

1 AN ACT in relation to firearms.

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

4 Section 1. Short title. This Act may be cited as the
5 Pistol and Revolver Ballistic Identification Databank Act.

6 Section 5. Definitions. In this Act:

7 "Manufacturer" means a person possessing a valid federal
8 license that permits the person to engage in the business of
9 manufacturing pistols or revolvers or ammunition for pistols
10 or revolvers for the purpose of sale or distribution.

11 "Shell casing" means that part of ammunition capable of
12 being used in a pistol or revolver that contains the primer
13 and propellant powder to discharge a bullet or projectile.

14 Section 10. Duties of manufacturers and dealers.

15 (a) On and after April 1, 2004, any manufacturer that
16 ships, transports, or delivers a pistol or revolver to any
17 person in this State must, in accordance with rules adopted
18 by the Department of State Police, include in the container
19 with the pistol or revolver a separate sealed container that
20 encloses:

21 (1) a shell casing of a bullet or projectile
22 discharged from the pistol or revolver; and

23 (2) any additional information that identifies the
24 pistol or revolver and shell casing as required by the
25 rules adopted by the Department of State Police.

26 (b) A gunsmith or federally licensed firearm dealer
27 must, within 10 days after the receipt of any pistol or
28 revolver from a manufacturer that fails to comply with the
29 provisions of this Section, either: (1) return the pistol or
30 revolver to the manufacturer, or (2) notify the Department of

1 State Police of the noncompliance and thereafter obtain a
2 substitute sealed container through participation in a
3 program operated by the Department of State Police as
4 provided in Section 15.

5 Section 15. Duties of the Department of State Police. The
6 Department of State Police must, no later than December 1,
7 2003, adopt rules for the operation of a program that
8 provides a gunsmith or a federally licensed firearm dealer
9 with a sealed container enclosing the items specified in
10 Section 10 of this Act. The program must at a minimum:

- 11 (1) be operational by February 1, 2004;
- 12 (2) operate in at least 8 regional locations within this
13 State; and
- 14 (3) specify procedures by which the gunsmith or dealer
15 is to deliver a pistol or revolver to the regional program
16 location closest to his or her place of business for testing
17 and prompt return of the pistol or revolver.

18 Section 20. Forwarding of shell casings to the Department
19 of State Police. On and after April 1, 2004, a gunsmith or
20 federally licensed firearm dealer must, within 10 days after
21 delivering to any person a pistol or revolver received by the
22 gunsmith or dealer on or after April 1, 2004, forward to the
23 Department of State Police, along with a description of the
24 firearm, including its make, model, caliber, and serial
25 number, the sealed container enclosing the shell casing from
26 the pistol or revolver either (1) received from the
27 manufacturer or (2) obtained through participation in the
28 program operated by the Department of State Police in
29 accordance with Section 15 of this Act.

30 Section 25. Ballistic Identification Database. Upon
31 receipt of the sealed container, the Department of State

1 Police must cause to be entered in an automated electronic
2 databank pertinent data and other ballistic information
3 relevant to identification of the shell casing and to the
4 pistol or revolver from which it was discharged. The
5 automated electronic databank must be operated and maintained
6 by the Department of State Police, in accordance with its
7 rules adopted after consultation with the Federal Bureau of
8 Investigation and the United States Department of Treasury,
9 Bureau of Alcohol, Tobacco and Firearms to ensure
10 compatibility with national ballistic technology.

11 Section 30. Sentence. A person who knowingly violates
12 this Act is guilty of a Class B misdemeanor. A person who
13 knowingly violates this Act a second or subsequent time is
14 guilty of a Class A misdemeanor.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.