



Rep. Brandon W. Phelps

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1 AMENDMENT TO HOUSE BILL 997

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 997, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 1. Short title. This Act may be cited as the  
6 Illinois Concealed Carry Act.

7 Section 10. Definitions. As used in this Act:

8 "Concealed firearm" means a loaded or unloaded handgun  
9 carried on or about a person completely or mostly concealed  
10 from view of the public, or carried in a vehicle in such a way  
11 as it is concealed from view of the public.

12 "Department" means the Department of State Police.

13 "Director" means the Director of State Police.

14 "Fund" means the Citizen Safety and Self-Defense Trust  
15 Fund.

16 "Handgun" means any device which is designed to expel a

1 projectile or projectiles by the action of an explosion,  
2 expansion of gas, or escape of gas that is designed to be held  
3 and fired by the use of a single hand, and includes a  
4 combination of parts from which that firearm can be assembled.

5 "Handgun" includes, but is not limited to, magazines,  
6 ammunition, laser sighting devices and other accessories  
7 intrinsic to a handgun carried for defensive purposes.

8 "Handgun" does not include a stun gun or taser.

9 "License" means a license issued by the Department of State  
10 Police to carry a loaded or unloaded handgun.

11 "Licensee" means a person issued a license to carry a  
12 concealed firearm.

13 "Peace officer" means (i) any person who by virtue of his  
14 or her office or public employment is vested by law with a duty  
15 to maintain public order and to make arrests for offenses,  
16 whether that duty extends to all offenses or is limited to  
17 specific offenses, or (ii) any person who, by statute, is  
18 granted and authorized to exercise powers similar to those  
19 conferred upon any peace officer employed by a law enforcement  
20 agency of this State. The term "peace officer" does not apply  
21 to an alderman acting as a conservator of the peace under  
22 Section 3.1-15-25 of the Illinois Municipal Code.

23 Section 15. State Police Firearm Services Fund and Mental  
24 Health Reporting Fund.

25 (a) All application fees shall be deposited into the State

1 Police Firearm Services Fund and the Mental Health Reporting  
2 Fund. For each new license or nonresident license, \$70 shall be  
3 apportioned to the State Police Firearm Services Fund and \$30  
4 shall be apportioned to the Mental Health Reporting Fund. For  
5 each renewal, duplicate, corrected or late renewal fee, \$20  
6 shall be apportioned to the State Police Firearm Services Fund  
7 and \$15 shall be apportioned to the Mental Health Reporting  
8 Fund.

9 (b) State Police Firearm Services Fund. There is created in  
10 the State treasury a special fund known as the State Police  
11 Firearm Services Fund. The Fund shall receive revenue under  
12 Section 5 of the Firearms Owners Identification Card Act, this  
13 Act, and Section 24-1.9 of the Criminal Code of 2012. The Fund  
14 may also receive revenue from grants, pass-through grants,  
15 donations, appropriations and any other lawful source.

16 (1) The Department of State Police may use monies in  
17 the Fund to finance any of its lawful purposes, mandates,  
18 functions, and duties under the Firearm Owners  
19 Identification Card Act, this Act, and Section 24-1.9 of  
20 the Criminal Code of 2012, including the cost of sending  
21 notices of expiration and Firearms Owner's Identification  
22 Cards, concealed carry licenses, the prompt and efficient  
23 processing of applications under the Firearm Owners  
24 Identification Card Act, and this Act, the improved  
25 efficiency and reporting of the LEADS and federal NICS law  
26 enforcement data systems, and support for investigations

1 required under these Acts and laws. Any surplus funds  
2 beyond what is needed to comply with the aforementioned  
3 purposes shall be used by the Department to improve LEADS  
4 and the criminal history background check system.

5 (2) Investment income that is attributable to the  
6 investment of moneys in the Fund shall be retained in the  
7 Fund for the uses specified in paragraph (1) of this  
8 subsection.

9 (3) The State Police Firearm Services Fund shall not be  
10 subject to administrative chargebacks.

11 (c) Mental Health Reporting Fund. There is created in the  
12 State treasury a special fund known as the Mental Health  
13 Reporting Fund. The Fund shall receive revenue under this Act.  
14 The Fund may also receive revenue from grants, pass-through  
15 grants, donations, appropriations, and any other lawful  
16 source.

17 (1) Acting in coordination, the Department of State  
18 Police and the Department of Human Services may use monies  
19 in the Fund to finance any of duties related to collecting  
20 mental health records and ensuring that mental health  
21 firearm prohibitions are enforced as set forth under the  
22 Firearm Owners Identification Card Act and this Act. Any  
23 surplus funds beyond what is needed to ensure compliance  
24 with mental health reporting shall be used by the  
25 Department of Human Services for mental health treatment  
26 programs.

1           (2) Investment income that is attributable to the  
2 investment of moneys in the Fund shall be retained in the  
3 Fund for the uses specified in paragraph (1) of this  
4 subsection.

5           (3) The Mental Health Reporting Fund shall not be  
6 subject to administrative chargebacks.

7           Section 20. Issuance of licenses to carry a concealed  
8 firearm.

9           (a) The Department shall issue a license to an applicant  
10 who: (i) meets the qualifications of Section 25 or Section 65;  
11 (ii) has provided the application and documentation required in  
12 Section 30; and (iii) has submitted the requisite fees. The  
13 Department shall issue a renewal, corrected, or duplicate  
14 license in accordance with this Act.

15           (a-5) The Department is authorized to issue licenses to  
16 carry a handgun under this Act. A license shall permit the  
17 licensee to:

18           (1) carry a loaded or unloaded handgun on or about his  
19 or her person, concealed or otherwise;

20           (2) keep or carry a loaded or unloaded handgun on or  
21 about his or her person when in a vehicle; and

22           (3) keep a loaded or unloaded handgun openly or  
23 concealed in a vehicle.

24           (a-10) A licensee shall possess a license at all times the  
25 licensee carries a concealed firearm except (i) if the person

1 is carrying or possessing a concealed firearm and the person is  
2 on his or her land, or in his or her abode or legal dwelling, or  
3 in the abode or legal dwelling of another person as an invitee  
4 with that person's permission; (ii) if the person is authorized  
5 to carry a firearm under Section 24-2 of the Criminal Code of  
6 2012; or (iii) the handgun is broken down in a non-functioning  
7 state, or is not immediately accessible, or is enclosed in a  
8 case, firearm carrying box, shipping box or any other  
9 container.

10 (a-15) A licensee shall display the license upon the  
11 request of a peace officer or person designated to enforce the  
12 provisions of Section 70 when carrying a handgun under the  
13 provisions of this Act.

14 (b) Not more than 60 days after the effective date of this  
15 Act, the Department shall make applications for a license  
16 available upon the effective date of this Act. Applications  
17 shall be available at Department locations, on the Department's  
18 official website, and any other location designated by the  
19 Department.

20 (c) A completed application for a license shall be  
21 submitted to the Department with all accompanying materials and  
22 fees. The Department shall promptly return an incomplete  
23 application to the applicant. Each applicant for a license  
24 shall submit an \$100 application fee to the Department, \$70 of  
25 which shall be deposited into State Police Firearm Services  
26 Fund for use in administering the Firearm Owners Identification

1 Act and this Act, and \$30 of which shall be deposited into the  
2 Mental Health Reporting Fund.

3 (d) The Department may consider an objection to an  
4 application, provided the objection is in writing, includes  
5 specific reasons for the objection, and is submitted with the  
6 application by a municipal law enforcement agency or sheriff.  
7 Any objection submitted by a sheriff or a municipal law  
8 enforcement agency including reports submitted to the  
9 Department must be disclosed to the applicant unless disclosure  
10 would interfere with a criminal investigation. The Department  
11 shall maintain a database of applicants searchable by county  
12 that may be accessible by sheriffs for use in filing an  
13 objection under this subsection.

14 (e) Notwithstanding subsection (a), the Department may  
15 consider any objection or recommendation made by the sheriff or  
16 a municipal law enforcement agency that demonstrates the  
17 applicant is a danger to himself or herself or others. Based  
18 upon those objections, if the applicant is found by the  
19 Department to be a danger to himself or herself or others, the  
20 Department may deny the application and notify the applicant  
21 and the sheriff or the municipal law enforcement agency in  
22 writing, stating the grounds for denial. The notice of denial  
23 must inform the applicant that he or she may, within 90 days  
24 for the first year after this Act takes effect and within 45  
25 days thereafter, appeal the denial and submit additional  
26 materials relevant to the grounds for denial. Upon receiving

1 the additional documentation, the Department shall reconsider  
2 its decision and inform the applicant within 30 days of the  
3 result of the reconsideration. If upon reconsideration the  
4 Department denies the application, the applicant must be  
5 informed of the right to administrative review.

6 (f) During an administrative or judicial review of a denial  
7 based on subsection (d) or (e) of this Section, the Department  
8 shall have the burden of proving by clear and convincing  
9 evidence that the applicant would pose a danger to the  
10 applicant's self, another, or public safety, or would use a  
11 firearm unlawfully, if granted a license to carry a concealed  
12 firearm under this Act.

13 (g) The license shall be issued by the Department within 90  
14 days of receipt of a completed application for the first year  
15 after the effective date of this Act, and within 45 days of  
16 receipt thereafter. A license shall be valid throughout the  
17 State for a period of 5 years. If the Department does not act  
18 on the application within the time period provided in  
19 subsection (e), the applicant may file, in the circuit court of  
20 the judicial circuit in which the applicant resides, a  
21 complaint for mandamus to compel a decision on the application.  
22 If the applicant prevails, he or she shall be entitled to all  
23 costs, fees, and damages. If the court decides that the reason  
24 for the denial was arbitrary, capricious, malicious, or without  
25 merit, the court shall award punitive damages.

26 (h) Any Illinois resident who has a license or permit to



1 carry a handgun issued by another state, as set forth in  
2 paragraph (1) of subsection (b) of Section 65, shall be able to  
3 carry a handgun in accordance with this Act using that license  
4 for 365 days following the effective date of this Act. Those  
5 states include, but are not limited to: Arizona, California,  
6 Florida, Iowa, Kentucky, Michigan, Minnesota, Missouri, New  
7 Mexico, Ohio, Tennessee, Texas, and Wisconsin.

8 (i) The Department shall adopt rules to implement the  
9 provisions of this Section.

10 Section 25. Qualifications of an applicant for a license.  
11 The Department shall issue a license to an applicant completing  
12 an application in accordance with Section 30 of this Act if the  
13 person:

14 (a) is at least 21 years of age;

15 (b) has a valid Firearm Owner's Identification Card or,  
16 if applying for a nonresident license, has a notarized  
17 document stating that the applicant is eligible under  
18 federal law and the laws of his or her home state to  
19 possess a firearm;

20 (c) is not prohibited under the Firearm Owners  
21 Identification Card Act or federal law from possessing or  
22 receiving a firearm;

23 (d) is not the subject of a pending arrest warrant,  
24 prosecution, or proceeding for an offense or action that  
25 could lead to disqualification under subsection (c);

1 (e) does not chronically or habitually abuse alcoholic  
2 beverages, as evidenced by either of the following within  
3 the 5 years immediately preceding the application:

4 (1) residential or court-ordered treatment for  
5 alcoholism or alcohol detoxification; or

6 (2) 2 or more convictions for driving while under  
7 the influence or driving while intoxicated; and

8 (f) has completed firearms training and any  
9 educational component required in Section 85 of this Act.

10 Section 30. Contents of application.

11 (a) The application shall be in writing, under oath and  
12 penalty of perjury, on a standard form adopted by the  
13 Department and shall be accompanied by the documentation  
14 required in this Section and all applicable fees.

15 (b) The application shall contain the following  
16 information:

17 (1) the applicant's name, current address, gender,  
18 date and year of birth, place of birth, height, weight,  
19 hair color, eye color, maiden name or any other name the  
20 applicant has used or identified with, and any address at  
21 which the applicant resided for more than 30 days within  
22 the 5 years preceding the date of the application;

23 (2) the applicant's driver's license or state  
24 identification card number and the last 4 digits of the  
25 applicant's social security number;

1           (3) questions to certify or demonstrate the applicant  
2 has completed firearms training and any educational  
3 component required in Section 85 of this Act;

4           (4) a statement that the applicant is a resident of the  
5 State of Illinois, except persons applying under Section 65  
6 shall be instructed to submit the information required in  
7 that Section;

8           (5) a waiver of privacy and confidentiality rights and  
9 privileges enjoyed by the applicant under State and federal  
10 law sufficient to obtain access to juvenile court, criminal  
11 justice, psychological, or psychiatric records, or records  
12 relating to the applicant's history, if any, of  
13 institutionalization or inpatient treatment for alcoholism  
14 or alcohol detoxification, as well as an affirmative  
15 request that any person having custody of those records  
16 provide copies of them or information concerning them to  
17 the Department for the sole purpose of making a  
18 determination of an applicant's eligibility under Section  
19 25;

20           (6) a conspicuous warning that false statements made by  
21 the applicant will result in prosecution for perjury in  
22 accordance with Section 32-2 of the Criminal Code of 2012;

23           (7) an affirmation that the applicant either possesses  
24 a currently valid Illinois Firearm Owner's Identification  
25 Card, in which case the application shall include the card  
26 number, or is applying for the card in conjunction with the

1 application for a license, except persons applying under  
2 Section 65 shall be instructed to submit a copy of a valid  
3 license to carry a handgun issued by their home state, if  
4 applicable, or submit a notarized document stating the  
5 applicant is eligible under the laws of his or her home  
6 state to possess a handgun;

7 (8) an affirmation that the applicant meets the  
8 requirements of Section 25 and is not prohibited under the  
9 Firearm Owners Identification Card Act or federal law from  
10 possessing a firearm; and

11 (9) an affirmation that the applicant has read and  
12 understands Article 7 of the Criminal Code of 2012  
13 (Justifiable Use of Force; Exoneration).

14 (c) A person applying for a license shall provide a head  
15 and shoulder color photograph in a size specified by the  
16 Department that was taken within the 30 days preceding the date  
17 of the application. The applicant shall consent to the  
18 Department reviewing and using the applicant's digital  
19 driver's license or Illinois Identification Card photograph  
20 and signature, if available. The Secretary of State shall allow  
21 the Department access to the photograph and signature for the  
22 purpose of identifying the applicant and issuing the applicant  
23 a license.

24 (d) The Department may request a person applying for a  
25 license to submit a full set of legible fingerprints if  
26 necessary to determine the person's identity. Fingerprinting

1 may be administered by the Department or any other federal,  
2 State, county, or municipal law enforcement agency or private  
3 vendor or company. The cost of fingerprinting shall be paid by  
4 the applicant, provided that the Department or law enforcement  
5 agency may charge no more than \$15 for a single set of  
6 fingerprints. Each applicant for a license that the Department  
7 requests to have his or her fingerprints submitted to the  
8 Department shall submit them in an electronic format that  
9 complies with the form and manner for requesting and furnishing  
10 criminal history record information as prescribed by the  
11 Department. These fingerprints shall be checked against the  
12 Department and the Federal Bureau of Investigation criminal  
13 history record databases. The Department shall charge  
14 applicants a fee for conducting the criminal history records  
15 check, which shall be deposited into the State Police Firearm  
16 Services Fund and shall not exceed the actual cost of the  
17 criminal history records check.

18 (e) A person applying for a license shall submit a  
19 photocopy of a certificate or other evidence of completion of a  
20 course to show compliance with Section 85 of this Act.

21 (f) The Department is authorized to establish a system for  
22 electronically submitting applications, including applications  
23 for renewal or a replacement license.

24 Section 35. Database of applicants and licensees. Not more  
25 than one year after the effective date of this Act:

1           (a) The Department shall maintain a database of applicants  
2 for a license and licenses. The database shall be available to  
3 all Illinois law enforcement agencies, State's Attorneys, and  
4 the Attorney General. Members and staff of the judiciary may  
5 access the database for the purpose of determining whether to  
6 confiscate a license or to ensure compliance with this Act or  
7 any other law. The database shall be searchable and provide all  
8 information included in the application, a photo of the  
9 applicant or licensee, and any information related to  
10 violations of this Act.

11           (a-5) Individual law enforcement agencies or any other  
12 entity of local government shall not maintain any separate  
13 records, lists, or searchable databases of applicants and  
14 licensees containing information included in the Department's  
15 database.

16           (b) The Department shall make available on its website and  
17 upon request under the Freedom of Information Act statistical  
18 information about the number of licenses issued by county, age,  
19 race, or gender. The report shall be updated monthly. Except as  
20 provided in this subsection, applications and information in  
21 the database shall be confidential and exempt from disclosure  
22 under the Freedom of Information Act. The Department may answer  
23 requests to confirm or deny whether a person has been issued a  
24 license as part of inquiries dealing with a criminal  
25 investigation. Individual law enforcement agencies, State's  
26 Attorneys, the Attorney General, members of the judiciary, and

1 judicial staff shall sign a confidentiality agreement,  
2 prepared by the Department, prior to receiving access to the  
3 database. No law enforcement agency, State's Attorney, the  
4 Attorney General, or member or staff of the judiciary, other  
5 than the Department, shall provide any information to a  
6 requester not entitled to it by law, except as required or  
7 necessary for the conduct of a criminal investigation.

8 Section 40. Suspension or revocation of a license.

9 (a) A license issued or renewed under this Act shall be  
10 revoked if, at any time, the licensee is found ineligible for a  
11 license based on the criteria set forth in Section 25 of this  
12 Act or the licensee no longer possesses a Firearm Owner's  
13 Identification Card or a nonresident licensee if his or her  
14 home state has revoked a license to carry a firearm. A license  
15 shall not be revoked unless the revocation is for reasons  
16 specifically authorized by this Act. This subsection shall not  
17 apply to a person who has filed an application with the State  
18 Police for renewal of a Firearm Owner's Identification Card and  
19 who is not otherwise ineligible to obtain a Firearm Owner's  
20 Identification Card.

21 (b) A license shall be suspended if an order of protection  
22 under Section 112A-14 of the Code of Criminal Procedure of 1963  
23 or under Section 214 of the Illinois Domestic Violence Act of  
24 1986 is issued against a licensee. The license shall be  
25 suspended for the duration of the order or until the order is

1 terminated by a court and the Department shall not reissue or  
2 renew a license for the duration of the order or until the  
3 order is terminated. If an order of protection is issued  
4 against a licensee, the licensee shall surrender the license,  
5 as applicable, to the court at the time the order is entered or  
6 to the law enforcement agency or entity designated to serve  
7 process at the time the licensee is served the order. The  
8 court, law enforcement agency, or entity responsible for  
9 serving the order shall transmit the license to the Department.

10 (c) The Department may suspend a license for a violation of  
11 Section 70.

12 (d) A license shall be invalid upon expiration of the  
13 license, unless the licensee has submitted an application to  
14 renew the license. A person who fails to renew his or her  
15 license within 6 months after its expiration must reapply for a  
16 new license and pay the fee for a new application.

17 (e) The Department may suspend a license for up to 90 days  
18 if a licensee fails to submit a change of address or name or  
19 fails to report a lost or destroyed license to the Department  
20 within 60 days of the discovery of the loss or destruction of  
21 the license.

22 Section 45. Renewal of license.

23 (a) Not later than 120 days before the expiration of any  
24 license issued under this Act, the Department shall notify the  
25 licensee in writing of the expiration and furnish an



1 application for renewal of the license or make the application  
2 available on-line.

3 (b) Applications for renewal of a license shall be made to  
4 the Department. A license shall be renewed for a period of 5  
5 years upon receipt of a completed renewal application and a  
6 \$100 renewal fee. An applicant for a renewal shall submit, on a  
7 form prescribed by the Department, proof that the applicant  
8 has: (i) participated in at least one shooting competition with  
9 a handgun within 6 months of the application for renewal and  
10 attested to by any instructor qualified under this Act; or (ii)  
11 completed an equivalent range exercise as prescribed in Section  
12 85 and attested to by any instructor qualified under this Act.  
13 The Department shall make the range recertification form  
14 available on its website or as part of a renewal application.

15 Section 50. Change of address, change of name, or lost or  
16 destroyed licenses.

17 (a) The licensee shall notify the Department within 60 days  
18 of: (i) moving or changing a residence or any change of name;  
19 or (ii) the discovery of the loss or destruction of a license.

20 (b) If a licensee changes residence within this State or  
21 changes his or her name, the licensee shall request a new  
22 license. The licensee shall submit a \$50 fee, a notarized  
23 statement that the licensee has changed residence or his or her  
24 name, and a photograph as required in Section 30 of this Act.  
25 The statement must include the prior and current address or

1 name and the date the applicant moved or changed his or her  
2 name.

3 (c) A lost or destroyed license shall be invalid. To  
4 request a new license, the licensee shall submit: (i) a \$50  
5 fee; (ii) a notarized statement that the licensee no longer  
6 possesses the license and that it was lost or destroyed, or a  
7 copy of a police report stating that the license was lost,  
8 destroyed, or stolen; and (iii) a photograph as required in  
9 Section 30 of this Act.

10 Section 65. Nonresident applications and reciprocity.

11 (a) A person from another state or territory of the United  
12 States may apply for a nonresident license. The applicant shall  
13 apply to the Department and must meet the qualifications  
14 established in Section 25. The applicant shall submit:

15 (1) the application and documentation required in  
16 Section 30;

17 (2) a notarized document stating the applicant:

18 (A) is eligible under federal law and the laws of  
19 his or her home state to possess a firearm;

20 (B) if applicable, has a license or permit to carry  
21 a firearm or concealed firearm issued by his or her  
22 home state and that a copy is attached to the  
23 application;

24 (C) is familiar with Illinois laws pertaining to  
25 the possession and transport of firearms; and

1 (D) acknowledges that the applicant is subject to  
2 the jurisdiction of the Department and Illinois courts  
3 for any violation of this Act; and

4 (3) a \$100 application fee.

5 In lieu of an Illinois driver's license or State  
6 identification card, the person shall provide similar  
7 documentation from his or her state or territory; a nonresident  
8 shall not be required to have a Firearm Owner's Identification  
9 Card.

10 (b) (1) Notwithstanding subsection (a), a nonresident of  
11 Illinois may carry a handgun in accordance with this Act if the  
12 nonresident:

13 (A) is 21 years of age or older;

14 (B) has in his or her immediate possession a valid  
15 license that authorizes the individual to carry a concealed  
16 firearm issued to him or her by his or her home state; and

17 (C) is a legal resident of the United States.

18 The Department shall recognize any other state's license or  
19 permit whose requirements to obtain a license or permit is  
20 substantially similar to those requirements contained in  
21 Section 85. When required by another state, the Department  
22 shall enter into a reciprocal agreement with that state. Those  
23 states with substantially similar laws include, but are not  
24 limited to: Arizona, California, Florida, Iowa, Kentucky,  
25 Michigan, Minnesota, Missouri, New Mexico, Ohio, Tennessee,  
26 Texas, and Wisconsin.

1           (2) A nonresident is subject to the same laws and  
2 restrictions with respect to carrying a handgun as a resident  
3 of Illinois who is licensed under this Act.

4           (3) If the resident of another state who is the holder of a  
5 valid license to carry a concealed weapon or concealed firearm  
6 issued in another state establishes legal residence in this  
7 State, the license shall remain in effect for 90 days following  
8 the date on which the holder of the license establishes legal  
9 residence in this State. For the purposes of this paragraph,  
10 the person may establish legal residence in this State by: (A)  
11 registering to vote; or (B) obtaining an Illinois driver's  
12 license or state identification card; or (C) filing for  
13 homestead tax exemption on property in this State.

14           Section 70. Restrictions.

15           (a) No license issued under this Act shall authorize any  
16 person to knowingly carry a concealed firearm into:

17           (1) Any building or parking lot area under control of  
18 the General Assembly or any of its support service  
19 agencies, including the portion of a building in which a  
20 committee of the General Assembly convenes for the purpose  
21 of conducting meetings of committees, joint committees, or  
22 legislative commissions; except that nothing in this  
23 Section shall prevent a member of the General Assembly from  
24 allowing licensees to carry a firearm into his or her  
25 district office.

1           (2) Any courthouse, part of that building, or parking  
2 lot area that is occupied by the Circuit, Appellate, or  
3 Supreme Court, or a room designated for court proceedings  
4 by any of these courts, except as provided in subsection  
5 (a-5).

6           (3) Any meeting of the governing body of a unit of  
7 local government or special district.

8           (4) Any building or parking lot area under the control  
9 of an establishment licensed to dispense alcoholic  
10 beverages for consumption on the premises if less than 50%  
11 of its annual gross income comes from the sale of food.

12           (5) Any secure area of an airport to which access is  
13 controlled by the inspection of persons and property.

14           (6) Any place where the carrying of a firearm is  
15 prohibited by federal law.

16           (7) Any building, real property, or parking lot area  
17 under the control of an elementary or secondary school  
18 building without the consent of school authorities. School  
19 authorities shall inform the appropriate law enforcement  
20 agency and any law enforcement personnel on site of that  
21 consent.

22           (8) Any portion of a building used as, or parking lot  
23 area under the control of, a child care facility without  
24 the consent of the owner or manager. Nothing in this  
25 Section shall prevent the operator of a child care facility  
26 in a family home from owning or possessing a firearm or

1 license.

2 (9) Any building or parking lot area under the control  
3 of a casino licensed under the Riverboat Gambling Act. This  
4 shall not apply to any place of business that is not a  
5 casino licensed for video gaming.

6 (10) Any gated area of, or parking lot area under the  
7 control of, an amusement park.

8 (11) Any stadium or arena, or parking lot area under  
9 the control of the stadium or arena, and any collegiate or  
10 professional sporting event.

11 (12) A building or parking lot area under the control  
12 of a residential mental health facility.

13 (13) Any community college, college, or university  
14 building, or real property or parking lot area under the  
15 control of a community college, college, or university,  
16 without consent of the school authorities. School  
17 authorities shall inform the appropriate law enforcement  
18 agency and any law enforcement personnel on site of that  
19 consent. A community college, college, or university may  
20 prohibit the carrying of a firearm on its campus.

21 (14) A public library building, or parking lot area of  
22 a public library, without the written consent of the  
23 library's governing body. The governing body shall inform  
24 the appropriate law enforcement agency of that consent.

25 (15) Any police, sheriff, or State Police office,  
26 station, or parking lot area under the control of police,

1           sheriff, or State Police, without the consent of the chief  
2           law enforcement officer in charge of that office or  
3           station.

4           (16) Any adult or juvenile detention or correctional  
5           institution, prison, or jail, or parking lot area under the  
6           control of a adult or juvenile detention or correctional  
7           institution, prison, or jail.

8           (17) Any property (including, but not limited to, any  
9           street, driveway, or parking lot), building, or facility  
10          owned, leased, controlled, or used by a nuclear energy,  
11          storage, weapons, or development site or facility  
12          regulated by the federal Nuclear Regulatory Commission.

13          (a-5) Judges, and State's Attorneys or assistant State's  
14          Attorneys with the permission of the State's Attorney, who  
15          possess a valid license under this Act may possess a firearm in  
16          any courthouse in which they are employed, but shall be  
17          required to follow any rules applicable to sworn peace officers  
18          to maintain facility security.

19          (b) A municipality, county, or school district may prohibit  
20          or limit licensees from carrying a firearm into or within any  
21          building or portion of any building owned, leased, or  
22          controlled by the municipality, county, or school district by a  
23          majority vote of the members of its legislative body or  
24          governing board. The resolution, ordinance, or policy shall not  
25          prohibit a licensee from carrying a concealed firearm into or  
26          within any building used for public housing; into or within any

1 publicly-accessible restroom or rest stop; into, within, or on  
2 any bridge, tunnel, overpass, underpass, elevated walkway, or  
3 other structure used as a public right of way; or into or  
4 within any publicly-accessible parking facility. The  
5 resolution, ordinance, or policy shall not prohibit a licensee  
6 from carrying a concealed firearm in a public transportation  
7 facility or while accessing the services of a public  
8 transportation agency, including while traveling via public  
9 transportation. For purposes of this Section, "public  
10 transportation agency" means a public or private agency, or any  
11 combination thereof, that provides for the transportation or  
12 conveyance of persons by means available to the general public,  
13 except taxicabs, livery cabs, or limousines. Violators of the  
14 resolution or ordinance may be removed from the premises and  
15 assessed a civil fine of up to \$100.

16 (c) The owner of a business or commercial lessee, or a  
17 private business enterprise, or any other private  
18 organization, entity, or person, may prohibit licensees from  
19 carrying a concealed firearm on the premises under its control.  
20 However, a private landlord of a residential or commercial  
21 property shall not prohibit any lessee from possessing or  
22 carrying a firearm in accordance with this Act in or on the  
23 leased premises or during ingress to or egress from the leased  
24 premises.

25 (c-1) The Governor, Lieutenant Governor, Attorney General,  
26 Secretary of State, Comptroller, or Treasurer may prohibit



1 licensees from carrying a handgun in buildings under their  
2 control.

3 (d) Any person licensed under this Act who is prohibited  
4 from carrying a concealed firearm into a building by the  
5 provisions of subsection (a) or under an ordinance, resolution,  
6 or policy adopted in accordance with subsection (b) or (c)  
7 shall be permitted to store that firearm or ammunition out of  
8 plain sight in his or her locked vehicle or in a locked  
9 compartment or container within or securely affixed to the  
10 outside of the vehicle. A licensee shall not be in violation of  
11 this Section while he or she is traversing a public right of  
12 way that touches or crosses any of the premises specified in  
13 subsection (a) or from which firearms are prohibited under the  
14 provisions of subsection (b) or (c), provided that the firearm  
15 is carried on his or her person or in a vehicle in accordance  
16 with this Act or is being transported in a case or container in  
17 accordance with applicable law. A licensee shall not be in  
18 violation of subsection (b) or (c) if the responsible party for  
19 the premises fails to conspicuously post notice of the  
20 prohibition at all public entrances to the building in  
21 accordance with subsection (g).

22 (e) If a law enforcement officer initiates an investigative  
23 stop, including but not limited to a traffic stop, of a  
24 licensee who is carrying a concealed firearm under the  
25 provisions of this Act, the licensee shall disclose as soon as  
26 reasonably possible to the officer that he or she is in

1 possession of a concealed firearm under this Act. Disclosure  
2 may be accomplished by oral notification or by providing or  
3 displaying the license to carry a concealed firearm to the  
4 officer. Any firearm that is removed from a licensee during an  
5 investigative stop shall be returned immediately to the  
6 licensee in its original condition upon conclusion of the stop  
7 unless the licensee is placed under arrest.

8 (f) A licensee shall not carry a handgun under the  
9 provisions of this Act while under the influence of illegal  
10 drugs or hallucinogenic drugs or alcohol. For the purposes of  
11 this subsection (f), under the influence of alcohol means a  
12 blood alcohol content of .08 or greater.

13 (g) Signs stating that the carrying of a firearm is  
14 prohibited shall be clearly and conspicuously posted at every  
15 entrance of a building or premises specified in subsection (a)  
16 or designated in accordance with subsection (b) or (c). Signs  
17 shall be of a uniform size and design, not smaller than 8  
18 inches by 10 inches as prescribed by the Department. The  
19 Department shall adopt rules for standardized signs to be used  
20 under this subsection.

21 (h) A violation of subsection (a), (b), (c), (d), or (f) is  
22 a Class B misdemeanor. A willful violation of subsection (a),  
23 (b), (c), (d), or (f) is a Class A misdemeanor.

24 (i) A violation of subsection (e) is a Class B misdemeanor;  
25 the licensee may be fined up to \$200 plus costs plus a \$50 fee  
26 to be deposited: \$35 into the State Police Firearm Services

1 Fund and \$15 into the Mental Health Services Fund.

2 Section 75. Immunity, employees, and agents. The office of  
3 the county sheriff, or any employee or agent of the county  
4 sheriff, or the Department of State Police shall not be liable  
5 for damages in any civil action arising from alleged wrongful  
6 or improper granting, renewing, or failure to revoke licenses  
7 issued under this Act, except for willful or wanton misconduct.  
8 The office of the county sheriff and any employees or agents  
9 shall not be liable for submitting specific or articulable  
10 reasons why an applicant should be denied a license, unless the  
11 objection contains false, malicious, or inaccurate information  
12 and the objection constitutes willful and wanton misconduct.  
13 Any owner, business or commercial lessee, landlord, manager of  
14 a private business enterprise, employer, or any other  
15 organization, entity, person, public or private college,  
16 university, or post-secondary educational institution that  
17 does not prohibit licensees from carrying firearms on property  
18 it owns or occupies is immune from any liability arising from  
19 its decision.

20 Section 80. Fees.

21 (a) Fees collected under this Act by the Department and  
22 deposited into the State Police Firearm Services Fund shall be  
23 appropriated for administration of this Act.

24 (b) Fees shall be those set in subsection (c) of Section

1 20:

2 New license: \$100.

3 Renewal of license: \$35.

4 Duplicate license due to lost or destroyed: \$35.

5 Corrected license due to change of address or name: \$35.

6 (c) By March 1 of each year, the Department shall submit a  
7 statistical report to the Governor, the President of the  
8 Senate, and the Speaker of the House of Representatives  
9 indicating the number of licenses issued, revoked, suspended,  
10 denied, and issued after appeal since the last report and in  
11 total and also the number of licenses currently valid. The  
12 report shall also include the number of arrests and convictions  
13 and the types of crimes committed by licensees since the last  
14 report.

15 (d) The Secretary of State shall conduct a study to  
16 determine the cost and feasibility of creating a method of  
17 adding an identifiable code, background, or other means to show  
18 that an individual has been issued a license by the Department  
19 on the person's driver's license or State-issued  
20 identification card.

21 Section 85. Applicant training.

22 (a) Applicants shall provide proof of completion of a  
23 firearms training course of at least 8 hours that covers the  
24 following:

25 (1) handgun safety in the classroom, at home, on the

1 firing range, and while carrying the firearm;

2 (2) the basic principles of marksmanship;

3 (3) care and cleaning of handguns; and

4 (4) laws relating to the justifiable use of force.

5 (b) Applicants shall provide proof of certification by a  
6 certified instructor that the applicant passed a live fire  
7 exercise with a handgun consisting of:

8 (1) a minimum of 30 rounds; and

9 (2) 10 rounds from a distance of 5 yards, 10 rounds  
10 from a distance of 7 yards, and 10 rounds from a distance  
11 of 10 yards at a B-27 silhouette or equivalent target as  
12 approved by the Department.

13 (b-5) Students may provide their own safe, functional  
14 handgun. The qualification shall be performed with  
15 factory-loaded ammunition.

16 (b-6) Grades of "passing" shall not be given on range work  
17 to an applicant who:

18 (1) does not follow the orders of the certified  
19 firearms instructor;

20 (2) in the judgment of the certified firearms  
21 instructor, handles a firearm in a manner that poses a  
22 danger to the applicant or to others; or

23 (3) during the testing portion of the range work fails  
24 to hit the silhouette portion of the target with 70% of the  
25 30 rounds fired.

26 (c) The classroom portion of the course may, at the

1 qualified firearms instructor's discretion, be divided into  
2 segments of not less than 2 hours each.

3 (d) Instructors shall maintain all records for students'  
4 performance for not less than 5 years.

5 (e) Certified firearms instructors shall:

6 (1) allow monitoring of their classes by officials of  
7 any certifying agency;

8 (2) make all course records available upon demand to  
9 authorized personnel of the Department; and

10 (3) not divulge course records except as authorized by  
11 the certifying agency.

12 (f) Fees for applicant training courses shall be set by the  
13 instructor.

14 (g) An applicant training course shall not have more than  
15 40 students in the classroom portion nor more than 5 students  
16 per range officer engaged in range firing.

17 (h) Persons with the following training or certifications  
18 are exempt from the requirements of subsection (a) of this  
19 Section:

20 (1) An individual who has qualified to carry a firearm  
21 as a retired or active law enforcement officer.

22 (2) Any active, retired, or honorably discharged  
23 member of the armed forces.

24 (3) An individual certified as a law enforcement  
25 instructor by the Illinois Law Enforcement Training  
26 Standards Board or other equivalent agency.

1           (4) An individual eligible to teach courses and certify  
2           range qualifications under subsection (b) of Section 90.

3           Section 90. Firearms instructors training.

4           (a) Not later than 30 days after the effective date of this  
5           Act, the Department shall establish a registry of instructors  
6           who are eligible to teach courses or sign off on range  
7           qualifications, or both, to meet the requirements of Section 85  
8           of this Act.

9           (b) Instructors who are eligible to teach courses and  
10          certify range qualifications shall have one of the following  
11          valid firearms instructor certifications:

12           (1) Certification from any entity that offers  
13           education and training in firearms use and safety;

14           (2) Certification from a law enforcement agency that  
15           offers education and training in firearms use and safety;

16           (3) Certification from a firearms instructor's course  
17           offered by a State or federal governmental agency; or

18           (4) Certification from a firearms instructor  
19           qualifying course approved by the Illinois Law Enforcement  
20           Training Standards Board.

21          (c) Instructors who are eligible to teach courses and  
22          certify range qualifications shall be at least 21 years of age  
23          and possess at least a high school diploma or GED certificate.

24          (d) An applicant may have his or her instructor  
25          qualification revoked if the applicant:

1           (1) does not meet the requirements of this Act to  
2           possess a concealed firearms permit;

3           (2) provides false or misleading information to the  
4           Board; or

5           (3) has had a prior instructor qualification revoked by  
6           the Board or other certifying organization.

7           Section 95. Home rule preemption. The regulation and  
8           licensing of firearms, including their possession, carrying,  
9           transportation, or the issuance of licenses to carry concealed  
10          firearms, is an exclusive power and function of the State.  
11          Except as provided in subsection (b) of Section 70, a home rule  
12          unit shall not regulate the possession, carrying, or  
13          transportation of firearms, their components or accessories,  
14          or ammunition by a person licensed under this Act. A home rule  
15          unit shall not require registration of firearms, regulate the  
16          number of firearms, or make any other requirements or  
17          regulations of a person licensed under this Act. This Section  
18          is a limitation under subsection (i) of Section 6 of Article  
19          VII of the Illinois Constitution on the exercise by home rule  
20          units of powers and functions exercised by the State. Any unit  
21          of local government that violates this Section shall be liable  
22          for all costs, fees, and damages to anyone impacted by any rule  
23          or ordinance.

24          Section 100. Expedited appeal. A judgment of a circuit



1 court declaring this Act or any part of this Act  
2 unconstitutional or unenforceable is appealable directly to  
3 the Supreme Court. The notice of appeal shall be filed within  
4 30 days after the judgment of the circuit court declaring this  
5 Act or any part of this Act unconstitutional or unenforceable.  
6 The manner of appeal shall be as provided in Supreme Court  
7 Rules.

8 Section 105. Severability. The provisions of this Act are  
9 severable under Section 1.31 of the Statute on Statutes.

10 Section 110. The Freedom of Information Act is amended by  
11 changing Section 7.5 as follows:

12 (5 ILCS 140/7.5)

13 Sec. 7.5. Statutory Exemptions. To the extent provided for  
14 by the statutes referenced below, the following shall be exempt  
15 from inspection and copying:

16 (a) All information determined to be confidential under  
17 Section 4002 of the Technology Advancement and Development Act.

18 (b) Library circulation and order records identifying  
19 library users with specific materials under the Library Records  
20 Confidentiality Act.

21 (c) Applications, related documents, and medical records  
22 received by the Experimental Organ Transplantation Procedures  
23 Board and any and all documents or other records prepared by

1 the Experimental Organ Transplantation Procedures Board or its  
2 staff relating to applications it has received.

3 (d) Information and records held by the Department of  
4 Public Health and its authorized representatives relating to  
5 known or suspected cases of sexually transmissible disease or  
6 any information the disclosure of which is restricted under the  
7 Illinois Sexually Transmissible Disease Control Act.

8 (e) Information the disclosure of which is exempted under  
9 Section 30 of the Radon Industry Licensing Act.

10 (f) Firm performance evaluations under Section 55 of the  
11 Architectural, Engineering, and Land Surveying Qualifications  
12 Based Selection Act.

13 (g) Information the disclosure of which is restricted and  
14 exempted under Section 50 of the Illinois Prepaid Tuition Act.

15 (h) Information the disclosure of which is exempted under  
16 the State Officials and Employees Ethics Act, and records of  
17 any lawfully created State or local inspector general's office  
18 that would be exempt if created or obtained by an Executive  
19 Inspector General's office under that Act.

20 (i) Information contained in a local emergency energy plan  
21 submitted to a municipality in accordance with a local  
22 emergency energy plan ordinance that is adopted under Section  
23 11-21.5-5 of the Illinois Municipal Code.

24 (j) Information and data concerning the distribution of  
25 surcharge moneys collected and remitted by wireless carriers  
26 under the Wireless Emergency Telephone Safety Act.

1           (k) Law enforcement officer identification information or  
2 driver identification information compiled by a law  
3 enforcement agency or the Department of Transportation under  
4 Section 11-212 of the Illinois Vehicle Code.

5           (l) Records and information provided to a residential  
6 health care facility resident sexual assault and death review  
7 team or the Executive Council under the Abuse Prevention Review  
8 Team Act.

9           (m) Information provided to the predatory lending database  
10 created pursuant to Article 3 of the Residential Real Property  
11 Disclosure Act, except to the extent authorized under that  
12 Article.

13           (n) Defense budgets and petitions for certification of  
14 compensation and expenses for court appointed trial counsel as  
15 provided under Sections 10 and 15 of the Capital Crimes  
16 Litigation Act. This subsection (n) shall apply until the  
17 conclusion of the trial of the case, even if the prosecution  
18 chooses not to pursue the death penalty prior to trial or  
19 sentencing.

20           (o) Information that is prohibited from being disclosed  
21 under Section 4 of the Illinois Health and Hazardous Substances  
22 Registry Act.

23           (p) Security portions of system safety program plans,  
24 investigation reports, surveys, schedules, lists, data, or  
25 information compiled, collected, or prepared by or for the  
26 Regional Transportation Authority under Section 2.11 of the

1 Regional Transportation Authority Act or the St. Clair County  
2 Transit District under the Bi-State Transit Safety Act.

3 (q) Information prohibited from being disclosed by the  
4 Personnel Records Review Act.

5 (r) Information prohibited from being disclosed by the  
6 Illinois School Student Records Act.

7 (s) Information the disclosure of which is restricted under  
8 Section 5-108 of the Public Utilities Act.

9 (t) All identified or deidentified health information in  
10 the form of health data or medical records contained in, stored  
11 in, submitted to, transferred by, or released from the Illinois  
12 Health Information Exchange, and identified or deidentified  
13 health information in the form of health data and medical  
14 records of the Illinois Health Information Exchange in the  
15 possession of the Illinois Health Information Exchange  
16 Authority due to its administration of the Illinois Health  
17 Information Exchange. The terms "identified" and  
18 "deidentified" shall be given the same meaning as in the Health  
19 Insurance Accountability and Portability Act of 1996, Public  
20 Law 104-191, or any subsequent amendments thereto, and any  
21 regulations promulgated thereunder.

22 (u) Records and information provided to an independent team  
23 of experts under Brian's Law.

24 (v) Names and information of people who have applied for or  
25 received Firearm Owner's Identification Cards under the  
26 Firearm Owners Identification Card Act.

1 (w) Personally identifiable information which is exempted  
2 from disclosure under subsection (g) of Section 19.1 of the  
3 Toll Highway Act.

4 (x) Information which is exempted from disclosure under  
5 Section 5-1014.3 of the Counties Code or Section 8-11-21 of the  
6 Illinois Municipal Code.

7 (y) Information maintained by the Department of State  
8 Police in accordance with subsection (a) of Section 35 of the  
9 Illinois Concealed Carry Act, except as authorized by that Act.

10 (Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11;  
11 96-1331, eff. 7-27-10; 97-80, eff. 7-5-11; 97-333, eff.  
12 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976,  
13 eff. 1-1-13.)

14 Section 115. The Department of State Police Law of the  
15 Civil Administrative Code of Illinois is amended changing  
16 Sections 2605-45 and 2605-300 as follows:

17 (20 ILCS 2605/2605-45) (was 20 ILCS 2605/55a-5)

18 Sec. 2605-45. Division of Administration. The Division of  
19 Administration shall exercise the following functions:

20 (1) Exercise the rights, powers, and duties vested in  
21 the Department by the Governor's Office of Management and  
22 Budget Act.

23 (2) Pursue research and the publication of studies  
24 pertaining to local law enforcement activities.

1           (3) Exercise the rights, powers, and duties vested in  
2 the Department by the Personnel Code.

3           (4) Operate an electronic data processing and computer  
4 center for the storage and retrieval of data pertaining to  
5 criminal activity.

6           (5) Exercise the rights, powers, and duties vested in  
7 the former Division of State Troopers by Section 17 of the  
8 State Police Act.

9           (6) Exercise the rights, powers, and duties vested in  
10 the Department by "An Act relating to internal auditing in  
11 State government", approved August 11, 1967 (repealed; now  
12 the Fiscal Control and Internal Auditing Act, 30 ILCS 10/).

13           (6.5) Exercise the rights, powers, and duties vested in  
14 the Department by the Firearm Owners Identification Card  
15 Act.

16           (6.10) Exercise the rights, powers, and duties vested  
17 in the Department by the Illinois Concealed Carry Act.

18           (7) Exercise other duties that may be assigned by the  
19 Director to fulfill the responsibilities and achieve the  
20 purposes of the Department.

21 (Source: P.A. 94-793, eff. 5-19-06.)

22           (20 ILCS 2605/2605-300) (was 20 ILCS 2605/55a in part)  
23           Sec. 2605-300. Records; crime laboratories; personnel. To  
24 do the following:

25           (1) Be a central repository and custodian of criminal

1 statistics for the State.

2 (2) Be a central repository for criminal history record  
3 information.

4 (3) Procure and file for record information that is  
5 necessary and helpful to plan programs of crime prevention,  
6 law enforcement, and criminal justice.

7 (4) Procure and file for record copies of fingerprints  
8 that may be required by law.

9 (5) Establish general and field crime laboratories.

10 (6) Register and file for record information that may  
11 be required by law for the issuance of firearm owner's  
12 identification cards under the Firearm Owners  
13 Identification Card Act and concealed carry licenses under  
14 the Illinois Concealed Carry Act.

15 (7) Employ polygraph operators, laboratory  
16 technicians, and other specially qualified persons to aid  
17 in the identification of criminal activity.

18 (8) Undertake other identification, information,  
19 laboratory, statistical, or registration activities that  
20 may be required by law.

21 (Source: P.A. 90-18, eff. 7-1-97; 90-130, eff. 1-1-98; 90-372,  
22 eff. 7-1-98; 90-590, eff. 1-1-00; 90-655, eff. 7-30-98; 90-793,  
23 eff. 8-14-98; 91-239, eff. 1-1-00.)

24 Section 120. The State Police Act is amended by adding  
25 Section 25 as follows:

1 (20 ILCS 2610/25 new)

2 Sec. 25. Emergency procurement authorized. In order to  
3 comply with recent court rulings regarding concealed carry in  
4 Illinois, the provisions of this amendatory Act of the 98th  
5 General Assembly, together with any procurements necessary for  
6 the implementation of the Illinois Concealed Carry Act, shall  
7 be eligible for emergency procurement for a period not more  
8 than 180 days after the effective date of this amendatory Act.

9 Section 125. The State Finance Act is amended by adding  
10 Sections 5.826 and 5.827 as follows:

11 (30 ILCS 105/5.826 new)

12 Sec. 5.826. The Mental Health Reporting Fund.

13 (30 ILCS 105/5.827 new)

14 Sec. 5.827. The State Police Firearm Services Fund.

15 (30 ILCS 105/5.206 rep.)

16 Section 130. The State Finance Act is amended by repealing  
17 Section 5.206.

18 Section 135. The Firearm Owners Identification Card Act is  
19 amended by changing Sections 5 and 13.2 and by adding Section  
20 5.1 as follows:



1 (430 ILCS 65/5) (from Ch. 38, par. 83-5)

2 Sec. 5. The Department of State Police shall either approve  
3 or deny all applications within 30 days from the date they are  
4 received, and every applicant found qualified pursuant to  
5 Section 8 of this Act by the Department shall be entitled to a  
6 Firearm Owner's Identification Card upon the payment of a \$10  
7 fee. Any applicant who is an active duty member of the Armed  
8 Forces of the United States, a member of the Illinois National  
9 Guard, or a member of the Reserve Forces of the United States  
10 is exempt from the application fee. \$6 of each fee derived from  
11 the issuance of Firearm Owner's Identification Cards, or  
12 renewals thereof, shall be deposited in the Wildlife and Fish  
13 Fund in the State Treasury; \$1 of such fee shall be deposited  
14 in the State Police Services Fund and \$3 of such fee shall be  
15 deposited in the State Police Firearm Services Fund ~~Firearm~~  
16 ~~Owner's Notification Fund~~. Monies in the State Police Firearm  
17 Services Fund ~~Firearm Owner's Notification Fund~~ shall be used  
18 ~~exclusively~~ to pay for the cost of sending notices of  
19 expiration of Firearm Owner's Identification Cards under  
20 Section 13.2 of this Act, and the purposes specified in Section  
21 2605-595 of the Department of State Police Law of the Civil  
22 Administrative Code of Illinois. ~~Excess monies in the Firearm~~  
23 ~~Owner's Notification Fund shall be used to ensure the prompt~~  
24 ~~and efficient processing of applications received under~~  
25 ~~Section 4 of this Act.~~

1 (Source: P.A. 95-581, eff. 6-1-08; 96-91, eff. 7-27-09.)

2 (430 ILCS 65/5.1 new)

3 Sec. 5.1. State Police Firearm Services Fund. All moneys  
4 remaining in the Firearm Owner's Notification Fund on the  
5 effective date of this amendatory Act of the 98th General  
6 Assembly shall be transferred into the State Police Firearm  
7 Services Fund, a special fund in the State treasury, to be  
8 expended by the Department of State Police, for the purposes  
9 specified in Section 5.

10 (430 ILCS 65/13.2) (from Ch. 38, par. 83-13.2)

11 Sec. 13.2. The Department of State Police shall, 60 days  
12 prior to the expiration of a Firearm Owner's Identification  
13 Card, forward by first class mail to each person whose card is  
14 to expire a notification of the expiration of the card and an  
15 application which may be used to apply for renewal of the card.  
16 It is the obligation of the holder of a Firearm Owner's  
17 Identification Card to notify the Department of State Police of  
18 any address change since the issuance of the Firearm Owner's  
19 Identification Card. Whenever any person moves from the  
20 residence address named on his or her card, the person shall  
21 within 21 calendar days thereafter notify in a form and manner  
22 prescribed by the Department of his or her old and new  
23 residence addresses and the card number held by him or her. Any  
24 person whose legal name has changed from the name on the card

1 that he or she has been previously issued must apply for a  
2 corrected card within 30 calendar days after the change. The  
3 cost for a corrected card shall be \$5 which shall be deposited  
4 into the State Police Firearm Services Fund ~~Firearm Owner's~~  
5 ~~Notification Fund~~.

6 (Source: P.A. 97-1131, eff. 1-1-13.)

7 Section 140. The Criminal Code of 2012 is amended by  
8 changing Sections 21-6, 24-1, 24-1.6, and 24-2 as follows:

9 (720 ILCS 5/21-6) (from Ch. 38, par. 21-6)

10 Sec. 21-6. Unauthorized Possession or Storage of Weapons.

11 (a) Whoever possesses or stores any weapon enumerated in  
12 Section 33A-1 in any building ~~or on land~~ supported in whole or  
13 in part with public funds ~~or in any building on such land~~  
14 without prior written permission from the chief security  
15 officer for that ~~such land or~~ building commits a Class A  
16 misdemeanor.

17 (b) The chief security officer must grant any reasonable  
18 request for permission under paragraph (a).

19 (c) This Section shall not apply to a person acting  
20 lawfully under the Illinois Concealed Carry Act.

21 (d) Subsection (a) shall not apply to any tenant or  
22 resident of any public housing.

23 (Source: P.A. 89-685, eff. 6-1-97.)

1 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

2 Sec. 24-1. Unlawful Use of Weapons.

3 (a) A person commits the offense of unlawful use of weapons  
4 when he knowingly:

5 (1) Sells, manufactures, purchases, possesses or  
6 carries any bludgeon, black-jack, slung-shot, sand-club,  
7 sand-bag, metal knuckles or other knuckle weapon  
8 regardless of its composition, throwing star, or any knife,  
9 commonly referred to as a switchblade knife, which has a  
10 blade that opens automatically by hand pressure applied to  
11 a button, spring or other device in the handle of the  
12 knife, or a ballistic knife, which is a device that propels  
13 a knifelike blade as a projectile by means of a coil  
14 spring, elastic material or compressed gas; or

15 (2) Carries or possesses with intent to use the same  
16 unlawfully against another, a dagger, dirk, billy,  
17 dangerous knife, razor, stiletto, broken bottle or other  
18 piece of glass, stun gun or taser or any other dangerous or  
19 deadly weapon or instrument of like character; or

20 (3) Carries on or about his person or in any vehicle, a  
21 tear gas gun projector or bomb or any object containing  
22 noxious liquid gas or substance, other than an object  
23 containing a non-lethal noxious liquid gas or substance  
24 designed solely for personal defense carried by a person 18  
25 years of age or older; or

26 (4) Carries or possesses in any vehicle or concealed on

1 or about his person except when on his land or in his own  
2 abode, legal dwelling, or fixed place of business, or on  
3 the land or in the legal dwelling of another person as an  
4 invitee with that person's permission, any pistol,  
5 revolver, stun gun or taser or other firearm, except that  
6 this subsection (a) (4) does not apply to or affect  
7 transportation of weapons that meet one of the following  
8 conditions:

9 (i) are broken down in a non-functioning state; or

10 (ii) are not immediately accessible; or

11 (iii) are unloaded and enclosed in a case, firearm  
12 carrying box, shipping box, or other container by a  
13 person who is not otherwise prohibited from owning or  
14 possessing a firearm under State or federal law ~~has~~  
15 ~~been issued a currently valid Firearm Owner's~~  
16 ~~Identification Card;~~ or

17 (5) Sets a spring gun; or

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

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

23 (i) a machine gun, which shall be defined for the  
24 purposes of this subsection as any weapon, which  
25 shoots, is designed to shoot, or can be readily  
26 restored to shoot, automatically more than one shot

1 without manually reloading by a single function of the  
2 trigger, including the frame or receiver of any such  
3 weapon, or sells, manufactures, purchases, possesses,  
4 or carries any combination of parts designed or  
5 intended for use in converting any weapon into a  
6 machine gun, or any combination or parts from which a  
7 machine gun can be assembled if such parts are in the  
8 possession or under the control of a person;

9 (ii) any rifle having one or more barrels less than  
10 16 inches in length or a shotgun having one or more  
11 barrels less than 18 inches in length or any weapon  
12 made from a rifle or shotgun, whether by alteration,  
13 modification, or otherwise, if such a weapon as  
14 modified has an overall length of less than 26 inches;  
15 or

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

21 (8) Carries or possesses any firearm, stun gun or taser  
22 or other deadly weapon in any place which is licensed to  
23 sell intoxicating beverages for consumption on the  
24 premises, ~~or at any public gathering held pursuant to a~~  
25 ~~license issued by any governmental body or any public~~  
26 ~~gathering at which an admission is charged, excluding a~~

1 ~~place where a showing, demonstration or lecture involving~~  
2 ~~the exhibition of unloaded firearms is conducted.~~

3 This subsection (a) (8) does not apply to any auction or  
4 raffle of a firearm held pursuant to a license or permit  
5 issued by a governmental body, nor does it apply to persons  
6 engaged in firearm safety training courses or acting in  
7 accordance with the Illinois Concealed Carry Act; or

8 (9) Carries or possesses in a vehicle or on or about  
9 his person any pistol, revolver, stun gun or taser or  
10 firearm or ballistic knife, when he is hooded, robed or  
11 masked in such manner as to conceal his identity; or

12 (10) Carries or possesses on or about his person, upon  
13 any public street, alley, or other public lands within the  
14 corporate limits of a city, village or incorporated town,  
15 except when an invitee thereon or therein, for the purpose  
16 of the display of such weapon or the lawful commerce in  
17 weapons, or except when on his land or in his own abode,  
18 legal dwelling, or fixed place of business, or on the land  
19 or in the legal dwelling of another person as an invitee  
20 with that person's permission, any pistol, revolver, stun  
21 gun or taser or other firearm, except that this subsection  
22 (a) (10) does not apply to or affect transportation of  
23 weapons that meet one of the following conditions:

24 (i) are broken down in a non-functioning state; or

25 (ii) are not immediately accessible; or

26 (iii) are unloaded and enclosed in a case, firearm

1 carrying box, shipping box, or other container by a  
2 person who is not otherwise prohibited from owning or  
3 possessing a firearm under State or federal law ~~has~~  
4 ~~been issued a currently valid Firearm Owner's~~  
5 ~~Identification Card.~~

6 A "stun gun or taser", as used in this paragraph (a)  
7 means (i) any device which is powered by electrical  
8 charging units, such as, batteries, and which fires one or  
9 several barbs attached to a length of wire and which, upon  
10 hitting a human, can send out a current capable of  
11 disrupting the person's nervous system in such a manner as  
12 to render him incapable of normal functioning or (ii) any  
13 device which is powered by electrical charging units, such  
14 as batteries, and which, upon contact with a human or  
15 clothing worn by a human, can send out current capable of  
16 disrupting the person's nervous system in such a manner as  
17 to render him incapable of normal functioning; or

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



1 or

2 (12) (Blank); or

3 (13) Carries or possesses on or about his or her person  
4 while in a building occupied by a unit of government, a  
5 billy club, other weapon of like character, or other  
6 instrument of like character intended for use as a weapon.  
7 For the purposes of this Section, "billy club" means a  
8 short stick or club commonly carried by police officers  
9 which is either telescopic or constructed of a solid piece  
10 of wood or other man-made material.

11 (b) Sentence. A person convicted of a violation of  
12 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),  
13 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a  
14 Class A misdemeanor. A person convicted of a violation of  
15 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony; a  
16 person convicted of a violation of subsection 24-1(a)(6) or  
17 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person  
18 convicted of a violation of subsection 24-1(a)(7)(i) commits a  
19 Class 2 felony and shall be sentenced to a term of imprisonment  
20 of not less than 3 years and not more than 7 years, unless the  
21 weapon is possessed in the passenger compartment of a motor  
22 vehicle as defined in Section 1-146 of the Illinois Vehicle  
23 Code, or on the person, while the weapon is loaded, in which  
24 case it shall be a Class X felony. A person convicted of a  
25 second or subsequent violation of subsection 24-1(a)(4),  
26 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3

1 felony. The possession of each weapon in violation of this  
2 Section constitutes a single and separate violation.

3 (c) Violations in specific places.

4 (1) A person who violates subsection 24-1(a)(6) or  
5 24-1(a)(7) in any school, regardless of the time of day or  
6 the time of year, in residential property owned, operated  
7 or managed by a public housing agency or leased by a public  
8 housing agency as part of a scattered site or mixed-income  
9 development, in a public park, in a courthouse, on the real  
10 property comprising any school, regardless of the time of  
11 day or the time of year, on residential property owned,  
12 operated or managed by a public housing agency or leased by  
13 a public housing agency as part of a scattered site or  
14 mixed-income development, on the real property comprising  
15 any public park, on the real property comprising any  
16 courthouse, in any conveyance owned, leased or contracted  
17 by a school to transport students to or from school or a  
18 school related activity, in any conveyance owned, leased,  
19 or contracted by a public transportation agency, or on any  
20 public way within 1,000 feet of the real property  
21 comprising any school, public park, courthouse, public  
22 transportation facility, or residential property owned,  
23 operated, or managed by a public housing agency or leased  
24 by a public housing agency as part of a scattered site or  
25 mixed-income development commits a Class 2 felony and shall  
26 be sentenced to a term of imprisonment of not less than 3

1 years and not more than 7 years.

2 (1.5) A person who violates subsection 24-1(a)(4),  
3 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the  
4 time of day or the time of year, in residential property  
5 owned, operated, or managed by a public housing agency or  
6 leased by a public housing agency as part of a scattered  
7 site or mixed-income development, in a public park, in a  
8 courthouse, on the real property comprising any school,  
9 regardless of the time of day or the time of year, on  
10 residential property owned, operated, or managed by a  
11 public housing agency or leased by a public housing agency  
12 as part of a scattered site or mixed-income development, on  
13 the real property comprising any public park, on the real  
14 property comprising any courthouse, in any conveyance  
15 owned, leased, or contracted by a school to transport  
16 students to or from school or a school related activity, in  
17 any conveyance owned, leased, or contracted by a public  
18 transportation agency, or on any public way within 1,000  
19 feet of the real property comprising any school, public  
20 park, courthouse, public transportation facility, or  
21 residential property owned, operated, or managed by a  
22 public housing agency or leased by a public housing agency  
23 as part of a scattered site or mixed-income development  
24 commits a Class 3 felony.

25 (2) A person who violates subsection 24-1(a)(1),  
26 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the

1 time of day or the time of year, in residential property  
2 owned, operated or managed by a public housing agency or  
3 leased by a public housing agency as part of a scattered  
4 site or mixed-income development, in a public park, in a  
5 courthouse, on the real property comprising any school,  
6 regardless of the time of day or the time of year, on  
7 residential property owned, operated or managed by a public  
8 housing agency or leased by a public housing agency as part  
9 of a scattered site or mixed-income development, on the  
10 real property comprising any public park, on the real  
11 property comprising any courthouse, in any conveyance  
12 owned, leased or contracted by a school to transport  
13 students to or from school or a school related activity, in  
14 any conveyance owned, leased, or contracted by a public  
15 transportation agency, or on any public way within 1,000  
16 feet of the real property comprising any school, public  
17 park, courthouse, public transportation facility, or  
18 residential property owned, operated, or managed by a  
19 public housing agency or leased by a public housing agency  
20 as part of a scattered site or mixed-income development  
21 commits a Class 4 felony. "Courthouse" means any building  
22 that is used by the Circuit, Appellate, or Supreme Court of  
23 this State for the conduct of official business.

24 (3) Paragraphs (1), (1.5), and (2) of this subsection  
25 (c) shall not apply to law enforcement officers or security  
26 officers of such school, college, or university or to

1 students carrying or possessing firearms for use in  
2 training courses, parades, hunting, target shooting on  
3 school ranges, or otherwise with the consent of school  
4 authorities and which firearms are transported unloaded  
5 enclosed in a suitable case, box, or transportation  
6 package.

7 (4) For the purposes of this subsection (c), "school"  
8 means any public or private elementary or secondary school,  
9 community college, college, or university.

10 (5) For the purposes of this subsection (c), "public  
11 transportation agency" means a public or private agency  
12 that provides for the transportation or conveyance of  
13 persons by means available to the general public, except  
14 for transportation by automobiles not used for conveyance  
15 of the general public as passengers; and "public  
16 transportation facility" means a terminal or other place  
17 where one may obtain public transportation.

18 (d) The presence in an automobile other than a public  
19 omnibus of any weapon, instrument or substance referred to in  
20 subsection (a)(7) is prima facie evidence that it is in the  
21 possession of, and is being carried by, all persons occupying  
22 such automobile at the time such weapon, instrument or  
23 substance is found, except under the following circumstances:  
24 (i) if such weapon, instrument or instrumentality is found upon  
25 the person of one of the occupants therein; or (ii) if such  
26 weapon, instrument or substance is found in an automobile

1 operated for hire by a duly licensed driver in the due, lawful  
2 and proper pursuit of his trade, then such presumption shall  
3 not apply to the driver.

4 (e) Exemptions. Crossbows, Common or Compound bows and  
5 Underwater Spearguns are exempted from the definition of  
6 ballistic knife as defined in paragraph (1) of subsection (a)  
7 of this Section.

8 (Source: P.A. 95-331, eff. 8-21-07; 95-809, eff. 1-1-09;  
9 95-885, eff. 1-1-09; 96-41, eff. 1-1-10; 96-328, eff. 8-11-09;  
10 96-742, eff. 8-25-09; 96-1000, eff. 7-2-10.)

11 (720 ILCS 5/24-1.6)

12 Sec. 24-1.6. Aggravated unlawful use of a weapon.

13 (a) A person commits the offense of aggravated unlawful use  
14 of a weapon when he or she knowingly:

15 (1) Carries on or about his or her person or in any  
16 vehicle or concealed on or about his or her person except  
17 when on his or her land or in his or her abode, legal  
18 dwelling, or fixed place of business, or on the land or in  
19 the legal dwelling of another person as an invitee with  
20 that person's permission, any pistol, revolver, stun gun or  
21 taser or other firearm; or

22 (2) Carries or possesses on or about his or her person,  
23 upon any public street, alley, or other public lands within  
24 the corporate limits of a city, village or incorporated  
25 town, except when an invitee thereon or therein, for the

1 purpose of the display of such weapon or the lawful  
2 commerce in weapons, or except when on his or her own land  
3 or in his or her own abode, legal dwelling, or fixed place  
4 of business, or on the land or in the legal dwelling of  
5 another person as an invitee with that person's permission,  
6 any pistol, revolver, stun gun or taser or other firearm;  
7 and

8 (3) One of the following factors is present:

9 (A) the firearm possessed was uncased, loaded and  
10 immediately accessible at the time of the offense; or

11 (B) the firearm possessed was uncased, unloaded  
12 and the ammunition for the weapon was immediately  
13 accessible at the time of the offense; or

14 (C) the person possessing the firearm has not been  
15 issued a currently valid Firearm Owner's  
16 Identification Card; or

17 (D) the person possessing the weapon was  
18 previously adjudicated a delinquent minor under the  
19 Juvenile Court Act of 1987 for an act that if committed  
20 by an adult would be a felony; or

21 (E) the person possessing the weapon was engaged in  
22 a misdemeanor violation of the Cannabis Control Act, in  
23 a misdemeanor violation of the Illinois Controlled  
24 Substances Act, or in a misdemeanor violation of the  
25 Methamphetamine Control and Community Protection Act;  
26 or

1 (F) (blank); or

2 (G) the person possessing the weapon had a order of  
3 protection issued against him or her within the  
4 previous 2 years; or

5 (H) the person possessing the weapon was engaged in  
6 the commission or attempted commission of a  
7 misdemeanor involving the use or threat of violence  
8 against the person or property of another; or

9 (I) the person possessing the weapon was under 21  
10 years of age and in possession of a handgun as defined  
11 in Section 24-3, unless the person under 21 is engaged  
12 in lawful activities under the Wildlife Code or  
13 described in subsection 24-2(b)(1), (b)(3), or  
14 24-2(f).

15 (b) "Stun gun or taser" as used in this Section has the  
16 same definition given to it in Section 24-1 of this Code.

17 (c) This Section does not apply to or affect the  
18 transportation or possession of weapons that:

19 (i) are broken down in a non-functioning state; or

20 (ii) are not immediately accessible; or

21 (iii) are unloaded and enclosed in a case, firearm  
22 carrying box, shipping box, or other container by a  
23 person who is not prohibited from owning or possessing  
24 a firearm under State or federal law ~~by a person who~~  
25 ~~has been issued a currently valid Firearm Owner's~~  
26 ~~Identification Card.~~



1 (d) Sentence.

2 (1) Aggravated unlawful use of a weapon is a Class 4  
3 felony; a second or subsequent offense is a Class 2 felony  
4 for which the person shall be sentenced to a term of  
5 imprisonment of not less than 3 years and not more than 7  
6 years.

7 (2) Except as otherwise provided in paragraphs (3) and  
8 (4) of this subsection (d), a first offense of aggravated  
9 unlawful use of a weapon committed with a firearm by a  
10 person 18 years of age or older where the factors listed in  
11 both items (A) and (C) of paragraph (3) of subsection (a)  
12 are present is a Class 4 felony, for which the person shall  
13 be sentenced to a term of imprisonment of not less than one  
14 year and not more than 3 years.

15 (3) Aggravated unlawful use of a weapon by a person who  
16 has been previously convicted of a felony in this State or  
17 another jurisdiction is a Class 2 felony for which the  
18 person shall be sentenced to a term of imprisonment of not  
19 less than 3 years and not more than 7 years.

20 (4) Aggravated unlawful use of a weapon while wearing  
21 or in possession of body armor as defined in Section 33F-1  
22 by a person who has not been issued a valid Firearms  
23 Owner's Identification Card in accordance with Section 5 of  
24 the Firearm Owners Identification Card Act is a Class X  
25 felony.

26 (e) The possession of each firearm in violation of this

1 Section constitutes a single and separate violation.

2 (Source: P.A. 95-331, eff. 8-21-07; 96-742, eff. 8-25-09;  
3 96-829, eff. 12-3-09; 96-1107, eff. 1-1-11.)

4 (720 ILCS 5/24-2)

5 Sec. 24-2. Exemptions.

6 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and  
7 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of  
8 the following:

9 (1) Peace officers, and any person summoned by a peace  
10 officer to assist in making arrests or preserving the  
11 peace, while actually engaged in assisting such officer.

12 (2) Wardens, superintendents and keepers of prisons,  
13 penitentiaries, jails and other institutions for the  
14 detention of persons accused or convicted of an offense,  
15 while in the performance of their official duty, or while  
16 commuting between their homes and places of employment.

17 (3) Members of the Armed Services or Reserve Forces of  
18 the United States or the Illinois National Guard or the  
19 Reserve Officers Training Corps, while in the performance  
20 of their official duty.

21 (4) Special agents employed by a railroad or a public  
22 utility to perform police functions, and guards of armored  
23 car companies, while actually engaged in the performance of  
24 the duties of their employment or commuting between their  
25 homes and places of employment; and watchmen while actually

1 engaged in the performance of the duties of their  
2 employment.

3 (5) Persons licensed as private security contractors,  
4 private detectives, or private alarm contractors, or  
5 employed by an agency certified by the Department of  
6 Financial and Professional Regulation, if their duties  
7 include the carrying of a weapon under the provisions of  
8 the Private Detective, Private Alarm, Private Security,  
9 Fingerprint Vendor, and Locksmith Act of 2004, while  
10 actually engaged in the performance of the duties of their  
11 employment or commuting between their homes and places of  
12 employment, provided that such commuting is accomplished  
13 within one hour from departure from home or place of  
14 employment, as the case may be. A person shall be  
15 considered eligible for this exemption if he or she has  
16 completed the required 20 hours of training for a private  
17 security contractor, private detective, or private alarm  
18 contractor, or employee of a licensed agency and 20 hours  
19 of required firearm training, and has been issued a firearm  
20 control card by the Department of Financial and  
21 Professional Regulation. Conditions for the renewal of  
22 firearm control cards issued under the provisions of this  
23 Section shall be the same as for those cards issued under  
24 the provisions of the Private Detective, Private Alarm,  
25 Private Security, Fingerprint Vendor, and Locksmith Act of  
26 2004. The firearm control card shall be carried by the

1 private security contractor, private detective, or private  
2 alarm contractor, or employee of the licensed agency at all  
3 times when he or she is in possession of a concealable  
4 weapon.

5 (6) Any person regularly employed in a commercial or  
6 industrial operation as a security guard for the protection  
7 of persons employed and private property related to such  
8 commercial or industrial operation, while actually engaged  
9 in the performance of his or her duty or traveling between  
10 sites or properties belonging to the employer, and who, as  
11 a security guard, is a member of a security force of at  
12 least 5 persons registered with the Department of Financial  
13 and Professional Regulation; provided that such security  
14 guard has successfully completed a course of study,  
15 approved by and supervised by the Department of Financial  
16 and Professional Regulation, consisting of not less than 40  
17 hours of training that includes the theory of law  
18 enforcement, liability for acts, and the handling of  
19 weapons. A person shall be considered eligible for this  
20 exemption if he or she has completed the required 20 hours  
21 of training for a security officer and 20 hours of required  
22 firearm training, and has been issued a firearm control  
23 card by the Department of Financial and Professional  
24 Regulation. Conditions for the renewal of firearm control  
25 cards issued under the provisions of this Section shall be  
26 the same as for those cards issued under the provisions of

1 the Private Detective, Private Alarm, Private Security,  
2 Fingerprint Vendor, and Locksmith Act of 2004. The firearm  
3 control card shall be carried by the security guard at all  
4 times when he or she is in possession of a concealable  
5 weapon.

6 (7) Agents and investigators of the Illinois  
7 Legislative Investigating Commission authorized by the  
8 Commission to carry the weapons specified in subsections  
9 24-1(a)(3) and 24-1(a)(4), while on duty in the course of  
10 any investigation for the Commission.

11 (8) Persons employed by a financial institution for the  
12 protection of other employees and property related to such  
13 financial institution, while actually engaged in the  
14 performance of their duties, commuting between their homes  
15 and places of employment, or traveling between sites or  
16 properties owned or operated by such financial  
17 institution, provided that any person so employed has  
18 successfully completed a course of study, approved by and  
19 supervised by the Department of Financial and Professional  
20 Regulation, consisting of not less than 40 hours of  
21 training which includes theory of law enforcement,  
22 liability for acts, and the handling of weapons. A person  
23 shall be considered to be eligible for this exemption if he  
24 or she has completed the required 20 hours of training for  
25 a security officer and 20 hours of required firearm  
26 training, and has been issued a firearm control card by the

1 Department of Financial and Professional Regulation.  
2 Conditions for renewal of firearm control cards issued  
3 under the provisions of this Section shall be the same as  
4 for those issued under the provisions of the Private  
5 Detective, Private Alarm, Private Security, Fingerprint  
6 Vendor, and Locksmith Act of 2004. Such firearm control  
7 card shall be carried by the person so trained at all times  
8 when such person is in possession of a concealable weapon.  
9 For purposes of this subsection, "financial institution"  
10 means a bank, savings and loan association, credit union or  
11 company providing armored car services.

12 (9) Any person employed by an armored car company to  
13 drive an armored car, while actually engaged in the  
14 performance of his duties.

15 (10) Persons who have been classified as peace officers  
16 pursuant to the Peace Officer Fire Investigation Act.

17 (11) Investigators of the Office of the State's  
18 Attorneys Appellate Prosecutor authorized by the board of  
19 governors of the Office of the State's Attorneys Appellate  
20 Prosecutor to carry weapons pursuant to Section 7.06 of the  
21 State's Attorneys Appellate Prosecutor's Act.

22 (12) Special investigators appointed by a State's  
23 Attorney under Section 3-9005 of the Counties Code.

24 (12.5) Probation officers while in the performance of  
25 their duties, or while commuting between their homes,  
26 places of employment or specific locations that are part of

1 their assigned duties, with the consent of the chief judge  
2 of the circuit for which they are employed.

3 (13) Court Security Officers while in the performance  
4 of their official duties, or while commuting between their  
5 homes and places of employment, with the consent of the  
6 Sheriff.

7 (13.5) A person employed as an armed security guard at  
8 a nuclear energy, storage, weapons or development site or  
9 facility regulated by the Nuclear Regulatory Commission  
10 who has completed the background screening and training  
11 mandated by the rules and regulations of the Nuclear  
12 Regulatory Commission.

13 (14) Manufacture, transportation, or sale of weapons  
14 to persons authorized under subdivisions (1) through  
15 (13.5) of this subsection to possess those weapons.

16 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
17 24-1.6 do not apply to or affect any of the following:

18 (1) Members of any club or organization organized for  
19 the purpose of practicing shooting at targets upon  
20 established target ranges, whether public or private, and  
21 patrons of such ranges, while such members or patrons are  
22 using their firearms on those target ranges.

23 (2) Duly authorized military or civil organizations  
24 while parading, with the special permission of the  
25 Governor.

26 (3) Hunters, trappers or fishermen with a license or

1 permit while engaged in hunting, trapping or fishing.

2 (4) Transportation of weapons that are broken down in a  
3 non-functioning state or are not immediately accessible.

4 (5) Carrying or possessing any pistol, revolver, stun  
5 gun or taser or other firearm on the land or in the legal  
6 dwelling of another person as an invitee with that person's  
7 permission.

8 (6) A licensee under the Illinois Concealed Carry Act,  
9 notwithstanding Section 70 of that Act, if the licensee  
10 meets the requirements of that Act.

11 (c) Subsection 24-1(a)(7) does not apply to or affect any  
12 of the following:

13 (1) Peace officers while in performance of their  
14 official duties.

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

18 (3) Members of the Armed Services or Reserve Forces of  
19 the United States or the Illinois National Guard, while in  
20 the performance of their official duty.

21 (4) Manufacture, transportation, or sale of machine  
22 guns to persons authorized under subdivisions (1) through  
23 (3) of this subsection to possess machine guns, if the  
24 machine guns are broken down in a non-functioning state or  
25 are not immediately accessible.

26 (5) Persons licensed under federal law to manufacture



1 any weapon from which 8 or more shots or bullets can be  
2 discharged by a single function of the firing device, or  
3 ammunition for such weapons, and actually engaged in the  
4 business of manufacturing such weapons or ammunition, but  
5 only with respect to activities which are within the lawful  
6 scope of such business, such as the manufacture,  
7 transportation, or testing of such weapons or ammunition.  
8 This exemption does not authorize the general private  
9 possession of any weapon from which 8 or more shots or  
10 bullets can be discharged by a single function of the  
11 firing device, but only such possession and activities as  
12 are within the lawful scope of a licensed manufacturing  
13 business described in this paragraph.

14 During transportation, such weapons shall be broken  
15 down in a non-functioning state or not immediately  
16 accessible.

17 (6) The manufacture, transport, testing, delivery,  
18 transfer or sale, and all lawful commercial or experimental  
19 activities necessary thereto, of rifles, shotguns, and  
20 weapons made from rifles or shotguns, or ammunition for  
21 such rifles, shotguns or weapons, where engaged in by a  
22 person operating as a contractor or subcontractor pursuant  
23 to a contract or subcontract for the development and supply  
24 of such rifles, shotguns, weapons or ammunition to the  
25 United States government or any branch of the Armed Forces  
26 of the United States, when such activities are necessary

1 and incident to fulfilling the terms of such contract.

2 The exemption granted under this subdivision (c)(6)  
3 shall also apply to any authorized agent of any such  
4 contractor or subcontractor who is operating within the  
5 scope of his employment, where such activities involving  
6 such weapon, weapons or ammunition are necessary and  
7 incident to fulfilling the terms of such contract.

8 During transportation, any such weapon shall be broken  
9 down in a non-functioning state, or not immediately  
10 accessible.

11 (7) A person possessing a rifle with a barrel or  
12 barrels less than 16 inches in length if: (A) the person  
13 has been issued a Curios and Relics license from the U.S.  
14 Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B)  
15 the person is an active member of a bona fide, nationally  
16 recognized military re-enacting group and the modification  
17 is required and necessary to accurately portray the weapon  
18 for historical re-enactment purposes; the re-enactor is in  
19 possession of a valid and current re-enacting group  
20 membership credential; and the overall length of the weapon  
21 as modified is not less than 26 inches.

22 During transportation, any such weapon shall be broken  
23 down in a non-functioning state, or not immediately  
24 accessible.

25 (d) Subsection 24-1(a)(1) does not apply to the purchase,  
26 possession or carrying of a black-jack or slung-shot by a peace

1 officer.

2 (e) Subsection 24-1(a)(8) does not apply to any owner,  
3 manager or authorized employee of any place specified in that  
4 subsection nor to any law enforcement officer or a licensee  
5 under the Illinois Concealed Carry Act, notwithstanding  
6 Section 70 of that Act.

7 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and  
8 Section 24-1.6 do not apply to members of any club or  
9 organization organized for the purpose of practicing shooting  
10 at targets upon established target ranges, whether public or  
11 private, while using their firearms on those target ranges.

12 (g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply  
13 to:

14 (1) Members of the Armed Services or Reserve Forces of  
15 the United States or the Illinois National Guard, while in  
16 the performance of their official duty.

17 (2) Bonafide collectors of antique or surplus military  
18 ordinance.

19 (3) Laboratories having a department of forensic  
20 ballistics, or specializing in the development of  
21 ammunition or explosive ordinance.

22 (4) Commerce, preparation, assembly or possession of  
23 explosive bullets by manufacturers of ammunition licensed  
24 by the federal government, in connection with the supply of  
25 those organizations and persons exempted by subdivision  
26 (g)(1) of this Section, or like organizations and persons

1 outside this State, or the transportation of explosive  
2 bullets to any organization or person exempted in this  
3 Section by a common carrier or by a vehicle owned or leased  
4 by an exempted manufacturer.

5 (g-5) Subsection 24-1(a)(6) does not apply to or affect  
6 persons licensed under federal law to manufacture any device or  
7 attachment of any kind designed, used, or intended for use in  
8 silencing the report of any firearm, firearms, or ammunition  
9 for those firearms equipped with those devices, and actually  
10 engaged in the business of manufacturing those devices,  
11 firearms, or ammunition, but only with respect to activities  
12 that are within the lawful scope of that business, such as the  
13 manufacture, transportation, or testing of those devices,  
14 firearms, or ammunition. This exemption does not authorize the  
15 general private possession of any device or attachment of any  
16 kind designed, used, or intended for use in silencing the  
17 report of any firearm, but only such possession and activities  
18 as are within the lawful scope of a licensed manufacturing  
19 business described in this subsection (g-5). During  
20 transportation, these devices shall be detached from any weapon  
21 or not immediately accessible.

22 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
23 24-1.6 do not apply to or affect any parole agent or parole  
24 supervisor who meets the qualifications and conditions  
25 prescribed in Section 3-14-1.5 of the Unified Code of  
26 Corrections.

1           (g-7) Subsection 24-1(a)(6) does not apply to a peace  
2 officer while serving as a member of a tactical response team  
3 or special operations team. A peace officer may not personally  
4 own or apply for ownership of a device or attachment of any  
5 kind designed, used, or intended for use in silencing the  
6 report of any firearm. These devices shall be owned and  
7 maintained by lawfully recognized units of government whose  
8 duties include the investigation of criminal acts.

9           (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and  
10 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an  
11 athlete's possession, transport on official Olympic and  
12 Paralympic transit systems established for athletes, or use of  
13 competition firearms sanctioned by the International Olympic  
14 Committee, the International Paralympic Committee, the  
15 International Shooting Sport Federation, or USA Shooting in  
16 connection with such athlete's training for and participation  
17 in shooting competitions at the 2016 Olympic and Paralympic  
18 Games and sanctioned test events leading up to the 2016 Olympic  
19 and Paralympic Games.

20           (h) An information or indictment based upon a violation of  
21 any subsection of this Article need not negative any exemptions  
22 contained in this Article. The defendant shall have the burden  
23 of proving such an exemption.

24           (i) Nothing in this Article shall prohibit, apply to, or  
25 affect the transportation, carrying, or possession, of any  
26 pistol or revolver, stun gun, taser, or other firearm consigned

1 to a common carrier operating under license of the State of  
2 Illinois or the federal government, where such transportation,  
3 carrying, or possession is incident to the lawful  
4 transportation in which such common carrier is engaged; and  
5 nothing in this Article shall prohibit, apply to, or affect the  
6 transportation, carrying, or possession of any pistol,  
7 revolver, stun gun, taser, or other firearm, not the subject of  
8 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of  
9 this Article, which is unloaded and enclosed in a case, firearm  
10 carrying box, shipping box, or other container, by the  
11 possessor of a valid Firearm Owners Identification Card.

12 (Source: P.A. 96-7, eff. 4-3-09; 96-230, eff. 1-1-10; 96-742,  
13 eff. 8-25-09; 96-1000, eff. 7-2-10; 97-465, eff. 8-22-11;  
14 97-676, eff. 6-1-12; 97-936, eff. 1-1-13; 97-1010, eff. 1-1-13;  
15 revised 8-23-12.)".