

Illinois State Law  
IL Compiled Stat. Ann.

**Chapter 430. Public Safety ACT 65:  
Firearms Owners Identification Card Act**

**65/0.01. Short title.** This Act may be cited as the Firearm Owners Identification Card Act.

**65/1. Legislative declaration.** It is hereby declared as a matter of legislative determination that in order to promote and protect the health, safety and welfare of the public, it is necessary and in the public interest to provide a system of identifying persons who are not qualified to acquire or possess firearms and firearm ammunition within the State of Illinois by the establishment of a system of Firearm Owner's Identification Cards, thereby establishing a practical and workable system by which law enforcement authorities will be afforded an opportunity to identify those persons who are prohibited by Section 24-3.1 of the "Criminal Code of 1961", as amended, from acquiring or possessing firearms and firearm ammunition.

**65/1.1. Definitions.**

**1.1. For purposes of this Act: "Firearm"** means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding, however; (1) any pneumatic gun, spring gun, or B.B. gun which expels a single globular projectile not exceeding .18 inch in diameter and which has a maximum muzzle velocity of less than 700 feet per second or \* \* \* \*.

(2) any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or

(3) any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition;

(4) an antique firearm (other than a machinegun) which, although designed as a weapon, the Department of State Police finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

**"Firearm Ammunition"** means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable to use in a firearm; excluding, however:

(1) any ammunition exclusively designed for use with a device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or

(2) any ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition.

**65/2. Firearm owner's identification card required - Exceptions.**

**§ 2. Firearm Owner's Identification Card required; exceptions.**

(a)(1) No person may acquire or possess any firearm or any firearm within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his name by the Department of State Police

under the provisions of this Act.

(2) No person may acquire or possess firearm ammunition within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his name by the Department of State Police under the provisions of this Act.

(b) The provisions of this Section regarding the possession of firearms and firearm ammunition do not apply to:

(1) United States' Marshals, while engaged in the operation of their official duties;

(2) Members of the Armed Forces of the United States or the National guard, while engaged in the operation of their official duties;

(3) Federal officials required to carry firearms, while engaged in the operation of their official duties;

(4) Members of bona fide veterans organizations which receive firearms directly from the armed force of the United States, while using such firearms for ceremonial purposes with blank ammunition;

(5) Nonresident hunters during hunting season, with valid nonresident hunting licenses and while in an area where hunting is permitted; however, at all other times and in all other places such persons must have their firearms unloaded and enclosed in a case;

(6) Those hunters exempt from obtaining a hunting license who are required to submit their Firearm Owner's Identification Card when hunting on Department of Conservation owned or managed sites;

(7) Nonresidents while on a firing or shooting range recognized by the Department of State Police however, these persons must at all other times and in all other places have their firearms unloaded and enclosed in a case;

(8) Nonresidents, while at a firearm showing or display recognized by the Department of State Police however, at all other times and in all other places such persons must have their firearms unloaded and enclosed in a case;

(9) Nonresidents, whose firearms are unloaded and enclosed in a case; and

(10) Nonresidents, who are currently licensed or registered to possess a firearm in their resident state; and

(11) Unemancipated minors while in the custody and immediate control of their parent or legal guardian or other person in loco parentis to the minor if the parent or legal guardian or other person in loco parentis to the minor has a currently valid Firearm Owner's Identification Card;

(12) Color guards of bona fide veterans organizations or members of bona fide American Legion bands while using firearms for ceremonial purposes with blank ammunition;

(13) Nonresident hunters whose state of residence does not require them to be licensed or registered to possess a firearm and only during hunting season, with valid hunting licenses, while accompanied by, and using a firearm owned by, a person who possesses a valid Firearm Owner's Identification Card and while in an area within a commercial club licensed under the Wildlife Code<sup>1</sup> where hunting is permitted and controlled, but in no instance upon sites owned or managed by the Department of Conservation; and

(14) Resident hunters who are properly authorized to hunt and, while accompanied by a person who possesses a valid Firearm Owner's Identification Card, hunt in an area within a commercial club licensed under the Wildlife Code where hunting is permitted and controlled.

(c) The provisions of this Section regarding the acquisition and possession

of firearms and firearm ammunition do not apply to law enforcement officials of this or any other jurisdiction, while engaged in the operation of their official duties.

### **65/3. Requisites for transfer.**

**§ 3. (a)** Except as provided in Section 3a, no person within this State may knowingly transfer, or cause to be transferred, any firearm or any firearm ammunition to any person within this State unless the transferee with whom he deals displays a currently valid Firearm Owner's identification Card which has previously been issued in his name by the Department of State Police under the provisions of this Act. In addition, all firearm transfers by federally licensed firearm dealers are subject to Section 3.1.

**(b)** Any person within this State who transfers or causes to be transferred any firearm shall keep a record of such transfer for a period of 10 years from the date of transfer. Such record shall contain the date of the transfer, the description, serial number or other information identifying the firearm if no serial number is available; and, if the transfer was completed within this State, the transferee's Firearm Owner's Identification Card number. On demand of a peace officer such transferor shall produce for inspection such record of transfer.

**(c)** The provisions of this Section regarding the transfer of firearm ammunition shall not apply to those persons specified in paragraph (b) of Section 2 of this Act.

#### **65/3.1. Dial up system.**

**§ 3.1. Dial up system.** The Department of State Police shall provide a dial up telephone system which shall be used by any federally licensed firearm dealer who is to transfer a firearm under the provisions of the Act. The Department of State Police shall utilize existing technology which allows the caller to be charged a fee equivalent to the cost of providing this service but not to exceed \$2. Fees collected by the Department of State Police shall be deposited in the Police Services Fund and used to provide the service.

Upon receiving a request from a federally licensed firearm dealer, the Department of State Police shall immediately approve, or within the time period established by Section 24-3 of the Criminal Code of 1961 regarding the delivery of firearms, notify the inquiring dealer of any objection that would disqualify the transferee from acquiring or possessing a firearm. In conducting the inquiry, the Department of State Police shall initiate and complete an automated search of its criminal history record information files and those of the Federal Bureau of Investigation and of the files of the Department of Mental Health and Developmental Disabilities to obtain any felony convictions, or patient hospitalization information which would disqualify a person from obtaining or require revocation of a currently valid Firearm Owner's Identification Card.

The Department of State Police shall promulgate rules to implement this system.

#### **65/3a. Reciprocity.**

**§ 3a. (a)** Any resident of Illinois who has obtained a firearm owner's identification card pursuant to this Act and who is not otherwise prohibited from obtaining, possessing or using a firearm may purchase or obtain a rifle or

shotgun or ammunition for a rifle or shotgun in Iowa, Missouri, Indiana, Wisconsin or Kentucky.

**(b) \* \* \* [Contact State authorities about relevancy of the 5 state limitation] \* \* \* \***

**(c)** Any transaction under this Section is subject to the provisions of the Gun Control Act of 1968 (18 U.S.C. 922(b)(3)).

#### **65/4. Application for firearm owner's identification card.**

**§ 4. (a)** Each applicant for a Firearm Owner's Identification Card shall:

**(1)** Make application on blank forms prepared and furnished at convenient locations throughout the State by the Department of State Police; and

**(2)** Submit evidence under penalty of perjury to the Department of State Police that:

**(i)** He is 21 years of age or over, or if he is under 21 years of age that he has the written consent of his parent or legal guardian to possess and acquire firearms and firearm ammunition and that he has never been convicted of a misdemeanor other than a traffic offense or adjudged delinquent, provided, however, that such parent or legal guardian is not an individual prohibited from having a Firearm Owner's Identification Card and files an affidavit with the Department as prescribed by the Department stating that he is not an individual prohibited from having a Card;

**(ii)** He has not been convicted of a felony under the laws of this or any other jurisdiction;

**(iii)** He is not addicted to narcotics;

**(iv)** He has not been a patient in a mental institution within the past 5 years; and

**(v)** He is not mentally retarded; and

**(vi)** He is not an alien who is unlawfully present in the United States under the laws of the United States.

**(b)** Each application form shall include the following statement printed in bold type:

**"Warning: False statements of the applicant shall result in prosecution for perjury in accordance with Section 32-2 of the Criminal Code of 1961."**

**(c)** Upon such written consent, pursuant to Section 4 paragraph (a)(2)(I), the parent or legal guardian giving the consent shall be liable for any damages resulting from the applicant's use of firearms or firearm ammunition.

#### **65/5. Approval or denial of application.**

**§ 5.** The Department of State Police shall either approve or deny all applications within 30 days from the date they are received, and every applicant found qualified pursuant to Section 8 of this Act by the Department shall be entitled to a Firearm Owner's Identification Card upon the payment of a \* \* \* fee \* \* \*

#### **65/6. Contents of identification card.**

**§ 6.** A Firearm Owner's Identification Card, issued by the Department of State Police at such places as the Director of the Department shall specify, shall contain the applicant's name, residence, date of birth, sex, physical description, recent photograph and such other personal identifying information

as may be required by the Director. Each Firearm Owner's Identification Card must have the expiration date boldly and conspicuously displayed on the face of the card. Each Firearm Owner's Identification Card must have printed on it the following: "CAUTION This card does not permit bearer to UNLAWFULLY carry or use firearms."

**65/7. Duration of identification card.**

§ 7. Except as provided in Section 8 of this Act<sup>1</sup>; a Firearm Owner's Identification Card issued under the provisions of this Act shall be valid for the person to whom it is issued for a period of 5 years from the date of issuance.

**65/8. Denial of application or revocation or seizure of card.**

§ 8. The Department of State Police has authority to deny an application for or to revoke and seize a Firearm Owner's Identification Card previously issued under this Act only if the Department finds that the applicant or the person to whom such card was issued is or was at the time of issuance;

(a) A person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent;

(b) A person under 21 years of age who does not have the written consent of his parent or guardian to acquire and possess firearms and firearm ammunition, or whose parent or guardian has revoked such written consent, or where such parent or guardian does not qualify to have a Firearms Owner's Identification Card;

(c) A person convicted of a felony under the laws of this or any other jurisdiction;

(d) A person addicted to narcotics;

(e) A person who has been a patient of a mental institution within the past 5 years; or

(f) A person whose mental condition is of such a nature that it poses a clear and present danger to the applicant, any other person or persons or the community.

For the purposes of this Section "mental condition" means a state of mind manifested by violent, suicidal, threatening or assaultive behavior.

(g) A person who is mentally retarded; or

(h) A person who intentionally makes a false statement in the Firearm Owner's Identification Card application.

(i) An alien who is unlawfully present in the United States under the laws of the United States.

(j) A person who is subject to an existing order of protection prohibiting him or her from possessing a firearm.

(k) A person who has been convicted within the past 5 years of domestic battery, batter, assault, aggravated assault, violation of an order or protection, or a substantially similar offense in another jurisdiction, in which a firearm was used or possessed.

**65/12. Death of owner - Transfer.**

§ 12. The provisions of this Act shall not apply to the passing or transfer of any firearm or firearm ammunition upon the death of the owner thereof to his heir or legatee or to the passing or transfer of any firearm or firearm ammunition incident to any legal proceeding or action until 60 days after

such passing or transfer.

**65/13. Acquisition or possession prohibited by law.**

**§ 13.** Nothing in this Act shall make lawful the acquisition or possession of firearms or firearm ammunition which is otherwise prohibited by law.

**65/13.1. Municipal ordinance imposing greater restrictions or limitations.**

**§ 13.1.** The provisions of any ordinance enacted by any municipality which requires registration or imposes greater restrictions or limitations on the acquisition, possession and transfer of firearms than are imposed by this Act, are not invalidated or affected by this Act.

**Chapter 720. Criminal Law and Procedure**

**Article 24. Deadly Weapons**

**5/24-1. Unlawful use of weapons.**

**§ 24-1. Unlawful Use of Weapons. (a)** A person commits the offense of unlawful use of weapons when he knowingly: \* \* \* \*

(6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or

(7) Sells, manufactures, purchases, possesses or carries:

(i) A machinegun, which shall be defined for the purposes of this subsection as any weapon, which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot without manually reloading by a single function of the trigger, including the frame or receiver of any such weapon, or sells, manufactures, purchases, possesses, or carries any combination of parts designed or intended for use in converting any weapon into a machinegun, or any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person;

(ii) Any rifle having one or more barrels less than 16 inches in length or a shotgun having one or more barrels less than 18 inches in length or any weapon made from a rifle or shotgun, whether by alteration, modification, or otherwise, if such a weapon as modified has an overall length of less than 26 inches;

(iii) Any bomb, bomb-shell, grenade, bottle or other container containing an explosive substance of over one-quarter ounce for like purposes, such as, but not limited to, black powder bombs and Molotov cocktails or artillery projectiles; or \* \* \* \*

(10) Carries or possesses on or about his person, upon any public street, alley, or other public lands within the corporate limits of a city, village or incorporated town, except when an invitee thereon or therein, for the purpose of the display of such weapon or the lawful commerce in weapons, or except when on his land or in his own abode or fixed place of business, any pistol, revolver, stun gun or taser or other firearm.

A "**stun gun or taser**", as used in this paragraph (a) means:

(i) Any device which is powered by electrical charging units, such as batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human, can send out a current capable of disrupting person's nervous system in such a manner as to render him incapable of normal functioning or

(ii) any device which is powered by electrical charging units, such as batteries, and which, upon contact with a human or clothing worn by a human, can send out a current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning.

(11) Sells, manufactures or purchases any explosive bullet. For purposes of this paragraph (a) "**explosive bullet**" means the projectile portion of an ammunition cartridge which contains or carries an explosive charge which will explode upon contact with the flesh of a human or an animal. "**Cartridge**" means a tubular metal case having projectile affixed at the front thereof and a cap or primer at the rear end thereof, with the propellant contained such tube between the projectile and the cap.

#### **Publisher's Notes:**

1. All persons in Illinois, including law enforcement officers, are prohibited from possessing "sound suppressors" or "silencers," since such devices are designed for use in silencing the report of a firearm [§ 5/24-1(a)(6)]. IL State advisory 9-28-82.

2. No member of the general public is authorized to purchase or possess a weapon described in subsection 5/24-1(a)(7) \* \* \* \* The fact that a weapon is currently incapable of discharging \* \* \* rounds automatically solely because of the capacity of its magazine does not authorize its purchase or possession by an Illinois resident [§ 5/24-1(a)(7)]. IL State advisory 9-3-82.

#### **5/24-1.1 Unlawful use of weapons by felons or persons in the custody of the Department of Corrections Facilities.**

§ 24-1.1. Unlawful Use or Possession of Weapons by Felons or Persons in the Custody of the Department of Corrections Facilities. (a) It is unlawful for a person to knowingly possess on or about his person or on his land or in his own abode or fixed place of business any weapon prohibited under Section 24-1 of this Act or any firearm or any firearm ammunition if the person has been convicted of a felony under the laws of this State or any other jurisdiction. This Section shall not apply if the person has been granted relief by the Director of the Department of State Police pursuant to Section 10 \* \* \* \*.

#### **5/24-2. Exemptions.**

§ 24-2. Exemptions. (a) Subsections 24-1(a)(3), 24-1(a)(4) and 24-1(a)(10) do not apply to or affect [\* \* \* contact the Illinois Department of State Police regarding the 12 exempted categories]. \* \* \* \*

(14) Manufacture, transportation, or sale of weapons to persons authorized under subdivisions (1) through (13) of this subsection to possess those weapons.

(b) Subsection 24-1(a)(4) and 24-1(a)(10) do not apply to or affect [\* \* \* contact the Illinois Department of State Police regarding the four exempted categories]. \* \* \* \*

(c) Subsection 24-1(a)(7) does not apply to or affect [\* \* \* contact the Illinois Department of State Police regarding the six exempted categories]. \* \* \* \*

(f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) do not apply to members of any club or organization organized for the purpose of practicing shooting

at targets upon established target ranges, whether public or private, while using their firearms on those target ranges.

**(g)** Subsection 24-1(a)(11) and 24-3.1(a)(6) do not apply to [\* \* \* **contact the Illinois Department of State Police regarding the four exempted categories**]. \* \* \* \*

**(i)** Nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession, of any pistol or revolver, stun gun, taser, or other firearm consigned to a Common Carrier operating under license of the State of Illinois or the Federal Government, where such transportation, carrying, or possession is incident to the lawful transportation in which such Common Carrier is engaged; and nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession of any pistol, revolver, stun gun, taser, or other firearm, not the subject of and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of this Article, which is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container, by the possessor of a valid Firearm Owners Identification Card.

#### **5/24-2.1 Unlawful use of metal piercing bullets.**

**§ 24-2.1. Unlawful Use of Metal Piercing Bullets. (a)** A person commits the offense of unlawful use of metal piercing bullets when he knowingly manufactures, sells, purchases, possesses, or carries any metal piercing bullet. For the purposes of this Section, "metal piercing bullet" means polytetrafluoroethylene-coated bullets; jacketed bullets with other than lead or lead alloy cores; and ammunition of which the bullet itself is wholly composed of a metal or metal alloy other than lead.

The definition contained herein shall not be construed to include shotgun shells.

**(b) Exemptions.** This Section does not apply to or affect any of the following:

**(1)** Peace officers.

**(2)** Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

**(3)** Members of the Armed forces or Reserve Forces of the United States or the Illinois National Guard while in the performance of their official duties.

**(4)** Federal officials required to carry firearms, while engaged in the performance of their official duties.

**(5)** United States Marshals, while engaged in the performance of their official duties.

**(6)** Persons licensed under federal law to manufacture, import, or sell firearms and firearm ammunition, and actually engaged in any such business, but only with respect to activities which are within the lawful scope of such business, such as the manufacture, transportation, or testing of such bullets or ammunition.

This exemption does not authorize the general private possession of any metal or armor piercing bullet, but only such possession and activities which are within the lawful scope of a licensed business described in this paragraph.

**(7)** Laboratories having a department of forensic ballistics or specializing in the development of ammunition or explosive ordnance.

**(8)** Manufacture, transportation or sale of metal or armor piercing bullets to

persons specifically authorized under paragraphs (1) through (7) of this subsection to possess such bullets.

(c) An information or indictment based upon a violation of this Section need not negate any exemption herein contained. The defendant shall have the burden of proving such an exemption.

(d) **Sentence.** A person convicted of unlawful use of metal piercing bullets shall be guilty of a Class 3 felony.

**5/24-2.2. Manufacture, sale or transfer of bullets represented to be metal piercing bullets.**

**§ 24-2.2. Manufacture, sale or transfer of bullets represented to be metal piercing bullets.** (a) Except as provided in subsection (b) of this Section, it is unlawful for any person to knowingly manufacturer, sell, offer to sell, or transfer any bullet which is represented to be metal or armor piercing; to be polytetrafluoroethylene coated; to be jacketed and have a core other than lead or lead alloy; or to be wholly composed of a metal or metal alloy other than lead.

(b) **Exemptions.** This Section does not apply to or affect any person authorized under Section 24-2.1 to manufacture, sell, purchase, possess, or carry any metal piercing bullet with respect to activities which are within the lawful scope of the exemption therein granted.

(c) An information or indictment based upon a violation of this Section need not negate any exemption herein contained. The defendant shall have the burden of proving such an exemption and that the activities forming the basis of any criminal charge brought pursuant to this Section were within the lawful scope of such exemption.

(d) **Sentence.** Manufacture, sale, or transfer of bullets represented to be metal piercing bullets is a Class 4 felony.

**5/24-3. Unlawful sale of firearms.**

**§ 24-3. Unlawful Sale of Firearms.** A person commits the offense of unlawful sale of firearms when he knowingly:

(a) Sells or gives any firearm of a size which may be concealed upon the person to any person under 18 years of age; or

(b) Sells or given any firearm to a person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent; or

(c) Sells or gives any firearm to any narcotic addict; or

(d) Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction; or

(e) Sells or gives any firearm to any person who has been a patient in a mental hospital within the past 5 years; or

(f) Sells or gives any firearms to any person who is mentally retarded; or

(g) Delivers any firearm of a size which may be concealed upon the person, incidental to a sale, without withholding delivery of such firearm for at least 72 hours after application for its purchase has been made, or delivers any rifle, shotgun or other long gun, incidental to a sale, without withholding delivery of such rifle, shotgun or other long gun for at least 24 hours after application for its purchase has been made. However, this paragraph shall not apply to:

(1) the sale of a firearm to a law enforcement officer or a person who de-

sires to purchase a firearm for use in promoting the public interest incident to his employment as a bank guard, armed truck guard, or other similar employment; or

(2) A mail order sale of a firearm to a nonresident of Illinois under which the firearm is mailed to a point outside the boundaries of Illinois; or

(3) The sale of a firearm to a nonresident of Illinois while at a firearm showing or display recognized by the Illinois Department of State Police; or

(4) The sale of a firearm to a dealer licensed under the Federal Firearms Act of the United States; or

(h) While holding any license under the Federal "Gun Control Act of 1968", as amended, as a dealer, importer, manufacturer or pawnbroker; manufactures, sells or delivers to any unlicensed person a handgun having a barrel, slide, frame or receiver which is a die casting of zinc alloy or any other nonhomogeneous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit. For purposes of this paragraph,

(1) "Firearm" is defined [in § 65/1.1];

(2) "Handgun" is defined as a firearm designed to be held and fired by the use of a single hand, and includes a combination of parts from which a firearm can be assembled; or

(i) Sells or gives a firearm of any size to any person under 18 years of age who does not possess a valid Firearm Owner's Identification Card.

(j) Paragraph (h) of this Section shall not include firearms sold within 6 months after enactment of this amendatory Act of 1973, nor shall any firearm legally owned or possessed by any citizen or purchased by any citizen within 6 months after the enactment of this amendatory Act of 1973 be subject to confiscation or seizure under the provisions of this amendatory Act of 1973. Nothing in this amendatory Act of 1973 shall be construed to prohibit the gift or trade of any firearm if that firearm was legally held or acquired within 6 months after the enactment of this amendatory Act of 1973.

(k) **Sentence.** Any person convicted of unlawful sale of firearms in violation of paragraphs (b) through (h) commits a Class 4 felony.

Any person convicted of unlawful sale of firearms in violation of paragraphs (a) or (I) commits a Class 3 felony.

#### **5/24-3.1 Unlawful possession of firearms and firearm ammunition.**

**§ 24-3.1. Unlawful possession of firearms and firearm ammunition.** (a) A person commits the offense of unlawful possession of firearms or firearm ammunition when:

(1) He is under 18 years of age and has in his possession any firearm of a size which may be concealed upon the person; or

(2) He is under 21 years of age, has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent and has any firearms or firearm ammunition in his possession; or

(3) He is a narcotic addict and has any firearms or firearm ammunition in his possession; or

(4) He has been a patient in a mental hospital within the past 5 years and has any firearms or firearm ammunition in his possession; or

(5) He is mentally retarded and has any firearms or firearm ammunition in his possession; or

(6) He has in his possession any explosive bullet.

For purposes of this paragraph "explosive bullet" means the projectile por-

tion of an ammunition cartridge which contains or carries an explosive charge which will explode upon contact with the flesh of a human or an animal. "**Cartridge**" means a tubular metal case having a projectile affixed at the front thereof and a cap or primer at the rear end thereof, with the propellant contained in such tube between the projectile and the cap.

**(b) Sentence.** Unlawful possession of firearms, other than handguns, and firearm ammunition is a Class A misdemeanor. Unlawful possession of handguns is a Class 4 felony.

**5/24-3.3. Unlawful sale or delivery of firearms on the premises of any school.**

**§ 24-3.3. Unlawful Sale or Delivery of Firearms on the Premises of Any School**

\* \* \* \*. Any person 18 years of age or older who sells, gives or delivers any firearm to any person under 18 years of age in any school or on the real property comprising any school commits a Class 3 felony. School is defined, for the purposes of this Section, as any public or private elementary or secondary school, community college, college or university. This does not apply to peace officers or to students carrying or possessing firearms for use in school training courses, parades, target shooting on school ranges, or otherwise with the consent of school authorities and which firearms are transported unloaded and enclosed in a suitable case, box or transportation package.

**5/24-3.4. Unlawful sale of firearms by liquor licensee.**

**§ 24-3.4. Unlawful Sale of Firearms by Liquor Licensee.** [\* \* \* contact Illinois Department of State Police for specifics]. \* \* \* \*

**5/24-3A. Gunrunning.**

**§ 24-3A. Gunrunning.** (a) A person commits gunrunning when he or she transfers 3 or more firearms in violation of any of the paragraphs of Section 24-3 of this Code.

**(b) Sentence.** A person who commits gunrunning is guilty of a Class 1 felony.

**5/24-4. Register of sales by dealer.**

**§ 24-4. Register of Sales by Dealer.** (a) Any seller of firearms of a size which may be concealed upon the person, other than a manufacturer selling to a bona fide wholesaler or retailer or a wholesaler selling to a bona fide retailer, shall keep a register of all firearms sold or given away.

**(b)** Such register shall contain the date of the sale or gift, the name, address, age and occupation of the person to whom the weapon is sold or given, the price of the weapon, the kind, description and number of the weapon, and the purpose for which it is purchased and obtained.

**(c)** Such seller on demand of a peace officer shall produce for inspection the register and allow such peace officer to inspect such register and all stock on hand.

**(d) Sentence.** Violation of this Section is a Class B misdemeanor.

**Publisher's Note:**

**1977 Opinion of the Attorney General: Auctioneer must follow statutory restrictions on sale and delivery of firearms and keep register of firearms**

sold. (No. S-1291.)

**Publisher's Notes:**

**1. The following jurisdictions prohibit the sale, possession, or receipt of any type of firearm to or by any of a particular class of persons (e.g., convicted felons, fugitives from justice, illegal aliens, mental incompetents, unlawful drug users and addicts) [An asterisk (\*) next to a name indicates another listing]**

Chicago\*(Also, insufficient vision; no IL Firearm Owner's Identification Card [Contact city for details])

Chicago Ridge\*

Franklin Park\*

Glen Ellyn\*

Highland Park\*

Niles\*

Peoria\*

Streamwood\*

**2. The following jurisdictions restrict the sale, possession, or receipt of firearms, such as destructive devices [i.e., (a) grenades (or other explosive or incendiary devices), or (b) fully automatic weapons, or (c) short-barreled rifles, or (d) short-barreled shotguns, or (e) silencers, or (f) other (specified)] [An asterisk (\*) next to a name indicates another listing]**

Chicago\*(b)-(e)=No registration certificate issued; (f) Handguns=Same, unless registered prior to enactment of law. Exceptions (contact Chicago Police Department). Sales/transfers can be through licensed dealers, only.

East St. Louis\*(a)-(d)=Possession forbidden; Handguns=Same, with exceptions (contact city)

Evanston\* (No sale, exchange, rental or other transfer in weapons, firearms, handguns or ammunition allowed)

Morton Grove\* No dealing in handguns allowed; (a),(b),(d)=Possession prohibited; Handguns=Same, with exceptions (contact city)

Niles\*(b)

Peoria\* (Concealable firearms to be registered)

**3. The following jurisdictions require waiting periods or notifications to law enforcement officials before weapons may be delivered to purchasers [An asterisk (\*) next to a name indicates another listing]**

Chicago\*(Application approval/denial for:

(1) Registration: 120 days;

(2) Re-registration; e.g., by an heir, 365 days)

**4. A permit to purchase must be obtained before a firearm may be sold or delivered to a purchaser or recipient in the following jurisdictions [An asterisk (\*) next to a name indicates another listing]**

Chicago\*  
Chicago Ridge\*  
Cicero\*  
Joliet\*  
Skokie\*  
Streamwood\*  
Worth\*

**5. The following jurisdictions restrict the age at which it is lawful for a person to purchase or receive a firearm [An asterisk (\*) next to a name indicates another listing]**

Chicago\*  
Chicago Ridge\*  
Cicero\*  
Franklin Park\*  
Glen Ellyn\*  
Joliet\*  
Lombard  
Niles\*  
Peoria\*  
Skokie\*  
Streamwood\*

**6. The following jurisdictions restrict the sale of firearms [i.e., (a) requirement for a State or local license to sell firearms, or (b) recordkeeping requirements imposed as a condition of lawful sale of firearms, or (c) other (specified)], or (d) gunshows [An asterisk (\*) next to a name indicates another listing]**

Chicago\*(a),(b)  
Chicago Ridge\*(a)  
Cicero\*(a)  
Cook County (a),(d)  
Evanston\* No firearms sales allowed  
Franklin Park\*(a),(b)  
Highland Park\*(a)  
Joliet\*(a),(b)  
Morton Grove\* No handgun sales allowed  
Niles\* (b)  
Peoria\* (a),(b) sales  
Rockford (a),(b)  
Streamwood\* (a)  
Worth\* (b)

**7. In the following jurisdiction all registered firearms must contain a safety mechanism (trigger lock, combination lock, solenoid use limitation device etc.)**

Chicago