



Sen. Jacqueline Y. Collins

Filed: 4/7/2022

10200HB4383sam002

LRB102 22689 NLB 38947 a

1 AMENDMENT TO HOUSE BILL 4383

2 AMENDMENT NO. _____. Amend House Bill 4383 by replacing
3 everything after the enacting clause with the following:

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).

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

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

5 "Frame or receiver" means a part of a firearm that, when
6 the complete weapon is assembled, is visible from the exterior
7 and provides housing or a structure designed to hold or
8 integrate one or more fire control components, even if pins or
9 other attachments are required to connect those components to
10 the housing or structure. For models of firearms in which
11 multiple parts provide such housing or structure, the part or
12 parts that the Director of the federal Bureau of Alcohol,
13 Tobacco, Firearms and Explosives has determined are a frame or
14 receiver constitute the frame or receiver. For purposes of
15 this definition, "fire control component" means a component
16 necessary for the firearm to initiate, complete, or continue
17 the firing sequence, including any of the following: hammer,
18 bolt, bolt carrier, breechblock, cylinder, trigger mechanism,
19 firing pin, striker, or slide rails.

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

25 "Three-dimensional printer" means a computer or
26 computer-drive machine capable of producing a

1 three-dimensional object from a digital model.

2 "Undetectable firearm" means (1) a firearm constructed
3 entirely of non-metal substances; (2) a firearm that, after
4 removal of all parts but the major components of the firearm,
5 is not detectable by walk-through metal detectors calibrated
6 and operated to detect the security exemplar; or (3) a firearm
7 that includes a major component of a firearm, which, if
8 subject to the types of detection devices commonly used at
9 airports for security screening, would not generate an image
10 that accurately depicts the shape of the component.
11 "Undetectable firearm" does not include a firearm subject to
12 the provisions of 18 U.S.C. 922(p) (3) through (6).

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

15 (1) has reached a stage in manufacture where it may
16 readily be completed, assembled, or converted to be a
17 functional firearm; or

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

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

22 (1) a federal firearms manufacturer, federal firearms
23 importer, federal firearms dealer, or other federal
24 licensee authorized to provide marking services, pursuant
25 to a requirement under federal law; or

26 (2) a federal firearms dealer or other federal

1 licensee authorized to provide marking services pursuant
2 to subsection (f) of this Section.

3 (b) It is unlawful for any person to knowingly sell, offer
4 to sell, or transfer an unserialized unfinished frame or
5 receiver or unserialized firearm, including those produced
6 using a three-dimensional printer, unless the party purchasing
7 or receiving the unfinished frame or receiver or unserialized
8 firearm is a federal firearms importer, federal firearms
9 manufacturer, or federal firearms dealer.

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

14 (1) the party possessing or receiving the unfinished
15 frame or receiver is a federal firearms importer or
16 federal firearms manufacturer;

17 (2) the unfinished frame or receiver is possessed or
18 transported by a person for transfer to a federal firearms
19 importer or federal firearms manufacturer; or

20 (3) the unfinished frame or receiver has been
21 imprinted with a serial number issued by a federal
22 firearms importer or federal firearms manufacturer in
23 compliance with subsection (f) of this Section.

24 (d) Beginning 180 days after the effective date of this
25 amendatory Act of the 102nd General Assembly, unless the party
26 receiving the firearm is a federal firearms importer or

1 federal firearms manufacturer, it is unlawful for any person
2 to knowingly possess, purchase, transport, or receive a
3 firearm that is not imprinted with a serial number by (1) a
4 federal firearms importer or federal firearms manufacturer in
5 compliance with all federal laws and regulations regulating
6 the manufacture and import of firearms or (2) a federal
7 firearms manufacturer, federal firearms dealer, or other
8 federal licensee authorized to provide marking services in
9 compliance with the unserialized firearm serialization process
10 under subsection (f) of this Section.

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

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

21 (1) An unserialized unfinished frame or receiver and
22 unserialized firearm shall be serialized by a federally
23 licensed firearms dealer or other federal licensee
24 authorized to provide marking services with the licensee's
25 abbreviated federal firearms license number as a prefix
26 (which is the first 3 and last 5 digits) followed by a

1 hyphen, and then followed by a number as a suffix, such as
2 12345678-(number). The serial number or numbers must be
3 placed in a manner that accords with the requirements
4 under federal law for affixing serial numbers to firearms,
5 including the requirements that the serial number or
6 numbers be at the minimum size and depth, and not
7 susceptible to being readily obliterated, altered, or
8 removed, and the licensee must retain records that accord
9 with the requirements under federal law in the case of the
10 sale of a firearm. The imprinting of any serial number
11 upon a undetectable firearm must be done on a steel plaque
12 in compliance with 18 U.S.C. 922(p).

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

23 (3) Every federally licensed firearms dealer or other
24 federal licensee that engraves, casts, stamps, or
25 otherwise conspicuously and permanently places a unique
26 serial number pursuant to this Section shall record it at

1 the time of every transaction involving the transfer of a
2 firearm, rifle, shotgun, finished frame or receiver, or
3 unfinished frame or receiver that has been so marked in
4 compliance with the federal guidelines set forth in 27 CFR
5 478.124.

6 (4) 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 review and
10 confirm the validity of the owner's Firearm Owner's
11 Identification Card issued under the Firearm Owners
12 Identification Card Act prior to returning the firearm to
13 the owner.

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

25 (h) Exceptions. This Section does not apply to an
26 unserialized unfinished frame or receiver or an unserialized

1 firearm that:

2 (1) has been rendered permanently inoperable;

3 (2) is an antique firearm, as defined in 18 U.S.C.
4 921(a)(16);

5 (3) was manufactured prior to October 22, 1968;

6 (4) is an unfinished frame or receiver and is
7 possessed by a bona fide supplier exclusively for transfer
8 to a federal firearms manufacturer or federal firearms
9 importer, or is possessed by a federal firearms
10 manufacturer or federal firearms importer in compliance
11 with all federal laws and regulations regulating the
12 manufacture and import of firearms; except this exemption
13 does not apply if an unfinished frame or receiver is
14 possessed for transfer or is transferred to a person other
15 than a federal firearms manufacturer or federal firearms
16 importer; or

17 (5) is possessed by a person who received the
18 unserialized unfinished frame or receiver or unserialized
19 firearm through inheritance, and is not otherwise
20 prohibited from possessing the unserialized unfinished
21 frame or receiver or unserialized firearm, for a period
22 not exceeding 30 days after inheriting the unserialized
23 unfinished frame or receiver or unserialized firearm.

24 (i) Penalties.

25 (1) A person who violates subsection (c) or (d) is
26 guilty of a Class A misdemeanor for a first violation and

1 is guilty of a Class 3 felony for a second or subsequent
2 violation.

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

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".