



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4127

by Rep. Scott Drury

SYNOPSIS AS INTRODUCED:

430 ILCS 65/13.1

from Ch. 38, par. 83-13.1

Amends the Firearm Owners Identification Card Act. Deletes provision that the regulation of the possession or ownership of assault weapons are exclusive powers and functions of the State. Deletes provision that any ordinance or regulation, or portion of that ordinance or regulation, that purports to regulate the possession or ownership of assault weapons in a manner that is inconsistent with the Act, shall be invalid unless the ordinance or regulation was enacted on, before, or within 10 days after July 9, 2013. Effective immediately.

LRB100 15286 RLC 30217 b

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

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 Firearm Owners Identification Card Act is
5 amended by changing Section 13.1 as follows:

6 (430 ILCS 65/13.1) (from Ch. 38, par. 83-13.1)

7 Sec. 13.1. Preemption.

8 (a) Except as otherwise provided in the Firearm Concealed
9 Carry Act and subsection ~~subsections~~ (b) ~~and (c)~~ of this
10 Section, the provisions of any ordinance enacted by any
11 municipality which requires registration or imposes greater
12 restrictions or limitations on the acquisition, possession and
13 transfer of firearms than are imposed by this Act, are not
14 invalidated or affected by this Act.

15 (b) Notwithstanding subsection (a) of this Section, the
16 regulation, licensing, possession, and registration of
17 handguns and ammunition for a handgun, and the transportation
18 of any firearm and ammunition by a holder of a valid Firearm
19 Owner's Identification Card issued by the Department of State
20 Police under this Act are exclusive powers and functions of
21 this State. Any ordinance or regulation, or portion of that
22 ordinance or regulation, enacted on or before the effective
23 date of this amendatory Act of the 98th General Assembly that

1 purports to impose regulations or restrictions on a holder of a
2 valid Firearm Owner's Identification Card issued by the
3 Department of State Police under this Act in a manner that is
4 inconsistent with this Act, on the effective date of this
5 amendatory Act of the 98th General Assembly, shall be invalid
6 in its application to a holder of a valid Firearm Owner's
7 Identification Card issued by the Department of State Police
8 under this Act.

9 (c) (Blank). ~~Notwithstanding subsection (a) of this~~
10 ~~Section, the regulation of the possession or ownership of~~
11 ~~assault weapons are exclusive powers and functions of this~~
12 ~~State. Any ordinance or regulation, or portion of that~~
13 ~~ordinance or regulation, that purports to regulate the~~
14 ~~possession or ownership of assault weapons in a manner that is~~
15 ~~inconsistent with this Act, shall be invalid unless the~~
16 ~~ordinance or regulation is enacted on, before, or within 10~~
17 ~~days after the effective date of this amendatory Act of the~~
18 ~~98th General Assembly. Any ordinance or regulation described in~~
19 ~~this subsection (c) enacted more than 10 days after the~~
20 ~~effective date of this amendatory Act of the 98th General~~
21 ~~Assembly is invalid. An ordinance enacted on, before, or within~~
22 ~~10 days after the effective date of this amendatory Act of the~~
23 ~~98th General Assembly may be amended. The enactment or~~
24 ~~amendment of ordinances under this subsection (c) are subject~~
25 ~~to the submission requirements of Section 13.3. For the~~
26 ~~purposes of this subsection, "assault weapons" means firearms~~

1 ~~designated by either make or model or by a test or list of~~
2 ~~cosmetic features that cumulatively would place the firearm~~
3 ~~into a definition of "assault weapon" under the ordinance.~~

4 (d) For the purposes of this Section, "handgun" has the
5 meaning ascribed to it in Section 5 of the Firearm Concealed
6 Carry Act.

7 (e) This Section is a denial and limitation of home rule
8 powers and functions under subsection (h) of Section 6 of
9 Article VII of the Illinois Constitution.

10 (Source: P.A. 98-63, eff. 7-9-13.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.