



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB4258

by Rep. William Davis

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Ammunition Accountability Act. Provides that all firearm ammunition manufactured or sold in the State of Illinois on or after January 1, 2010 shall be coded by the manufacturer. Provides that effective January 1, 2010, all firearm ammunition used within the State of Illinois shall be coded by the manufacturer. Provides that on or after January 1, 2010, a person in possession of non-coded ammunition that was manufactured prior to January 1, 2010, may transfer the same only to an heir, to an individual residing in another state maintaining the ammunition in another state, or to a federally licensed firearms dealer. Provides that the Department of State Police shall be responsible for establishing and maintaining an Ammunition Coding System Database (ACSD) containing specified information. Establishes penalties and exemptions.

LRB095 15256 RLC 41241 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning ammunition.

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 Ammunition Accountability Act.

6 Section 5. Definitions. For purposes of this Act:

7 (a) "Coded" and "coded ammunition" mean a bullet carrying a  
8 unique identifier that has been applied by etching the same  
9 onto the base of the bullet.

10 (b) "Firearm ammunition" shall have the meaning provided in  
11 Section 1.1 of the Firearm Owners Identification Card Act,  
12 except that it shall not include shotgun shells or ammunition  
13 designed to be used in muzzle-loading "black powder" firearms.

14 Section 10. Prohibition on sale, manufacture, or use of  
15 non-coded ammunition.

16 (a) All firearm ammunition manufactured or sold in the  
17 State of Illinois on or after January 1, 2010 shall be coded by  
18 the manufacturer.

19 (b) Effective January 1, 2010, all firearm ammunition used  
20 within the State of Illinois shall be coded by the  
21 manufacturer.

22 (c) On or after January 1, 2010, a person in possession of

1 non-coded ammunition that was manufactured prior to January 1,  
2 2010, may transfer the same only to an heir, to an individual  
3 residing in another state maintaining the ammunition in another  
4 state, or to a federally licensed firearms dealer.

5 (d) This Section does not apply to any memorabilia or  
6 display item that is filled with a permanent inert substance or  
7 that is otherwise permanently altered in a manner that prevents  
8 ready modification for use as live ammunition.

9 Section 15. Authority to establish an Ammunition Coding  
10 System Database.

11 (a) The Department of State Police shall be responsible for  
12 establishing and maintaining an Ammunition Coding System  
13 Database (ACSD) containing the following information:

14 (1) Manufacturer registry. The manufacturers shall:

15 (i) register with the Department of State Police in a  
16 manner prescribed by the Department through rule; and (ii)  
17 maintain records on the business premises for a period of  
18 seven years concerning all sales, loans, and transfers of  
19 ammunition, to, from, or within the State.

20 (2) Vendor registry. The vendors shall:

21 (A) register with Department of State Police in a  
22 manner prescribed by the Department through rule;

23 (B) record the following information in a format  
24 prescribed by rule by the Department of State Police:

25 (i) the date of the transaction; (ii) the name of the

1 transferee; (iii) the purchaser's driver's license  
2 number or other government issued identification card  
3 number; (iv) the date of birth of the purchaser; (v)  
4 the unique identifier of all ammunition; and (vi) such  
5 other information as the Department of State Police may  
6 by rule prescribe; and

7 (C) maintain records on the business premises for a  
8 period of 3 years from the date of the recorded  
9 purchase.

10 (b) To the greatest extent possible or practical, the ACSD  
11 shall be built within the framework of existing firearms  
12 databases. The ACSD shall be operational no later than January  
13 1, 2010.

14 (c) Privacy of individuals is of the utmost importance.  
15 Access to information in the ACSD is reserved for law  
16 enforcement personnel and to be released only in connection  
17 with a criminal investigation.

18 Section 20. Penalties.

19 (a) Any vendor that knowingly fails to comply with this  
20 Act, or who knowingly falsifies the records required to be kept  
21 under this Act, is guilty of a Class 4 felony and is subject to  
22 a fine of \$2,500 for each violation. Each retail package of  
23 ammunition sold in violation of this Act shall be deemed a  
24 separate violation.

25 (b) Any manufacturer that knowingly fails to comply with

1 the requirement of this Act is guilty of a business offense,  
2 and is subject to a fine of \$5,000 for a first violation and  
3 for a second violation is guilty of a business offense and is  
4 subject to a fine of \$10,000, and for a third or subsequent  
5 violation is guilty of a business offense and is subject to a  
6 fine of \$25,000. Each wholesale package manufactured in  
7 violation of this Act shall be deemed a separate violation.

8 (c) Any person who knowingly destroys, obliterates, or  
9 otherwise renders unreadable, the serialization required  
10 pursuant to this Act, on any bullet or assembled ammunition, is  
11 guilty of a Class 4 felony and is subject to a fine of \$2,500.  
12 This subsection (c) shall not apply to any person who destroys,  
13 obliterates, or otherwise renders unreadable, the  
14 serialization required hereunder in the process of filling  
15 ammunition with a permanent inert substance or otherwise  
16 permanently altering it in a manner that prevents ready  
17 modification for use as live ammunition.