

# Springfield to Alton: A local take on the state's new firearm licensing law for gun dealers

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SPRINGFIELD – A law signed last Thursday, Jan. 17, 2019, by Illinois Governor J.B. Pritzker claims to “combat the scourge of illegal gun trafficking” in Illinois.

SB337 was put into the last Illinois General Assembly by Senator Don Harmon (D-Oak Park) and received bipartisan support. It was signed by Pritzker after former Illinois

Governor Bruce Rauner vowed to veto it upon his reelection. Since he was not reelected in 2018's November votes, Pritzker decided instead to sign it into law.

Called the “Gun Dealer Licensing Act, which amends the Child Care Act of 1969, the new law adds regulations to firearms dealers operating in a “permanent physical location opened to the public.” Those regulations include licensing through the Illinois State Police (ISP) and mandating a surveillance system to monitor critical areas of the business premises, including, but not limited to areas where guns are stored, handled, transferred or carried to Jan. 1, 2021. These may not include the bathrooms, according to the law. Employees are also required to have annual training provided by their employers.

The Gun-Trafficking Information Act, which was also created by SB337 being signed into law, requires ISP to publish any key information related to crime-related firearms and impose penalties on individuals who fail to maintain a record of private sale.

Each license for a firearms dealer in such a location will be valid for five years. The application and renewal fees for these licenses “shall not exceed \$1,000” for the five-year period. Illinois is the 16<sup>th</sup> state currently requiring state licensing for firearms dealers in addition to federal licensing currently required by law. In a release from Pritzker, he claim the federal licensing does not do enough, stating it fails to effectively regulate gun dealers.

## **State Reaction**



Pritzker signed the law Thursday surrounded by “gun violence survivors, prevention advocates, community leaders and elected officials who have worked for years to require licenses for gun dealers,” a release from Pritzker's office said.

“Gun violence isn't an issue facing one city, or one region, or one group of people – it affects us all, and I want to thank all those tireless advocates who didn't rest until our state took commonsense action to prevent gun trafficking,” the governor said in that release. “This bipartisan law is a long-overdue step to do more to prevent gun violence, to make sure guns don't fall into the wrong hands, to make sure that we license gun shops just like restaurants and other businesses, and deter straw purchases, so that we can prevent someone from buying a gun for someone who is not legally allowed to own a gun.”

Several notable Illinois Democrats supported Pritzker's decision to sign SB337 into law, including Chicago Mayor Rahm Emanuel who said: “It only took Governor Pritzker four days - not four years – to realize that if the state can license a barber shop or a liquor store, we can license gun dealers. I commend Governor Pritzker for prioritizing this important public safety measure that will reduce the number of illegal guns on our streets and allow the Chicago Police to further crack down on crime.”

“As one of his first official acts to sign the gun dealer licensing bill, this speaks volumes about the governor's commitment and passion to help Chicago reduce gun violence,” Chicago Police Department Superintendent Eddie Johnson said. “The tools provided in this legislation to state and local police will significantly help our ability to regulate gun dealers and monitor and interdict the illegal flow of guns into cities like Chicago.”

According to the release, Cook County State's Attorney Kim Foxx, who supports the bill, has prosecuted more charges related to the unlawful use of a weapon than any other charge. She said the governor's signing of the bill into law was “a step in the right direction.”

“Gun violence is a complex problem and no one law will solve it,” Sen. Harmon, who proposed SB337 in the first place said in the release. “But we know that other states that have enacted similar laws to this one have seen a reduction in guns used in crimes. I am grateful to Gov. Pritzker for signing this legislation into law.”

## **Local**



One Democrat notably missing from the names supportive of SB337 is Representative Monica Bristow (D-Alton). Bristow said she voted against the measure and would continue to vote against any measure she feels threatens the Second Amendment of the Constitution. During her campaign to get elected to the General Assembly after being appointed to the office by retiring Representative Dan Beiser, Bristow promised to be a firearm-friendly candidate. Her vote against this measure seems to vouch for that. Bristow also felt like the regulations would be additional expenses to small businesses in Illinois.

A local small business, which will be affected by the signing of SB337 into law, is Piasa Armory. Owner Scott Pulaski said, via Facebook Messenger, the law would price some small gun shops out of business altogether. With the state fee being allowed as high as \$1,000 atop the already federally-mandated licensing for all firearms dealers.

“The licensing fee is \$1,500 for the term of the federal license (which is valid for three years),” he said. “They may or may not prorate that fee as well, so it could be that a Federal Firearm License that expires months after the start date of the licensing could pay \$1,500 for the license and a few months later, pay that full fee over again. Then, we will face unknown rules for an alarm system, lighting, secure storage and electronic record keeping.”



As of now, Pulaski said Piasa Armory was compliant with the basic rules outlined in the law. He added the law may require people to purchase some incredibly expensive surveillance systems, which he said could “cripple” many stores.

“We've got to keep footage for 90 days, which, depending on the size of the facility, could be a lot of storage needed. Figure a video system capable of keeping that much starts at \$800 before cameras, wiring, monitors and install. Cameras run \$100 or more apiece for some that are worth anything to get useful footage.”

Pulaski said his business was already planning to double its surveillance capabilities without the law being passed. He said he and his staff are fortunate to have extensive technology, security and surveillance backgrounds. He said “Average Joe shops” may find themselves \$10,000 in the hole for just surveillance.

For all the cost, Pulaski said the law would likely not prevent gun crimes. He said the majority of guns used in crimes are not purchased legally from brick-and-mortar gun shops like his, something the data seems to back. In a 2015 article from the Washington Post only 6.78 guns per 100,000 residents were used for crimes in Illinois. A 2017 article from CBS News stated the majority of law-abiding gun owners purchased their weapons legally from shops like Piasa Armory or documented transactions from other law-abiding gun owners.

When those guns are used in crimes, most of them have gone through several transactions since being purchased at a brick-and-mortar gun shop, many of which are illegal in themselves. Some are purchased through the already-illegal straw man method, which this law does promise to remedy, in which a person legally allowed to purchase firearms exercises that right to attain firearms for someone who is not.