



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5199

by Rep. Nathan D. Reitz

SYNOPSIS AS INTRODUCED:

765 ILCS 160/1-71 new
765 ILCS 605/18.11 new
765 ILCS 705/17 new
765 ILCS 745/12b new

Amends the Common Interest Community Association Act, the Condominium Property Act, the Landlord and Tenant Act, and the Mobile Home Landlord and Tenant Rights Act. Provides that a unit owner shall not be prohibited or a landlord or park owner shall not prohibit a tenant from lawfully possessing, carrying, transporting, or storing a firearm, any part of a firearm, or firearm ammunition in: the unit of the unit owner or dwelling unit or mobile home unit of the tenant; a vehicle located in a parking area provided by the common interest community association, condominium association, or landlord or park owner for the unit owner or tenant; or within a common area location of a common interest community or condominium or another controlled location of the landlord or park owner. Effective immediately.

LRB101 17380 LNS 66785 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Common Interest Community Association Act is
5 amended by adding Section 1-71 as follows:

6 (765 ILCS 160/1-71 new)

7 Sec. 1-71. Possession of firearm or firearm ammunition.

8 (a) Unless possession of a firearm or firearm ammunition
9 within a common interest community is prohibited by State or
10 federal law, a unit owner, a tenant or guest of a unit owner,
11 or a guest of a tenant of a unit owner shall not be prohibited
12 from lawfully possessing, carrying, transporting, or storing a
13 firearm, any part of a firearm, or firearm ammunition in:

14 (1) the unit of the unit owner;

15 (2) a vehicle located in a parking area provided for
16 the unit owner or guest of the unit owner by the
17 association; or

18 (3) within a common area, as necessary to:

19 (i) enter or exit the condominium property;

20 (ii) enter or exit the unit of the unit owner; or

21 (iii) enter or exit a vehicle within the common
22 interest community or located in a parking area
23 provided for the unit owner or guest of the unit owner

1 by the association.

2 (b) This Section applies notwithstanding any community
3 instruments or bylaws to the contrary, regardless of the date
4 of the adoption of the community instruments or bylaws.

5 Section 10. The Condominium Property Act is amended by
6 adding Section 18.11 as follows:

7 (765 ILCS 605/18.11 new)

8 Sec. 18.11. Possession of firearm or firearm ammunition.

9 (a) Unless possession of a firearm or firearm ammunition on
10 condominium property is prohibited by State or federal law, a
11 unit owner, a tenant or guest of a unit owner, or a guest of a
12 tenant of a unit owner shall not be prohibited from lawfully
13 possessing, carrying, transporting, or storing a firearm, any
14 part of a firearm, or firearm ammunition in:

15 (1) the unit of a unit owner;

16 (2) a vehicle located in a parking area provided for
17 the unit owner or guest of the unit owner by the
18 association; or

19 (3) within a common area, as necessary to:

20 (i) enter or exit the condominium property;

21 (ii) enter or exit the unit of a unit owner; or

22 (iii) enter or exit a vehicle on the condominium
23 property or located in a parking area provided for the
24 unit owner or guest of the unit owner by the

1 association.

2 (b) This Section applies notwithstanding any condominium
3 instruments or bylaws to the contrary, regardless of the date
4 of the adoption of the condominium instruments or bylaws.

5 Section 15. The Landlord and Tenant Act is amended by
6 adding Section 17 as follows:

7 (765 ILCS 705/17 new)

8 Sec. 17. Possession of firearm or firearm ammunition.
9 Unless possession of a firearm or firearm ammunition on the
10 property of a landlord is prohibited by State or federal law, a
11 landlord shall not prohibit a tenant or a guest of a tenant
12 from lawfully possessing, carrying, transporting, or storing a
13 firearm, any part of a firearm, or firearm ammunition in:

14 (1) the dwelling unit of the tenant;

15 (2) a vehicle located in a parking area provided for
16 the tenant or guest of the tenant by the landlord; or

17 (3) another location controlled by the landlord, as
18 necessary to:

19 (i) enter or exit the dwelling unit of the tenant;

20 (ii) enter or exit the leased premises; or

21 (iii) enter or exit a vehicle on the leased
22 premises or located in a parking area provided for the
23 tenant or guest of the tenant by the landlord.

1 Section 20. The Mobile Home Landlord and Tenant Rights Act
2 is amended by adding Section 12b as follows:

3 (765 ILCS 745/12b new)

4 Sec. 12b. Possession of firearm or firearm ammunition.
5 Unless possession of a firearm or firearm ammunition within a
6 mobile home park or manufactured home community of a park owner
7 is prohibited by State or federal law, a park owner shall not
8 prohibit a tenant or a guest of a tenant from lawfully
9 possessing, carrying, transporting, or storing a firearm, any
10 part of a firearm, or firearm ammunition in:

11 (1) the mobile home unit of the tenant;

12 (2) a vehicle located in a parking area provided for
13 the tenant or guest of the tenant by the park owner; or

14 (3) another location controlled by the park owner, as
15 necessary to:

16 (i) enter or exit the mobile home unit of the
17 tenant;

18 (ii) enter or exit the leased premises; or

19 (iii) enter or exit a vehicle on the leased
20 premises or located in a parking area provided for the
21 tenant or guest of the tenant by the park owner.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.