

1 AN ACT concerning safety.

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

4 Section 5. The Gun Trafficking Information Act is amended
5 by changing Section 10-5 as follows:

6 (5 ILCS 830/10-5)

7 Sec. 10-5. Gun trafficking information.

8 (a) The Illinois State Police shall use all reasonable
9 efforts in making publicly available, on a regular and ongoing
10 basis, key information related to firearms used in the
11 commission of crimes in this State, including, but not limited
12 to: reports on crimes committed with firearms, locations where
13 the crimes occurred, the number of persons killed or injured
14 in the commission of the crimes, the state where the firearms
15 used originated, the Federal Firearms Licensee that sold the
16 firearm, the type of firearms used, annual statistical
17 information concerning Firearm Owner's Identification Card and
18 concealed carry license applications, revocations, and
19 compliance with Section 9.5 of the Firearm Owners
20 Identification Card Act, and firearm restraining order
21 dispositions, ~~and firearm dealer license certification~~
22 ~~inspections~~. The Illinois State Police shall make the
23 information available on its website, which may be presented

1 in a dashboard format, in addition to electronically filing a
2 report with the Governor and the General Assembly. The report
3 to the General Assembly shall be filed with the Clerk of the
4 House of Representatives and the Secretary of the Senate in
5 electronic form only, in the manner that the Clerk and the
6 Secretary shall direct.

7 (b) The Illinois State Police shall study, on a regular
8 and ongoing basis, and compile reports on the number of
9 Firearm Owner's Identification Card checks to determine
10 firearms trafficking or straw purchase patterns. The Illinois
11 State Police shall, to the extent not inconsistent with law,
12 share such reports and underlying data with academic centers,
13 foundations, and law enforcement agencies studying firearms
14 trafficking, provided that personally identifying information
15 is protected. For purposes of this subsection (b), a Firearm
16 Owner's Identification Card number is not personally
17 identifying information, provided that no other personal
18 information of the card holder is attached to the record. The
19 Illinois State Police may create and attach an alternate
20 unique identifying number to each Firearm Owner's
21 Identification Card number, instead of releasing the Firearm
22 Owner's Identification Card number itself.

23 (c) Each department, office, division, and agency of this
24 State shall, to the extent not inconsistent with law,
25 cooperate fully with the Illinois State Police and furnish the
26 Illinois State Police with all relevant information and

1 assistance on a timely basis as is necessary to accomplish the
2 purpose of this Act. The Illinois Criminal Justice Information
3 Authority shall submit the information required in subsection
4 (a) of this Section to the Illinois State Police, and any other
5 information as the Illinois State Police may request, to
6 assist the Illinois State Police in carrying out its duties
7 under this Act.

8 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
9 102-813, eff. 5-13-22.)

10 Section 10. The Illinois State Police Law of the Civil
11 Administrative Code of Illinois is amended by changing
12 Sections 2605-45, 2605-595, and 2605-605 as follows:

13 (20 ILCS 2605/2605-45) (was 20 ILCS 2605/55a-5)

14 Sec. 2605-45. Division of Justice Services. The Division
15 of Justice Services shall exercise the following functions:

16 (1) Operate and maintain the Law Enforcement Agencies
17 Data System (LEADS), a statewide, computerized
18 telecommunications system designed to provide services,
19 information, and capabilities to the law enforcement and
20 criminal justice community in the State of Illinois. The
21 Director is responsible for establishing policy,
22 procedures, and regulations consistent with State and
23 federal rules, policies, and law by which LEADS operates.
24 The Director shall designate a statewide LEADS

1 Administrator for management of the system. The Director
2 may appoint a LEADS Advisory Policy Board to reflect the
3 needs and desires of the law enforcement and criminal
4 justice community and to make recommendations concerning
5 policies and procedures.

6 (2) Pursue research and the publication of studies
7 pertaining to local law enforcement activities.

8 (3) Serve as the State's point of contact for the
9 Federal Bureau of Investigation's Uniform Crime Reporting
10 Program and National Incident-Based Reporting System.

11 (4) Operate an electronic data processing and computer
12 center for the storage and retrieval of data pertaining to
13 criminal activity.

14 (5) Exercise the rights, powers, and duties vested in
15 the Illinois State Police by the Cannabis Regulation and
16 Tax Act and the Compassionate Use of Medical Cannabis
17 Program Act.

18 (6) (Blank).

19 (6.5) Exercise the rights, powers, and duties vested
20 in the Illinois State Police by the Firearm Owners
21 Identification Card Act and, the Firearm Concealed Carry
22 Act, ~~and the Firearm Dealer License Certification Act.~~

23 (7) Exercise other duties that may be assigned by the
24 Director to fulfill the responsibilities and achieve the
25 purposes of the Illinois State Police.

26 (8) Exercise the rights, powers, and duties vested by

1 law in the Illinois State Police by the Criminal
2 Identification Act.

3 (9) Exercise the powers and perform the duties that
4 have been vested in the Illinois State Police by the Sex
5 Offender Registration Act and the Sex Offender Community
6 Notification Law and adopt reasonable rules necessitated
7 thereby.

8 (Source: P.A. 101-378, eff. 1-1-20; 102-538, eff. 8-20-21.)

9 (20 ILCS 2605/2605-595)

10 Sec. 2605-595. State Police Firearm Services Fund.

11 (a) There is created in the State treasury a special fund
12 known as the State Police Firearm Services Fund. The Fund
13 shall receive revenue under the Firearm Concealed Carry Act,
14 ~~the Firearm Dealer License Certification Act,~~ and Section 5 of
15 the Firearm Owners Identification Card Act. The Fund may also
16 receive revenue from grants, pass-through grants, donations,
17 appropriations, and any other legal source.

18 (a-5) Notwithstanding any other provision of law to the
19 contrary, and in addition to any other transfers that may be
20 provided by law, on the effective date of this amendatory Act
21 of the 102nd General Assembly, or as soon thereafter as
22 practical, the State Comptroller shall direct and the State
23 Treasurer shall transfer the remaining balance from the
24 Firearm Dealer License Certification Fund into the State
25 Police Firearm Services Fund. Upon completion of the transfer,

1 the Firearm Dealer License Certification Fund is dissolved,
2 and any future deposits due to that Fund and any outstanding
3 obligations or liabilities of that Fund shall pass to the
4 State Police Firearm Services Fund.

5 (b) The Illinois State Police may use moneys in the Fund to
6 finance any of its lawful purposes, mandates, functions, and
7 duties under the Firearm Owners Identification Card Act,~~the~~
8 ~~Firearm Dealer License Certification Act,~~ and the Firearm
9 Concealed Carry Act, including the cost of sending notices of
10 expiration of Firearm Owner's Identification Cards, concealed
11 carry licenses, the prompt and efficient processing of
12 applications under the Firearm Owners Identification Card Act
13 and the Firearm Concealed Carry Act, the improved efficiency
14 and reporting of the LEADS and federal NICS law enforcement
15 data systems, and support for investigations required under
16 these Acts and law. Any surplus funds beyond what is needed to
17 comply with the aforementioned purposes shall be used by the
18 Illinois State Police to improve the Law Enforcement Agencies
19 Data System (LEADS) and criminal history background check
20 system.

21 (c) Investment income that is attributable to the
22 investment of moneys in the Fund shall be retained in the Fund
23 for the uses specified in this Section.

24 (Source: P.A. 102-505, eff. 8-20-21; 102-538, eff. 8-20-21.)

25 (20 ILCS 2605/2605-605)

1 Sec. 2605-605. Violent Crime Intelligence Task Force. The
2 Director of the Illinois State Police shall establish a
3 statewide multi-jurisdictional Violent Crime Intelligence Task
4 Force led by the Illinois State Police dedicated to combating
5 gun violence, gun-trafficking, and other violent crime with
6 the primary mission of preservation of life and reducing the
7 occurrence and the fear of crime. The objectives of the Task
8 Force shall include, but not be limited to, reducing and
9 preventing illegal possession and use of firearms,
10 firearm-related homicides, and other violent crimes, and
11 solving firearm-related crimes.

12 (1) The Task Force may develop and acquire information,
13 training, tools, and resources necessary to implement a
14 data-driven approach to policing, with an emphasis on
15 intelligence development.

16 (2) The Task Force may utilize information sharing,
17 partnerships, crime analysis, and evidence-based practices to
18 assist in the reduction of firearm-related shootings,
19 homicides, and gun-trafficking, including, but not limited to,
20 ballistic data, eTrace data, DNA evidence, latent
21 fingerprints, firearm training data, and National Integrated
22 Ballistic Information Network (NIBIN) data. The Task Force may
23 design a model crime gun intelligence strategy which may
24 include, but is not limited to, comprehensive collection and
25 documentation of all ballistic evidence, timely transfer of
26 NIBIN and eTrace leads to an intelligence center, which may

1 include the Division of Criminal Investigation of the Illinois
2 State Police, timely dissemination of intelligence to
3 investigators, investigative follow-up, and coordinated
4 prosecution.

5 (3) The Task Force may recognize and utilize best
6 practices of community policing and may develop potential
7 partnerships with faith-based and community organizations to
8 achieve its goals.

9 (4) The Task Force may identify and utilize best practices
10 in drug-diversion programs and other community-based services
11 to redirect low-level offenders.

12 (5) The Task Force may assist in violence suppression
13 strategies including, but not limited to, details in
14 identified locations that have shown to be the most prone to
15 gun violence and violent crime, focused deterrence against
16 violent gangs and groups considered responsible for the
17 violence in communities, and other intelligence driven methods
18 deemed necessary to interrupt cycles of violence or prevent
19 retaliation.

20 (6) In consultation with the Chief Procurement Officer,
21 the Illinois State Police may obtain contracts for software,
22 commodities, resources, and equipment to assist the Task Force
23 with achieving this Act. Any contracts necessary to support
24 the delivery of necessary software, commodities, resources,
25 and equipment are not subject to the Illinois Procurement
26 Code, except for Sections 20-60, 20-65, 20-70, and 20-160 and

1 Article 50 of that Code, provided that the Chief Procurement
2 Officer may, in writing with justification, waive any
3 certification required under Article 50 of the Illinois
4 Procurement Code.

5 (7) The Task Force shall conduct enforcement operations
6 against persons whose Firearm Owner's Identification Cards
7 have been revoked or suspended and persons who fail to comply
8 with the requirements of Section 9.5 of the Firearm Owners
9 Identification Card Act, prioritizing individuals presenting a
10 clear and present danger to themselves or to others under
11 paragraph (2) of subsection (d) of Section 8.1 of the Firearm
12 Owners Identification Card Act.

13 (8) The Task Force shall collaborate with local law
14 enforcement agencies to enforce provisions of the Firearm
15 Owners Identification Card Act, the Firearm Concealed Carry
16 Act, ~~the Firearm Dealer License Certification Act,~~ and Article
17 24 of the Criminal Code of 2012.

18 (9) To implement this Section, the Director of the
19 Illinois State Police may establish intergovernmental
20 agreements with law enforcement agencies in accordance with
21 the Intergovernmental Cooperation Act.

22 (10) Law enforcement agencies that participate in
23 activities described in paragraphs (7) through (9) may apply
24 to the Illinois State Police for grants from the State Police
25 Revocation Enforcement Fund.

26 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;

1 102-813, eff. 5-13-22.)

2 Section 15. The Illinois Procurement Code is amended by
3 changing Section 1-10 as follows:

4 (30 ILCS 500/1-10)

5 Sec. 1-10. Application.

6 (a) This Code applies only to procurements for which
7 bidders, offerors, potential contractors, or contractors were
8 first solicited on or after July 1, 1998. This Code shall not
9 be construed to affect or impair any contract, or any
10 provision of a contract, entered into based on a solicitation
11 prior to the implementation date of this Code as described in
12 Article 99, including, but not limited to, any covenant
13 entered into with respect to any revenue bonds or similar
14 instruments. All procurements for which contracts are
15 solicited between the effective date of Articles 50 and 99 and
16 July 1, 1998 shall be substantially in accordance with this
17 Code and its intent.

18 (b) This Code shall apply regardless of the source of the
19 funds with which the contracts are paid, including federal
20 assistance moneys. This Code shall not apply to:

21 (1) Contracts between the State and its political
22 subdivisions or other governments, or between State
23 governmental bodies, except as specifically provided in
24 this Code.

1 (2) Grants, except for the filing requirements of
2 Section 20-80.

3 (3) Purchase of care, except as provided in Section
4 5-30.6 of the Illinois Public Aid Code and this Section.

5 (4) Hiring of an individual as an employee and not as
6 an independent contractor, whether pursuant to an
7 employment code or policy or by contract directly with
8 that individual.

9 (5) Collective bargaining contracts.

10 (6) Purchase of real estate, except that notice of
11 this type of contract with a value of more than \$25,000
12 must be published in the Procurement Bulletin within 10
13 calendar days after the deed is recorded in the county of
14 jurisdiction. The notice shall identify the real estate
15 purchased, the names of all parties to the contract, the
16 value of the contract, and the effective date of the
17 contract.

18 (7) Contracts necessary to prepare for anticipated
19 litigation, enforcement actions, or investigations,
20 provided that the chief legal counsel to the Governor
21 shall give his or her prior approval when the procuring
22 agency is one subject to the jurisdiction of the Governor,
23 and provided that the chief legal counsel of any other
24 procuring entity subject to this Code shall give his or
25 her prior approval when the procuring entity is not one
26 subject to the jurisdiction of the Governor.

1 (8) (Blank).

2 (9) Procurement expenditures by the Illinois
3 Conservation Foundation when only private funds are used.

4 (10) (Blank).

5 (11) Public-private agreements entered into according
6 to the procurement requirements of Section 20 of the
7 Public-Private Partnerships for Transportation Act and
8 design-build agreements entered into according to the
9 procurement requirements of Section 25 of the
10 Public-Private Partnerships for Transportation Act.

11 (12) (A) Contracts for legal, financial, and other
12 professional and artistic services entered into by the
13 Illinois Finance Authority in which the State of Illinois
14 is not obligated. Such contracts shall be awarded through
15 a competitive process authorized by the members of the
16 Illinois Finance Authority and are subject to Sections
17 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
18 as well as the final approval by the members of the
19 Illinois Finance Authority of the terms of the contract.

20 (B) Contracts for legal and financial services entered
21 into by the Illinois Housing Development Authority in
22 connection with the issuance of bonds in which the State
23 of Illinois is not obligated. Such contracts shall be
24 awarded through a competitive process authorized by the
25 members of the Illinois Housing Development Authority and
26 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,

1 and 50-37 of this Code, as well as the final approval by
2 the members of the Illinois Housing Development Authority
3 of the terms of the contract.

4 (13) Contracts for services, commodities, and
5 equipment to support the delivery of timely forensic
6 science services in consultation with and subject to the
7 approval of the Chief Procurement Officer as provided in
8 subsection (d) of Section 5-4-3a of the Unified Code of
9 Corrections, except for the requirements of Sections
10 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
11 Code; however, the Chief Procurement Officer may, in
12 writing with justification, waive any certification
13 required under Article 50 of this Code. For any contracts
14 for services which are currently provided by members of a
15 collective bargaining agreement, the applicable terms of
16 the collective bargaining agreement concerning
17 subcontracting shall be followed.

18 On and after January 1, 2019, this paragraph (13),
19 except for this sentence, is inoperative.

20 (14) Contracts for participation expenditures required
21 by a domestic or international trade show or exhibition of
22 an exhibitor, member, or sponsor.

23 (15) Contracts with a railroad or utility that
24 requires the State to reimburse the railroad or utilities
25 for the relocation of utilities for construction or other
26 public purpose. Contracts included within this paragraph

1 (15) shall include, but not be limited to, those
2 associated with: relocations, crossings, installations,
3 and maintenance. For the purposes of this paragraph (15),
4 "railroad" means any form of non-highway ground
5 transportation that runs on rails or electromagnetic
6 guideways and "utility" means: (1) public utilities as
7 defined in Section 3-105 of the Public Utilities Act, (2)
8 telecommunications carriers as defined in Section 13-202
9 of the Public Utilities Act, (3) electric cooperatives as
10 defined in Section 3.4 of the Electric Supplier Act, (4)
11 telephone or telecommunications cooperatives as defined in
12 Section 13-212 of the Public Utilities Act, (5) rural
13 water or waste water systems with 10,000 connections or
14 less, (6) a holder as defined in Section 21-201 of the
15 Public Utilities Act, and (7) municipalities owning or
16 operating utility systems consisting of public utilities
17 as that term is defined in Section 11-117-2 of the
18 Illinois Municipal Code.

19 (16) Procurement expenditures necessary for the
20 Department of Public Health to provide the delivery of
21 timely newborn screening services in accordance with the
22 Newborn Metabolic Screening Act.

23 (17) Procurement expenditures necessary for the
24 Department of Agriculture, the Department of Financial and
25 Professional Regulation, the Department of Human Services,
26 and the Department of Public Health to implement the

1 Compassionate Use of Medical Cannabis Program and Opioid
2 Alternative Pilot Program requirements and ensure access
3 to medical cannabis for patients with debilitating medical
4 conditions in accordance with the Compassionate Use of
5 Medical Cannabis Program Act.

6 (18) This Code does not apply to any procurements
7 necessary for the Department of Agriculture, the
8 Department of Financial and Professional Regulation, the
9 Department of Human Services, the Department of Commerce
10 and Economic Opportunity, and the Department of Public
11 Health to implement the Cannabis Regulation and Tax Act if
12 the applicable agency has made a good faith determination
13 that it is necessary and appropriate for the expenditure
14 to fall within this exemption and if the process is
15 conducted in a manner substantially in accordance with the
16 requirements of Sections 20-160, 25-60, 30-22, 50-5,
17 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
18 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
19 Section 50-35, compliance applies only to contracts or
20 subcontracts over \$100,000. Notice of each contract
21 entered into under this paragraph (18) that is related to
22 the procurement of goods and services identified in
23 paragraph (1) through (9) of this subsection shall be
24 published in the Procurement Bulletin within 14 calendar
25 days after contract execution. The Chief Procurement
26 Officer shall prescribe the form and content of the

1 notice. Each agency shall provide the Chief Procurement
2 Officer, on a monthly basis, in the form and content
3 prescribed by the Chief Procurement Officer, a report of
4 contracts that are related to the procurement of goods and
5 services identified in this subsection. At a minimum, this
6 report shall include the name of the contractor, a
7 description of the supply or service provided, the total
8 amount of the contract, the term of the contract, and the
9 exception to this Code utilized. A copy of any or all of
10 these contracts shall be made available to the Chief
11 Procurement Officer immediately upon request. The Chief
12 Procurement Officer shall submit a report to the Governor
13 and General Assembly no later than November 1 of each year
14 that includes, at a minimum, an annual summary of the
15 monthly information reported to the Chief Procurement
16 Officer. This exemption becomes inoperative 5 years after
17 June 25, 2019 (the effective date of Public Act 101-27).

18 (19) Acquisition of modifications or adjustments,
19 limited to assistive technology devices and assistive
20 technology services, adaptive equipment, repairs, and
21 replacement parts to provide reasonable accommodations (i)
22 that enable a qualified applicant with a disability to
23 complete the job application process and be considered for
24 the position such qualified applicant desires, (ii) that
25 modify or adjust the work environment to enable a
26 qualified current employee with a disability to perform

1 the essential functions of the position held by that
2 employee, (iii) to enable a qualified current employee
3 with a disability to enjoy equal benefits and privileges
4 of employment as are enjoyed by other similarly situated
5 employees without disabilities, and (iv) that allow a
6 customer, client, claimant, or member of the public
7 seeking State services full use and enjoyment of and
8 access to its programs, services, or benefits.

9 For purposes of this paragraph (19):

10 "Assistive technology devices" means any item, piece
11 of equipment, or product system, whether acquired
12 commercially off the shelf, modified, or customized, that
13 is used to increase, maintain, or improve functional
14 capabilities of individuals with disabilities.

15 "Assistive technology services" means any service that
16 directly assists an individual with a disability in
17 selection, acquisition, or use of an assistive technology
18 device.

19 "Qualified" has the same meaning and use as provided
20 under the federal Americans with Disabilities Act when
21 describing an individual with a disability.

22 (20) Procurement expenditures necessary for the
23 Illinois Commerce Commission to hire third-party
24 facilitators pursuant to Sections 16-105.17 and 16-108.18
25 of the Public Utilities Act or an ombudsman pursuant to
26 Section 16-107.5 of the Public Utilities Act, a

1 facilitator pursuant to Section 16-105.17 of the Public
2 Utilities Act, or a grid auditor pursuant to Section
3 16-105.10 of the Public Utilities Act.

4 (21) Procurement expenditures for the purchase,
5 renewal, and expansion of software, software licenses, or
6 software maintenance agreements that support the efforts
7 of the Illinois State Police to enforce, regulate, and
8 administer the Firearm Owners Identification Card Act, the
9 Firearm Concealed Carry Act, the Firearms Restraining
10 Order Act, ~~the Firearm Dealer License Certification Act,~~
11 the Law Enforcement Agencies Data System (LEADS), the
12 Uniform Crime Reporting Act, the Criminal Identification
13 Act, the Uniform Conviction Information Act, and the Gun
14 Trafficking Information Act, or establish or maintain
15 record management systems necessary to conduct human
16 trafficking investigations or gun trafficking or other
17 stolen firearm investigations. This paragraph (21) applies
18 to contracts entered into on or after the effective date
19 of this amendatory Act of the 102nd General Assembly and
20 the renewal of contracts that are in effect on the
21 effective date of this amendatory Act of the 102nd General
22 Assembly.

23 Notwithstanding any other provision of law, for contracts
24 with an annual value of more than \$100,000 entered into on or
25 after October 1, 2017 under an exemption provided in any
26 paragraph of this subsection (b), except paragraph (1), (2),

1 or (5), each State agency shall post to the appropriate
2 procurement bulletin the name of the contractor, a description
3 of the supply or service provided, the total amount of the
4 contract, the term of the contract, and the exception to the
5 Code utilized. The chief procurement officer shall submit a
6 report to the Governor and General Assembly no later than
7 November 1 of each year that shall include, at a minimum, an
8 annual summary of the monthly information reported to the
9 chief procurement officer.

10 (c) This Code does not apply to the electric power
11 procurement process provided for under Section 1-75 of the
12 Illinois Power Agency Act and Section 16-111.5 of the Public
13 Utilities Act.

14 (d) Except for Section 20-160 and Article 50 of this Code,
15 and as expressly required by Section 9.1 of the Illinois
16 Lottery Law, the provisions of this Code do not apply to the
17 procurement process provided for under Section 9.1 of the
18 Illinois Lottery Law.

19 (e) This Code does not apply to the process used by the
20 Capital Development Board to retain a person or entity to
21 assist the Capital Development Board with its duties related
22 to the determination of costs of a clean coal SNG brownfield
23 facility, as defined by Section 1-10 of the Illinois Power
24 Agency Act, as required in subsection (h-3) of Section 9-220
25 of the Public Utilities Act, including calculating the range
26 of capital costs, the range of operating and maintenance

1 costs, or the sequestration costs or monitoring the
2 construction of clean coal SNG brownfield facility for the
3 full duration of construction.

4 (f) (Blank).

5 (g) (Blank).

6 (h) This Code does not apply to the process to procure or
7 contracts entered into in accordance with Sections 11-5.2 and
8 11-5.3 of the Illinois Public Aid Code.

9 (i) Each chief procurement officer may access records
10 necessary to review whether a contract, purchase, or other
11 expenditure is or is not subject to the provisions of this
12 Code, unless such records would be subject to attorney-client
13 privilege.

14 (j) This Code does not apply to the process used by the
15 Capital Development Board to retain an artist or work or works
16 of art as required in Section 14 of the Capital Development
17 Board Act.

18 (k) This Code does not apply to the process to procure
19 contracts, or contracts entered into, by the State Board of
20 Elections or the State Electoral Board for hearing officers
21 appointed pursuant to the Election Code.

22 (l) This Code does not apply to the processes used by the
23 Illinois Student Assistance Commission to procure supplies and
24 services paid for from the private funds of the Illinois
25 Prepaid Tuition Fund. As used in this subsection (l), "private
26 funds" means funds derived from deposits paid into the

1 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

2 (m) This Code shall apply regardless of the source of
3 funds with which contracts are paid, including federal
4 assistance moneys. Except as specifically provided in this
5 Code, this Code shall not apply to procurement expenditures
6 necessary for the Department of Public Health to conduct the
7 Healthy Illinois Survey in accordance with Section 2310-431 of
8 the Department of Public Health Powers and Duties Law of the
9 Civil Administrative Code of Illinois.

10 (Source: P.A. 101-27, eff. 6-25-19; 101-81, eff. 7-12-19;
11 101-363, eff. 8-9-19; 102-175, eff. 7-29-21; 102-483, eff
12 1-1-22; 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662,
13 eff. 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22;
14 102-1116, eff. 1-10-23.)

15 (430 ILCS 68/Act rep.)

16 Section 20. The Firearm Dealer License Certification Act
17 is repealed.

18 Section 25. The Criminal Code of 2012 is amended by
19 changing Section 24-5.1 as follows:

20 (720 ILCS 5/24-5.1)

21 Sec. 24-5.1. Serialization of unfinished frames or
22 receivers; prohibition on unserialized firearms; exceptions;
23 penalties.

1 (a) In this Section:

2 "Bona fide supplier" means an established business entity
3 engaged in the development and sale of firearms parts to one or
4 more federal firearms manufacturers or federal firearms
5 importers.

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

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

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

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

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

6 "Three-dimensional printer" means a computer or
7 computer-drive machine capable of producing a
8 three-dimensional object from a digital model.

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

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

22 (1) has reached a stage in manufacture where it may
23 readily be completed, assembled, or converted to be a
24 functional firearm; or

25 (2) is marketed or sold to the public to become or be
26 used as the frame or receiver of a functional firearm once

1 completed, assembled, or converted.

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

3 (1) a federal firearms manufacturer, federal firearms
4 importer, federal firearms dealer, or other federal
5 licensee authorized to provide marking services, pursuant
6 to a requirement under federal law; or

7 (2) a federal firearms dealer or other federal
8 licensee authorized to provide marking services pursuant
9 to subsection (f) of this Section.

10 (b) It is unlawful for any person to knowingly sell, offer
11 to sell, or transfer an unserialized unfinished frame or
12 receiver or unserialized firearm, including those produced
13 using a three-dimensional printer, unless the party purchasing
14 or receiving the unfinished frame or receiver or unserialized
15 firearm is a federal firearms importer, federal firearms
16 manufacturer, or federal firearms dealer.

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

21 (1) the party possessing or receiving the unfinished
22 frame or receiver is a federal firearms importer or
23 federal firearms manufacturer;

24 (2) the unfinished frame or receiver is possessed or
25 transported by a person for transfer to a federal firearms
26 importer or federal firearms manufacturer; or

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

5 (d) Beginning 180 days after the effective date of this
6 amendatory Act of the 102nd General Assembly, unless the party
7 receiving the firearm is a federal firearms importer or
8 federal firearms manufacturer, it is unlawful for any person
9 to knowingly possess, purchase, transport, or receive a
10 firearm that is not imprinted with a serial number by (1) a
11 federal firearms importer or federal firearms manufacturer in
12 compliance with all federal laws and regulations regulating
13 the manufacture and import of firearms or (2) a federal
14 firearms manufacturer, federal firearms dealer, or other
15 federal licensee authorized to provide marking services in
16 compliance with the unserialized firearm serialization process
17 under subsection (f) of this Section.

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

25 (f) Unserialized unfinished frames or receivers and
26 unserialized firearms serialized pursuant to this Section

1 shall be serialized in compliance with all of the following:

2 (1) An unserialized unfinished frame or receiver and
3 unserialized firearm shall be serialized by a federally
4 licensed firearms dealer or other federal licensee
5 authorized to provide marking services with the licensee's
6 abbreviated federal firearms license number as a prefix
7 (which is the first 3 and last 5 digits) followed by a
8 hyphen, and then followed by a number as a suffix, such as
9 12345678-(number). The serial number or numbers must be
10 placed in a manner that accords with the requirements
11 under federal law for affixing serial numbers to firearms,
12 including the requirements that the serial number or
13 numbers be at the minimum size and depth, and not
14 susceptible to being readily obliterated, altered, or
15 removed, and the licensee must retain records that accord
16 with the requirements under federal law in the case of the
17 sale of a firearm. The imprinting of any serial number
18 upon a undetectable firearm must be done on a steel plaque
19 in compliance with 18 U.S.C. 922(p).

20 (2) Every federally licensed firearms dealer or other
21 federal licensee that engraves, casts, stamps, or
22 otherwise conspicuously and permanently places a unique
23 serial number pursuant to this Section shall maintain a
24 record of such indefinitely. ~~Licensees subject to the~~
25 ~~Firearm Dealer License Certification Act shall make all~~
26 ~~records accessible for inspection upon the request of the~~

1 ~~Illinois State Police or a law enforcement agency in~~
2 ~~accordance with Section 5-35 of the Firearm Dealer License~~
3 ~~Certification Act.~~

4 (3) Every federally licensed firearms dealer or other
5 federal licensee that engraves, casts, stamps, or
6 otherwise conspicuously and permanently places a unique
7 serial number pursuant to this Section shall record it at
8 the time of every transaction involving the transfer of a
9 firearm, rifle, shotgun, finished frame or receiver, or
10 unfinished frame or receiver that has been so marked in
11 compliance with the federal guidelines set forth in 27 CFR
12 478.124.

13 (4) 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 review and
17 confirm the validity of the owner's Firearm Owner's
18 Identification Card issued under the Firearm Owners
19 Identification Card Act prior to returning the firearm to
20 the owner.

21 (g) Within 30 days after the effective date of this
22 amendatory Act of the 102nd General Assembly, the Director of
23 the Illinois State Police shall issue a public notice
24 regarding the provisions of this Section. The notice shall
25 include posting on the Illinois State Police website and may
26 include written notification or any other means of

1 communication statewide to all Illinois-based federal firearms
2 manufacturers, federal firearms dealers, or other federal
3 licensees authorized to provide marking services in compliance
4 with the serialization process in subsection (f) in order to
5 educate the public.

6 (h) Exceptions. This Section does not apply to an
7 unserialized unfinished frame or receiver or an unserialized
8 firearm that:

9 (1) has been rendered permanently inoperable;

10 (2) is an antique firearm, as defined in 18 U.S.C.
11 921(a)(16);

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

13 (4) is an unfinished frame or receiver and is
14 possessed by a bona fide supplier exclusively for transfer
15 to a federal firearms manufacturer or federal firearms
16 importer, or is possessed by a federal firearms
17 manufacturer or federal firearms importer in compliance
18 with all federal laws and regulations regulating the
19 manufacture and import of firearms; except this exemption
20 does not apply if an unfinished frame or receiver is
21 possessed for transfer or is transferred to a person other
22 than a federal firearms manufacturer or federal firearms
23 importer; or

24 (5) is possessed by a person who received the
25 unserialized unfinished frame or receiver or unserialized
26 firearm through inheritance, and is not otherwise

1 prohibited from possessing the unserialized unfinished
2 frame or receiver or unserialized firearm, for a period
3 not exceeding 30 days after inheriting the unserialized
4 unfinished frame or receiver or unserialized firearm.

5 (i) Penalties.

6 (1) A person who violates subsection (c) or (d) is
7 guilty of a Class A misdemeanor for a first violation and
8 is guilty of a Class 3 felony for a second or subsequent
9 violation.

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

13 (Source: P.A. 102-889, eff. 5-18-22.)