensee that engraves, casts, stamps, or
18 otherwise conspicuously and permanently places a unique
19 serial number pursuant to this Section shall record it at
20 the time of every transaction involving the transfer of a
21 firearm, rifle, shotgun, finished frame or receiver, or
22 unfinished frame or receiver that has been so marked in
23 compliance with the federal guidelines set forth in 27 CFR
24 478.124.

25 (4) Every federally licensed firearms dealer or other
26 federal licensee that engraves, casts, stamps, or

1 otherwise conspicuously and permanently places a unique
2 serial number pursuant to this Section shall review and
3 confirm the validity of the owner's Firearm Owner's
4 Identification Card issued under the Firearm Owners
5 Identification Card Act prior to returning the firearm to
6 the owner.

7 (g) Within 30 days after the effective date of this
8 amendatory Act of the 102nd General Assembly, the Director of
9 the Illinois State Police shall issue a public notice
10 regarding the provisions of this Section. The notice shall
11 include posting on the Illinois State Police website and may
12 include written notification or any other means of
13 communication statewide to all Illinois-based federal firearms
14 manufacturers, federal firearms dealers, or other federal
15 licensees authorized to provide marking services in compliance
16 with the serialization process in subsection (f) in order to
17 educate the public.

18 (h) Exceptions. This Section does not apply to an
19 unserialized unfinished frame or receiver or an unserialized
20 firearm that:

- 21 (1) has been rendered permanently inoperable;
- 22 (2) is an antique firearm, as defined in 18 U.S.C.
- 23 921(a)(16);
- 24 (3) was manufactured prior to October 22, 1968;
- 25 (4) is an unfinished frame or receiver and is
26 possessed by a bona fide supplier exclusively for transfer

1 to a federal firearms manufacturer or federal firearms
2 importer, or is possessed by a federal firearms
3 manufacturer or federal firearms importer in compliance
4 with all federal laws and regulations regulating the
5 manufacture and import of firearms; except this exemption
6 does not apply if an unfinished frame or receiver is
7 possessed for transfer or is transferred to a person other
8 than a federal firearms manufacturer or federal firearms
9 importer; or

10 (5) is possessed by a person who received the
11 unserialized unfinished frame or receiver or serialized
12 firearm through inheritance, and is not otherwise
13 prohibited from possessing the serialized unfinished
14 frame or receiver or serialized firearm, for a period
15 not exceeding 30 days after inheriting the serialized
16 unfinished frame or receiver or serialized firearm.

17 (i) Penalties.

18 (1) A person who violates subsection (c) or (d) is
19 guilty of a Class A misdemeanor for a first violation and
20 is guilty of a Class 3 felony for a second or subsequent
21 violation.

22 (2) A person who violates subsection (b) is guilty of
23 a Class 4 felony for a first violation and is guilty of a
24 Class 2 felony for a second or subsequent violation.

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.