



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5445

Introduced 1/31/2022, by Rep. Denyse Wang Stoneback

SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-51.1

Amends the Illinois State Police Law of the Civil Administrative Code of Illinois. Provides that the Commission on Implementing the Firearms Restraining Order Act shall be appointed by the Director of the Illinois State Police or his or her designee within 60 days after the effective date of the amendatory Act. Effective June 1, 2022.

LRB102 25393 RLC 34675 b

1 AN ACT concerning State government.

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

4 Section 5. The Illinois State Police Law of the Civil
5 Administrative Code of Illinois is amended by changing Section
6 2605-51.1 as follows:

7 (20 ILCS 2605/2605-51.1)

8 (This Section may contain text from a Public Act with a
9 delayed effective date)

10 (Section scheduled to be repealed on June 1, 2026)

11 Sec. 2605-51.1 ~~2605-51~~. Commission on Implementing the
12 Firearms Restraining Order Act.

13 (a) There is created the Commission on Implementing the
14 Firearms Restraining Order Act composed of at least 12 members
15 to advise on the strategies of education and implementation of
16 the Firearms Restraining Order Act. The Commission shall be
17 appointed by the Director of the Illinois State Police or his
18 or her designee within 60 days after the effective date of this
19 amendatory Act of the 102nd General Assembly and shall include
20 a liaison or representative nominated from the following:

21 (1) the Office of the Attorney General, appointed by
22 the Attorney General;

23 (2) the Director of the Illinois State Police or his

1 or her designee;

2 (3) at least 3 State's Attorneys, nominated by the
3 Director of the Office of the State's Attorneys Appellate
4 Prosecutor;

5 (4) at least 2 municipal police department
6 representatives, nominated by the Illinois Association of
7 Chiefs of Police;

8 (5) an Illinois sheriff, nominated by the Illinois
9 Sheriffs' Association;

10 (6) the Director of Public Health or his or her
11 designee;

12 (7) the Illinois Law Enforcement Training Standards
13 Board, nominated by the Executive Director of the Board;

14 (8) a representative from a public defender's office,
15 nominated by the State Appellate Defender;

16 (9) a circuit court judge, nominated by the Chief
17 Justice of the Supreme Court;

18 (10) a prosecutor with experience managing or
19 directing a program in another state where the
20 implementation of that state's extreme risk protection
21 order law has achieved high rates of petition filings
22 nominated by the National District Attorneys Association;
23 and

24 (11) an expert from law enforcement who has experience
25 managing or directing a program in another state where the
26 implementation of that state's extreme risk protection

1 order law has achieved high rates of petition filings
2 nominated by the Director of the Illinois State Police.

3 (b) The Commission shall be chaired by the Director of the
4 Illinois State Police or his or her designee. The Commission
5 shall meet, either virtually or in person, to discuss the
6 implementation of the Firearms Restraining Order Act as
7 determined by the Commission while the strategies are being
8 established.

9 (c) The members of the Commission shall serve without
10 compensation and shall serve 3-year terms.

11 (d) An annual report shall be submitted to the General
12 Assembly by the Commission that may include summary
13 information about firearms restraining order use by county,
14 challenges to Firearms Restraining Order Act implementation,
15 and recommendations for increasing and improving
16 implementation.

17 (e) The Commission shall develop a model policy with an
18 overall framework for the timely relinquishment of firearms
19 whenever a firearms restraining order is issued. The model
20 policy shall be finalized within the first 4 months of
21 convening. In formulating the model policy, the Commission
22 shall consult counties in Illinois and other states with
23 extreme risk protection order laws which have achieved a high
24 rate of petition filings. Once approved, the Illinois State
25 Police shall work with their local law enforcement agencies
26 within their county to design a comprehensive strategy for the

1 timely relinquishment of firearms, using the model policy as
2 an overall framework. Each individual agency may make small
3 modifications as needed to the model policy and must approve
4 and adopt a policy that aligns with the model policy. The
5 Illinois State Police shall convene local police chiefs and
6 sheriffs within their county as needed to discuss the
7 relinquishment of firearms.

8 (f) The Commission shall be dissolved June 1, 2025 (3
9 years after the effective date of Public Act 102-345) ~~this~~
10 ~~amendatory Act of the 102nd General Assembly.~~

11 (g) This Section is repealed June 1, 2026 (4 years after
12 the effective date of Public Act 102-345) ~~this amendatory Act~~
13 ~~of the 102nd General Assembly.~~

14 (Source: P.A. 102-345, eff. 6-1-22; revised 11-3-21.)

15 Section 99. Effective date. This Act takes effect June 1,
16 2022.