



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4839

Introduced 1/27/2022, by Rep. Maura Hirschauer

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-9

Amends the Criminal Code of 2012. Provides that it is unlawful for any person to store or leave, within premises under his or her control, a firearm if the person knows or has reason to believe that a minor under the age of 18 (rather than 14) years who does not have a Firearm Owners Identification Card is likely to gain access to the firearm without the lawful permission of the minor's parent, guardian, or person having charge of the minor, and the minor causes death or great bodily harm with the firearm. Eliminates exception if the firearm is placed in some other location that a reasonable person would believe to be secure from a minor.

LRB102 25203 RLC 34471 b

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 2012 is amended by
5 changing Section 24-9 as follows:

6 (720 ILCS 5/24-9)

7 Sec. 24-9. Firearms; Child Protection.

8 (a) Except as provided in subsection (c), it is unlawful
9 for any person to store or leave, within premises under his or
10 her control, a firearm if the person knows or has reason to
11 believe that a minor under the age of 18 ~~14~~ years who does not
12 have a Firearm Owners Identification Card is likely to gain
13 access to the firearm without the lawful permission of the
14 minor's parent, guardian, or person having charge of the
15 minor, and the minor causes death or great bodily harm with the
16 firearm, unless the firearm is:

17 (1) secured by a device or mechanism, other than the
18 firearm safety, designed to render a firearm temporarily
19 inoperable; or

20 (2) placed in a securely locked box or container; or

21 (3) (blank). ~~placed in some other location that a~~
22 ~~reasonable person would believe to be secure from a minor~~
23 ~~under the age of 14 years.~~

1 (b) Sentence. A person who violates this Section is guilty
2 of a Class C misdemeanor and shall be fined not less than
3 \$1,000. A second or subsequent violation of this Section is a
4 Class A misdemeanor.

5 (c) Subsection (a) does not apply:

6 (1) if the minor under 18 ~~14~~ years of age gains access
7 to a firearm and uses it in a lawful act of self-defense or
8 defense of another; or

9 (2) to any firearm obtained by a minor under the age of
10 18 ~~14~~ because of an unlawful entry of the premises by the
11 minor or another person.

12 (d) For the purposes of this Section, "firearm" has the
13 meaning ascribed to it in Section 1.1 of the Firearm Owners
14 Identification Card Act.

15 (Source: P.A. 91-18, eff. 1-1-00.)