



Sen. Don Harmon

**Filed: 1/8/2023**

10200HB5471sam001

LRB102 24372 JDS 42553 a

1 AMENDMENT TO HOUSE BILL 5471

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5471 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. This Act may be referred to as the Protect  
5 Illinois Communities Act.

6 Section 5. The Illinois State Police Law of the Civil  
7 Administrative Code of Illinois is amended by changing  
8 Sections 2605-35 and 2605-51.1 as follows:

9 (20 ILCS 2605/2605-35) (was 20 ILCS 2605/55a-3)

10 Sec. 2605-35. Division of Criminal Investigation.

11 (a) The Division of Criminal Investigation shall exercise  
12 the following functions and those in Section 2605-30:

13 (1) Exercise the rights, powers, and duties vested by  
14 law in the Illinois State Police by the Illinois Horse  
15 Racing Act of 1975, including those set forth in Section

1 2605-215.

2 (2) Investigate the origins, activities, personnel,  
3 and incidents of crime and enforce the criminal laws of  
4 this State related thereto.

5 (3) Enforce all laws regulating the production, sale,  
6 prescribing, manufacturing, administering, transporting,  
7 having in possession, dispensing, delivering,  
8 distributing, or use of controlled substances and  
9 cannabis.

10 (4) Cooperate with the police of cities, villages, and  
11 incorporated towns and with the police officers of any  
12 county in enforcing the laws of the State and in making  
13 arrests and recovering property.

14 (5) Apprehend and deliver up any person charged in  
15 this State or any other state with treason or a felony or  
16 other crime who has fled from justice and is found in this  
17 State.

18 (6) Investigate recipients and providers under the  
19 Illinois Public Aid Code and any personnel involved in the  
20 administration of the Code who are suspected of any  
21 violation of the Code pertaining to fraud in the  
22 administration, receipt, or provision of assistance and  
23 pertaining to any violation of criminal law; and exercise  
24 the functions required under Section 2605-220 in the  
25 conduct of those investigations.

26 (7) Conduct other investigations as provided by law.

1 including, but not limited to, investigations of human  
2 trafficking, illegal drug trafficking, and illegal  
3 firearms trafficking.

4 (8) Investigate public corruption.

5 (9) Exercise other duties that may be assigned by the  
6 Director in order to fulfill the responsibilities and  
7 achieve the purposes of the Illinois State Police, which  
8 may include the coordination of gang, terrorist, and  
9 organized crime prevention, control activities, and  
10 assisting local law enforcement in their crime control  
11 activities.

12 (10) Conduct investigations (and cooperate with  
13 federal law enforcement agencies in the investigation) of  
14 any property-related crimes, such as money laundering,  
15 involving individuals or entities listed on the sanctions  
16 list maintained by the U.S. Department of Treasury's  
17 Office of Foreign Asset Control.

18 (b) (Blank).

19 (c) The Division of Criminal Investigation shall provide  
20 statewide coordination and strategy pertaining to  
21 firearm-related intelligence, firearms trafficking  
22 interdiction, and investigations reaching across all divisions  
23 of the Illinois State Police, including providing crime gun  
24 intelligence support for suspects and firearms involved in  
25 firearms trafficking or the commission of a crime involving  
26 firearms that is investigated by the Illinois State Police and

1 other federal, State, and local law enforcement agencies, with  
2 the objective of reducing and preventing illegal possession  
3 and use of firearms, firearms trafficking, firearm-related  
4 homicides, and other firearm-related violent crimes in  
5 Illinois.

6 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22;  
7 102-1108, eff. 12-21-22.)

8 (20 ILCS 2605/2605-51.1)

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

10 Sec. 2605-51.1. Commission on Implementing the Firearms  
11 Restraining Order Act.

12 (a) There is created the Commission on Implementing the  
13 Firearms Restraining Order Act composed of at least 12 members  
14 to advise on the strategies of education and implementation of  
15 the Firearms Restraining Order Act. The Commission shall be  
16 appointed by the Director of the Illinois State Police or his  
17 or her designee and shall include a liaison or representative  
18 nominated from the following:

19 (1) the Office of the Attorney General, appointed by  
20 the Attorney General;

21 (2) the Director of the Illinois State Police or his  
22 or her designee;

23 (3) at least 3 State's Attorneys, nominated by the  
24 Director of the Office of the State's Attorneys Appellate  
25 Prosecutor;

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

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

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

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

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

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

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

19 ~~and~~

20           (11) an expert from law enforcement who has experience  
21 managing or directing a program in another state where the  
22 implementation of that state's extreme risk protection  
23 order law has achieved high rates of petition filings  
24 nominated by the Director of the Illinois State Police;

25 and

26 (12) a circuit court clerk, nominated by the President

1           of the Illinois Association of Court Clerks.

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

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

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

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

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

7 (f) The Commission shall be dissolved June 1, 2025 (3  
8 years after the effective date of Public Act 102-345).

9 (g) This Section is repealed June 1, 2026 (4 years after  
10 the effective date of Public Act 102-345).

11 (Source: P.A. 102-345, eff. 6-1-22; 102-813, eff. 5-13-22.)

12 Section 7. The Illinois Procurement Code is amended by  
13 changing Section 1-10 as follows:

14 (30 ILCS 500/1-10)

15 Sec. 1-10. Application.

16 (a) This Code applies only to procurements for which  
17 bidders, offerors, potential contractors, or contractors were  
18 first solicited on or after July 1, 1998. This Code shall not  
19 be construed to affect or impair any contract, or any  
20 provision of a contract, entered into based on a solicitation  
21 prior to the implementation date of this Code as described in  
22 Article 99, including, but not limited to, any covenant  
23 entered into with respect to any revenue bonds or similar  
24 instruments. All procurements for which contracts are

1 solicited between the effective date of Articles 50 and 99 and  
2 July 1, 1998 shall be substantially in accordance with this  
3 Code and its intent.

4 (b) This Code shall apply regardless of the source of the  
5 funds with which the contracts are paid, including federal  
6 assistance moneys. This Code shall not apply to:

7 (1) Contracts between the State and its political  
8 subdivisions or other governments, or between State  
9 governmental bodies, except as specifically provided in  
10 this Code.

11 (2) Grants, except for the filing requirements of  
12 Section 20-80.

13 (3) Purchase of care, except as provided in Section  
14 5-30.6 of the Illinois Public Aid Code and this Section.

15 (4) Hiring of an individual as an employee and not as  
16 an independent contractor, whether pursuant to an  
17 employment code or policy or by contract directly with  
18 that individual.

19 (5) Collective bargaining contracts.

20 (6) Purchase of real estate, except that notice of  
21 this type of contract with a value of more than \$25,000  
22 must be published in the Procurement Bulletin within 10  
23 calendar days after the deed is recorded in the county of  
24 jurisdiction. The notice shall identify the real estate  
25 purchased, the names of all parties to the contract, the  
26 value of the contract, and the effective date of the



1 contract.

2 (7) Contracts necessary to prepare for anticipated  
3 litigation, enforcement actions, or investigations,  
4 provided that the chief legal counsel to the Governor  
5 shall give his or her prior approval when the procuring  
6 agency is one subject to the jurisdiction of the Governor,  
7 and provided that the chief legal counsel of any other  
8 procuring entity subject to this Code shall give his or  
9 her prior approval when the procuring entity is not one  
10 subject to the jurisdiction of the Governor.

11 (8) (Blank).

12 (9) Procurement expenditures by the Illinois  
13 Conservation Foundation when only private funds are used.

14 (10) (Blank).

15 (11) Public-private agreements entered into according  
16 to the procurement requirements of Section 20 of the  
17 Public-Private Partnerships for Transportation Act and  
18 design-build agreements entered into according to the  
19 procurement requirements of Section 25 of the  
20 Public-Private Partnerships for Transportation Act.

21 (12) (A) Contracts for legal, financial, and other  
22 professional and artistic services entered into by the  
23 Illinois Finance Authority in which the State of Illinois  
24 is not obligated. Such contracts shall be awarded through  
25 a competitive process authorized by the members of the  
26 Illinois Finance Authority and are subject to Sections

1 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,  
2 as well as the final approval by the members of the  
3 Illinois Finance Authority of the terms of the contract.

4 (B) Contracts for legal and financial services entered  
5 into by the Illinois Housing Development Authority in  
6 connection with the issuance of bonds in which the State  
7 of Illinois is not obligated. Such contracts shall be  
8 awarded through a competitive process authorized by the  
9 members of the Illinois Housing Development Authority and  
10 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,  
11 and 50-37 of this Code, as well as the final approval by  
12 the members of the Illinois Housing Development Authority  
13 of the terms of the contract.

14 (13) Contracts for services, commodities, and  
15 equipment to support the delivery of timely forensic  
16 science services in consultation with and subject to the  
17 approval of the Chief Procurement Officer as provided in  
18 subsection (d) of Section 5-4-3a of the Unified Code of  
19 Corrections, except for the requirements of Sections  
20 20-60, 20-65, 20-70, and 20-160 and Article 50 of this  
21 Code; however, the Chief Procurement Officer may, in  
22 writing with justification, waive any certification  
23 required under Article 50 of this Code. For any contracts  
24 for services which are currently provided by members of a  
25 collective bargaining agreement, the applicable terms of  
26 the collective bargaining agreement concerning

1 subcontracting shall be followed.

2 On and after January 1, 2019, this paragraph (13),  
3 except for this sentence, is inoperative.

4 (14) Contracts for participation expenditures required  
5 by a domestic or international trade show or exhibition of  
6 an exhibitor, member, or sponsor.

7 (15) Contracts with a railroad or utility that  
8 requires the State to reimburse the railroad or utilities  
9 for the relocation of utilities for construction or other  
10 public purpose. Contracts included within this paragraph  
11 (15) shall include, but not be limited to, those  
12 associated with: relocations, crossings, installations,  
13 and maintenance. For the purposes of this paragraph (15),  
14 "railroad" means any form of non-highway ground  
15 transportation that runs on rails or electromagnetic  
16 guideways and "utility" means: (1) public utilities as  
17 defined in Section 3-105 of the Public Utilities Act, (2)  
18 telecommunications carriers as defined in Section 13-202  
19 of the Public Utilities Act, (3) electric cooperatives as  
20 defined in Section 3.4 of the Electric Supplier Act, (4)  
21 telephone or telecommunications cooperatives as defined in  
22 Section 13-212 of the Public Utilities Act, (5) rural  
23 water or waste water systems with 10,000 connections or  
24 less, (6) a holder as defined in Section 21-201 of the  
25 Public Utilities Act, and (7) municipalities owning or  
26 operating utility systems consisting of public utilities

1 as that term is defined in Section 11-117-2 of the  
2 Illinois Municipal Code.

3 (16) Procurement expenditures necessary for the  
4 Department of Public Health to provide the delivery of  
5 timely newborn screening services in accordance with the  
6 Newborn Metabolic Screening Act.

7 (17) Procurement expenditures necessary for the  
8 Department of Agriculture, the Department of Financial and  
9 Professional Regulation, the Department of Human Services,  
10 and the Department of Public Health to implement the  
11 Compassionate Use of Medical Cannabis Program and Opioid  
12 Alternative Pilot Program requirements and ensure access  
13 to medical cannabis for patients with debilitating medical  
14 conditions in accordance with the Compassionate Use of  
15 Medical Cannabis Program Act.

16 (18) This Code does not apply to any procurements  
17 necessary for the Department of Agriculture, the  
18 Department of Financial and Professional Regulation, the  
19 Department of Human Services, the Department of Commerce  
20 and Economic Opportunity, and the Department of Public  
21 Health to implement the Cannabis Regulation and Tax Act if  
22 the applicable agency has made a good faith determination  
23 that it is necessary and appropriate for the expenditure  
24 to fall within this exemption and if the process is  
25 conducted in a manner substantially in accordance with the  
26 requirements of Sections 20-160, 25-60, 30-22, 50-5,

1 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,  
2 50-36, 50-37, 50-38, and 50-50 of this Code; however, for  
3 Section 50-35, compliance applies only to contracts or  
4 subcontracts over \$100,000. Notice of each contract  
5 entered into under this paragraph (18) that is related to  
6 the procurement of goods and services identified in  
7 paragraph (1) through (9) of this subsection shall be  
8 published in the Procurement Bulletin within 14 calendar  
9 days after contract execution. The Chief Procurement  
10 Officer shall prescribe the form and content of the  
11 notice. Each agency shall provide the Chief Procurement  
12 Officer, on a monthly basis, in the form and content  
13 prescribed by the Chief Procurement Officer, a report of  
14 contracts that are related to the procurement of goods and  
15 services identified in this subsection. At a minimum, this  
16 report shall include the name of the contractor, a  
17 description of the supply or service provided, the total  
18 amount of the contract, the term of the contract, and the  
19 exception to this Code utilized. A copy of any or all of  
20 these contracts shall be made available to the Chief  
21 Procurement Officer immediately upon request. The Chief  
22 Procurement Officer shall submit a report to the Governor  
23 and General Assembly no later than November 1 of each year  
24 that includes, at a minimum, an annual summary of the  
25 monthly information reported to the Chief Procurement  
26 Officer. This exemption becomes inoperative 5 years after

1 June 25, 2019 (the effective date of Public Act 101-27).

2 (19) Acquisition of modifications or adjustments,  
3 limited to assistive technology devices and assistive  
4 technology services, adaptive equipment, repairs, and  
5 replacement parts to provide reasonable accommodations (i)  
6 that enable a qualified applicant with a disability to  
7 complete the job application process and be considered for  
8 the position such qualified applicant desires, (ii) that  
9 modify or adjust the work environment to enable a  
10 qualified current employee with a disability to perform  
11 the essential functions of the position held by that  
12 employee, (iii) to enable a qualified current employee  
13 with a disability to enjoy equal benefits and privileges  
14 of employment as are enjoyed by other similarly situated  
15 employees without disabilities, and (iv) that allow a  
16 customer, client, claimant, or member of the public  
17 seeking State services full use and enjoyment of and  
18 access to its programs, services, or benefits.

19 For purposes of this paragraph (19):

20 "Assistive technology devices" means any item, piece  
21 of equipment, or product system, whether acquired  
22 commercially off the shelf, modified, or customized, that  
23 is used to increase, maintain, or improve functional  
24 capabilities of individuals with disabilities.

25 "Assistive technology services" means any service that  
26 directly assists an individual with a disability in

1 selection, acquisition, or use of an assistive technology  
2 device.

3 "Qualified" has the same meaning and use as provided  
4 under the federal Americans with Disabilities Act when  
5 describing an individual with a disability.

6 (20) Procurement expenditures necessary for the  
7 Illinois Commerce Commission to hire third-party  
8 facilitators pursuant to Sections 16-105.17 and 16-108.18  
9 of the Public Utilities Act or an ombudsman pursuant to  
10 Section 16-107.5 of the Public Utilities Act, a  
11 facilitator pursuant to Section 16-105.17 of the Public  
12 Utilities Act, or a grid auditor pursuant to Section  
13 16-105.10 of the Public Utilities Act.

14 (21) Procurement expenditures for the purchase,  
15 renewal, and expansion of software, software licenses, or  
16 software maintenance agreements that support the efforts  
17 of the Illinois State Police to enforce, regulate, and  
18 administer the Firearm Owners Identification Card Act, the  
19 Firearm Concealed Carry Act, the Firearms Restraining  
20 Order Act, the Firearm Dealer License Certification Act,  
21 the Law Enforcement Agencies Data System (LEADS), the  
22 Uniform Crime Reporting Act, the Criminal Identification  
23 Act, the Uniform Conviction Information Act, and the Gun  
24 Trafficking Information Act, or establish or maintain  
25 record management systems necessary to conduct human  
26 trafficking investigations or gun trafficking or other

1       stolen firearm investigations. This paragraph (21) applies  
2       to contracts entered into on or after the effective date  
3       of this amendatory Act of the 102nd General Assembly and  
4       the renewal of contracts that are in effect on the  
5       effective date of this amendatory Act of the 102nd General  
6       Assembly.

7       Notwithstanding any other provision of law, for contracts  
8       with an annual value of more than \$100,000 entered into on or  
9       after October 1, 2017 under an exemption provided in any  
10      paragraph of this subsection (b), except paragraph (1), (2),  
11      or (5), each State agency shall post to the appropriate  
12      procurement bulletin the name of the contractor, a description  
13      of the supply or service provided, the total amount of the  
14      contract, the term of the contract, and the exception to the  
15      Code utilized. The chief procurement officer shall submit a  
16      report to the Governor and General Assembly no later than  
17      November 1 of each year that shall include, at a minimum, an  
18      annual summary of the monthly information reported to the  
19      chief procurement officer.

20      (c) This Code does not apply to the electric power  
21      procurement process provided for under Section 1-75 of the  
22      Illinois Power Agency Act and Section 16-111.5 of the Public  
23      Utilities Act.

24      (d) Except for Section 20-160 and Article 50 of this Code,  
25      and as expressly required by Section 9.1 of the Illinois  
26      Lottery Law, the provisions of this Code do not apply to the



1 procurement process provided for under Section 9.1 of the  
2 Illinois Lottery Law.

3 (e) This Code does not apply to the process used by the  
4 Capital Development Board to retain a person or entity to  
5 assist the Capital Development Board with its duties related  
6 to the determination of costs of a clean coal SNG brownfield  
7 facility, as defined by Section 1-10 of the Illinois Power  
8 Agency Act, as required in subsection (h-3) of Section 9-220  
9 of the Public Utilities Act, including calculating the range  
10 of capital costs, the range of operating and maintenance  
11 costs, or the sequestration costs or monitoring the  
12 construction of clean coal SNG brownfield facility for the  
13 full duration of construction.

14 (f) (Blank).

15 (g) (Blank).

16 (h) This Code does not apply to the process to procure or  
17 contracts entered into in accordance with Sections 11-5.2 and  
18 11-5.3 of the Illinois Public Aid Code.

19 (i) Each chief procurement officer may access records  
20 necessary to review whether a contract, purchase, or other  
21 expenditure is or is not subject to the provisions of this  
22 Code, unless such records would be subject to attorney-client  
23 privilege.

24 (j) This Code does not apply to the process used by the  
25 Capital Development Board to retain an artist or work or works  
26 of art as required in Section 14 of the Capital Development

1 Board Act.

2 (k) This Code does not apply to the process to procure  
3 contracts, or contracts entered into, by the State Board of  
4 Elections or the State Electoral Board for hearing officers  
5 appointed pursuant to the Election Code.

6 (l) This Code does not apply to the processes used by the  
7 Illinois Student Assistance Commission to procure supplies and  
8 services paid for from the private funds of the Illinois  
9 Prepaid Tuition Fund. As used in this subsection (l), "private  
10 funds" means funds derived from deposits paid into the  
11 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

12 (m) This Code shall apply regardless of the source of  
13 funds with which contracts are paid, including federal  
14 assistance moneys. Except as specifically provided in this  
15 Code, this Code shall not apply to procurement expenditures  
16 necessary for the Department of Public Health to conduct the  
17 Healthy Illinois Survey in accordance with Section 2310-431 of  
18 the Department of Public Health Powers and Duties Law of the  
19 Civil Administrative Code of Illinois.

20 (Source: P.A. 101-27, eff. 6-25-19; 101-81, eff. 7-12-19;  
21 101-363, eff. 8-9-19; 102-175, eff. 7-29-21; 102-483, eff  
22 1-1-22; 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662,  
23 eff. 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22.)

24 Section 10. The Firearm Owners Identification Card Act is  
25 amended by changing Sections 2, 3, 4, and 8 and by adding

1 Section 4.1 as follows:

2 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

3 Sec. 2. Firearm Owner's Identification Card required;  
4 exceptions.

5 (a) (1) No person may acquire or possess any firearm, stun  
6 gun, or taser within this State without having in his or her  
7 possession a Firearm Owner's Identification Card previously  
8 issued in his or her name by the Illinois State Police under  
9 the provisions of this Act.

10 (2) No person may acquire or possess firearm ammunition  
11 within this State without having in his or her possession a  
12 Firearm Owner's Identification Card previously issued in his  
13 or her name by the Illinois State Police under the provisions  
14 of this Act.

15 (b) The provisions of this Section regarding the  
16 possession of firearms, firearm ammunition, stun guns, and  
17 tasers do not apply to:

18 (1) United States Marshals, while engaged in the  
19 operation of their official duties;

20 (2) Members of the Armed Forces of the United States  
21 or the National Guard, while engaged in the operation of  
22 their official duties;

23 (3) Federal officials required to carry firearms,  
24 while engaged in the operation of their official duties;

25 (4) Members of bona fide veterans organizations which

1 receive firearms directly from the armed forces of the  
2 United States, while using the firearms for ceremonial  
3 purposes with blank ammunition;

4 (5) Nonresident hunters during hunting season, with  
5 valid nonresident hunting licenses and while in an area  
6 where hunting is permitted; however, at all other times  
7 and in all other places these persons must have their  
8 firearms unloaded and enclosed in a case;

9 (6) Those hunters exempt from obtaining a hunting  
10 license who are required to submit their Firearm Owner's  
11 Identification Card when hunting on Department of Natural  
12 Resources owned or managed sites;

13 (7) Nonresidents while on a firing or shooting range  
14 recognized by the Illinois State Police; however, these  
15 persons must at all other times and in all other places  
16 have their firearms unloaded and enclosed in a case;

17 (8) Nonresidents while at a firearm showing or display  
18 recognized by the Illinois State Police; however, at all  
19 other times and in all other places these persons must  
20 have their firearms unloaded and enclosed in a case;

21 (9) Nonresidents whose firearms are unloaded and  
22 enclosed in a case;

23 (10) Nonresidents who are currently licensed or  
24 registered to possess a firearm in their resident state;

25 (11) Unemancipated minors while in the custody and  
26 immediate control of their parent or legal guardian or

1 other person in loco parentis to the minor if the parent or  
2 legal guardian or other person in loco parentis to the  
3 minor has a currently valid Firearm Owner's Identification  
4 Card;

5 (12) Color guards of bona fide veterans organizations  
6 or members of bona fide American Legion bands while using  
7 firearms for ceremonial purposes with blank ammunition;

8 (13) Nonresident hunters whose state of residence does  
9 not require them to be licensed or registered to possess a  
10 firearm and only during hunting season, with valid hunting  
11 licenses, while accompanied by, and using a firearm owned  
12 by, a person who possesses a valid Firearm Owner's  
13 Identification Card and while in an area within a  
14 commercial club licensed under the Wildlife Code where  
15 hunting is permitted and controlled, but in no instance  
16 upon sites owned or managed by the Department of Natural  
17 Resources;

18 (14) Resident hunters who are properly authorized to  
19 hunt and, while accompanied by a person who possesses a  
20 valid Firearm Owner's Identification Card, hunt in an area  
21 within a commercial club licensed under the Wildlife Code  
22 where hunting is permitted and controlled; and

23 (15) A person who is otherwise eligible to obtain a  
24 Firearm Owner's Identification Card under this Act and is  
25 under the direct supervision of a holder of a Firearm  
26 Owner's Identification Card who is 21 years of age or

1           older while the person is on a firing or shooting range or  
2           is a participant in a firearms safety and training course  
3           recognized by a law enforcement agency or a national,  
4           statewide shooting sports organization; and

5           ~~(16) Competitive shooting athletes whose competition~~  
6           ~~firearms are sanctioned by the International Olympic~~  
7           ~~Committee, the International Paralympic Committee, the~~  
8           ~~International Shooting Sport Federation, or USA Shooting~~  
9           ~~in connection with such athletes' training for and~~  
10          ~~participation in shooting competitions at the 2016 Olympic~~  
11          ~~and Paralympic Games and sanctioned test events leading up~~  
12          ~~to the 2016 Olympic and Paralympic Games.~~

13          (c) The provisions of this Section regarding the  
14          acquisition and possession of firearms, firearm ammunition,  
15          stun guns, and tasers do not apply to law enforcement  
16          officials of this or any other jurisdiction, while engaged in  
17          the operation of their official duties.

18          (c-5) The provisions of paragraphs (1) and (2) of  
19          subsection (a) of this Section regarding the possession of  
20          firearms and firearm ammunition do not apply to the holder of a  
21          valid concealed carry license issued under the Firearm  
22          Concealed Carry Act who is in physical possession of the  
23          concealed carry license.

24          (d) Any person who becomes a resident of this State, who is  
25          not otherwise prohibited from obtaining, possessing, or using  
26          a firearm or firearm ammunition, shall not be required to have

1 a Firearm Owner's Identification Card to possess firearms or  
2 firearms ammunition until 60 calendar days after he or she  
3 obtains an Illinois driver's license or Illinois  
4 Identification Card.

5 (Source: P.A. 102-538, eff. 8-20-21.)

6 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

7 (Text of Section before amendment by P.A. 102-237)

8 Sec. 3. (a) Except as provided in Section 3a, no person may  
9 knowingly transfer, or cause to be transferred, any firearm,  
10 firearm ammunition, stun gun, or taser to any person within  
11 this State unless the transferee with whom he deals displays  
12 either: (1) a currently valid Firearm Owner's Identification  
13 Card which has previously been issued in his or her name by the  
14 Illinois State Police under the provisions of this Act; or (2)  
15 a currently valid license to carry a concealed firearm which  
16 has previously been issued in his or her name by the Illinois  
17 State Police under the Firearm Concealed Carry Act. In  
18 addition, all firearm, stun gun, and taser transfers by  
19 federally licensed firearm dealers are subject to Section 3.1.

20 (a-5) Any person who is not a federally licensed firearm  
21 dealer and who desires to transfer or sell a firearm while that  
22 person is on the grounds of a gun show must, before selling or  
23 transferring the firearm, request the Illinois State Police to  
24 conduct a background check on the prospective recipient of the  
25 firearm in accordance with Section 3.1.

1 (a-10) Notwithstanding item (2) of subsection (a) of this  
2 Section, any person who is not a federally licensed firearm  
3 dealer and who desires to transfer or sell a firearm or  
4 firearms to any person who is not a federally licensed firearm  
5 dealer shall, before selling or transferring the firearms,  
6 contact a federal firearm license dealer under paragraph (1)  
7 of subsection (a-15) of this Section to conduct the transfer  
8 or the Illinois State Police with the transferee's or  
9 purchaser's Firearm Owner's Identification Card number to  
10 determine the validity of the transferee's or purchaser's  
11 Firearm Owner's Identification Card under State and federal  
12 law including the National Instant Criminal Background Check  
13 System. This subsection shall not be effective until July 1,  
14 2023. Until that date the transferor shall contact the  
15 Illinois State Police with the transferee's or purchaser's  
16 Firearm Owner's Identification Card number to determine the  
17 validity of the card ~~January 1, 2014~~. The Illinois State  
18 Police may adopt rules concerning the implementation of this  
19 subsection. The Illinois State Police shall provide the seller  
20 or transferor an approval number if the purchaser's Firearm  
21 Owner's Identification Card is valid. Approvals issued by the  
22 Illinois State Police for the purchase of a firearm pursuant  
23 to this subsection are valid for 30 days from the date of  
24 issue.

25 (a-15) The provisions of subsection (a-10) of this Section  
26 do not apply to:



1           (1) transfers that occur at the place of business of a  
2           federally licensed firearm dealer, if the federally  
3           licensed firearm dealer conducts a background check on the  
4           prospective recipient of the firearm in accordance with  
5           Section 3.1 of this Act and follows all other applicable  
6           federal, State, and local laws as if he or she were the  
7           seller or transferor of the firearm, although the dealer  
8           is not required to accept the firearm into his or her  
9           inventory. The purchaser or transferee may be required by  
10          the federally licensed firearm dealer to pay a fee not to  
11          exceed \$25 ~~\$10~~ per firearm, which the dealer may retain as  
12          compensation for performing the functions required under  
13          this paragraph, plus the applicable fees authorized by  
14          Section 3.1;

15          (2) transfers as a bona fide gift to the transferor's  
16          husband, wife, son, daughter, stepson, stepdaughter,  
17          father, mother, stepfather, stepmother, brother, sister,  
18          nephew, niece, uncle, aunt, grandfather, grandmother,  
19          grandson, granddaughter, father-in-law, mother-in-law,  
20          son-in-law, or daughter-in-law;

21          (3) transfers by persons acting pursuant to operation  
22          of law or a court order;

23          (4) transfers on the grounds of a gun show under  
24          subsection (a-5) of this Section;

25          (5) the delivery of a firearm by its owner to a  
26          gunsmith for service or repair, the return of the firearm

1 to its owner by the gunsmith, or the delivery of a firearm  
2 by a gunsmith to a federally licensed firearms dealer for  
3 service or repair and the return of the firearm to the  
4 gunsmith;

5 (6) temporary transfers that occur while in the home  
6 of the unlicensed transferee, if the unlicensed transferee  
7 is not otherwise prohibited from possessing firearms and  
8 the unlicensed transferee reasonably believes that  
9 possession of the firearm is necessary to prevent imminent  
10 death or great bodily harm to the unlicensed transferee;

11 (7) transfers to a law enforcement or corrections  
12 agency or a law enforcement or corrections officer acting  
13 within the course and scope of his or her official duties;

14 (8) transfers of firearms that have been rendered  
15 permanently inoperable to a nonprofit historical society,  
16 museum, or institutional collection; and

17 (9) transfers to a person who is exempt from the  
18 requirement of possessing a Firearm Owner's Identification  
19 Card under Section 2 of this Act.

20 (a-20) The Illinois State Police shall develop an  
21 Internet-based system for individuals to determine the  
22 validity of a Firearm Owner's Identification Card prior to the  
23 sale or transfer of a firearm. The Illinois State Police shall  
24 have the Internet-based system updated ~~completed~~ and available  
25 for use by January 1, 2024 ~~July 1, 2015~~. The Illinois State  
26 Police shall adopt rules not inconsistent with this Section to

1 implement this system; but no rule shall allow the Illinois  
2 State Police to retain records in contravention of State and  
3 federal law.

4 (a-25) On or before January 1, 2022, the Illinois State  
5 Police shall develop an Internet-based system upon which the  
6 serial numbers of firearms that have been reported stolen are  
7 available for public access for individuals to ensure any  
8 firearms are not reported stolen prior to the sale or transfer  
9 of a firearm under this Section. The Illinois State Police  
10 shall have the Internet-based system completed and available  
11 for use by July 1, 2022. The Illinois State Police shall adopt  
12 rules not inconsistent with this Section to implement this  
13 system.

14 (b) Any person within this State who transfers or causes  
15 to be transferred any firearm, stun gun, or taser shall keep a  
16 record of such transfer for a period of 10 years from the date  
17 of transfer. Any person within this State who receives any  
18 firearm, stun gun, or taser pursuant to subsection (a-10)  
19 shall provide a record of the transfer within 10 days of the  
20 transfer to a federally licensed firearm dealer and shall not  
21 be required to maintain a transfer record. The federally  
22 licensed firearm dealer shall maintain the transfer record for  
23 20 years from the date of receipt. A federally licensed  
24 firearm dealer may charge a fee not to exceed \$25 to retain the  
25 record. The record shall be provided and maintained in either  
26 an electronic or paper format. The federally licensed firearm

1 dealer shall not be liable for the accuracy of any information  
2 in the transfer record submitted pursuant to this Section.

3 Such records ~~record~~ shall contain the date of the transfer;  
4 the description, serial number or other information  
5 identifying the firearm, stun gun, or taser if no serial  
6 number is available; and, if the transfer was completed within  
7 this State, the transferee's Firearm Owner's Identification  
8 Card number and any approval number or documentation provided  
9 by the Illinois State Police pursuant to subsection (a-10) of  
10 this Section; if the transfer was not completed within this  
11 State, the record shall contain the name and address of the  
12 transferee. On or after January 1, 2006, the record shall  
13 contain the date of application for transfer of the firearm.  
14 On demand of a peace officer such transferor shall produce for  
15 inspection such record of transfer. For any transfer pursuant  
16 to subsection (a-10) of this Section, on the demand of a peace  
17 officer, such transferee shall identify the federally licensed  
18 firearm dealer maintaining the transfer record. If the  
19 transfer or sale took place at a gun show, the record shall  
20 include the unique identification number. Failure to record  
21 the unique identification number or approval number is a petty  
22 offense. For transfers of a firearm, stun gun, or taser made on  
23 or after January 18, 2019 (the effective date of Public Act  
24 100-1178), failure by the private seller to maintain the  
25 transfer records in accordance with this Section, or failure  
26 by a transferee pursuant to subsection a-10 of this Section to

1 identify the federally licensed firearm dealer maintaining the  
2 transfer record, is a Class A misdemeanor for the first  
3 offense and a Class 4 felony for a second or subsequent offense  
4 occurring within 10 years of the first offense and the second  
5 offense was committed after conviction of the first offense.  
6 Whenever any person who has not previously been convicted of  
7 any violation of subsection (a-5), the court may grant  
8 supervision pursuant to and consistent with the limitations of  
9 Section 5-6-1 of the Unified Code of Corrections. A transferee  
10 or transferor shall not be criminally liable under this  
11 Section provided that he or she provides the Illinois State  
12 Police with the transfer records in accordance with procedures  
13 established by the Illinois State Police. The Illinois State  
14 Police shall establish, by rule, a standard form on its  
15 website.

16 (b-5) Any resident may purchase ammunition from a person  
17 within or outside of Illinois if shipment is by United States  
18 mail or by a private express carrier authorized by federal law  
19 to ship ammunition. Any resident purchasing ammunition within  
20 or outside the State of Illinois must provide the seller with a  
21 copy of his or her valid Firearm Owner's Identification Card  
22 or valid concealed carry license and either his or her  
23 Illinois driver's license or Illinois State Identification  
24 Card prior to the shipment of the ammunition. The ammunition  
25 may be shipped only to an address on either of those 2  
26 documents.

1 (c) The provisions of this Section regarding the transfer  
2 of firearm ammunition shall not apply to those persons  
3 specified in paragraph (b) of Section 2 of this Act.

4 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

5 (Text of Section after amendment by P.A. 102-237)

6 Sec. 3. (a) Except as provided in Section 3a, no person may  
7 knowingly transfer, or cause to be transferred, any firearm,  
8 firearm ammunition, stun gun, or taser to any person within  
9 this State unless the transferee with whom he deals displays  
10 either: (1) a currently valid Firearm Owner's Identification  
11 Card which has previously been issued in his or her name by the  
12 Illinois State Police under the provisions of this Act; or (2)  
13 a currently valid license to carry a concealed firearm which  
14 has previously been issued in his or her name by the Illinois  
15 State Police under the Firearm Concealed Carry Act. In  
16 addition, all firearm, stun gun, and taser transfers by  
17 federally licensed firearm dealers are subject to Section 3.1.

18 (a-5) Any person who is not a federally licensed firearm  
19 dealer and who desires to transfer or sell a firearm while that  
20 person is on the grounds of a gun show must, before selling or  
21 transferring the firearm, request the Illinois State Police to  
22 conduct a background check on the prospective recipient of the  
23 firearm in accordance with Section 3.1.

24 (a-10) Notwithstanding item (2) of subsection (a) of this  
25 Section, any person who is not a federally licensed firearm

1 dealer and who desires to transfer or sell a firearm or  
2 firearms to any person who is not a federally licensed firearm  
3 dealer shall, before selling or transferring the firearms,  
4 contact a federal firearm license dealer under paragraph (1)  
5 of subsection (a-15) of this Section to conduct the transfer  
6 or the Illinois State Police with the transferee's or  
7 purchaser's Firearm Owner's Identification Card number to  
8 determine the validity of the transferee's or purchaser's  
9 Firearm Owner's Identification Card under State and federal  
10 law, including the National Instant Criminal Background Check  
11 System. This subsection shall not be effective until July 1,  
12 2023 ~~January 1, 2024~~. Until that date the transferor shall  
13 contact the Illinois State Police with the transferee's or  
14 purchaser's Firearm Owner's Identification Card number to  
15 determine the validity of the card. The Illinois State Police  
16 may adopt rules concerning the implementation of this  
17 subsection. The Illinois State Police shall provide the seller  
18 or transferor an approval number if the purchaser's Firearm  
19 Owner's Identification Card is valid. Approvals issued by the  
20 Illinois State Police for the purchase of a firearm pursuant  
21 to this subsection are valid for 30 days from the date of  
22 issue.

23 (a-15) The provisions of subsection (a-10) of this Section  
24 do not apply to:

25 (1) transfers that occur at the place of business of a  
26 federally licensed firearm dealer, if the federally

1 licensed firearm dealer conducts a background check on the  
2 prospective recipient of the firearm in accordance with  
3 Section 3.1 of this Act and follows all other applicable  
4 federal, State, and local laws as if he or she were the  
5 seller or transferor of the firearm, although the dealer  
6 is not required to accept the firearm into his or her  
7 inventory. The purchaser or transferee may be required by  
8 the federally licensed firearm dealer to pay a fee not to  
9 exceed \$25 per firearm, which the dealer may retain as  
10 compensation for performing the functions required under  
11 this paragraph, plus the applicable fees authorized by  
12 Section 3.1;

13 (2) transfers as a bona fide gift to the transferor's  
14 husband, wife, son, daughter, stepson, stepdaughter,  
15 father, mother, stepfather, stepmother, brother, sister,  
16 nephew, niece, uncle, aunt, grandfather, grandmother,  
17 grandson, granddaughter, father-in-law, mother-in-law,  
18 son-in-law, or daughter-in-law;

19 (3) transfers by persons acting pursuant to operation  
20 of law or a court order;

21 (4) transfers on the grounds of a gun show under  
22 subsection (a-5) of this Section;

23 (5) the delivery of a firearm by its owner to a  
24 gunsmith for service or repair, the return of the firearm  
25 to its owner by the gunsmith, or the delivery of a firearm  
26 by a gunsmith to a federally licensed firearms dealer for



1 service or repair and the return of the firearm to the  
2 gunsmith;

3 (6) temporary transfers that occur while in the home  
4 of the unlicensed transferee, if the unlicensed transferee  
5 is not otherwise prohibited from possessing firearms and  
6 the unlicensed transferee reasonably believes that  
7 possession of the firearm is necessary to prevent imminent  
8 death or great bodily harm to the unlicensed transferee;

9 (7) transfers to a law enforcement or corrections  
10 agency or a law enforcement or corrections officer acting  
11 within the course and scope of his or her official duties;

12 (8) transfers of firearms that have been rendered  
13 permanently inoperable to a nonprofit historical society,  
14 museum, or institutional collection; and

15 (9) transfers to a person who is exempt from the  
16 requirement of possessing a Firearm Owner's Identification  
17 Card under Section 2 of this Act.

18 (a-20) The Illinois State Police shall develop an  
19 Internet-based system for individuals to determine the  
20 validity of a Firearm Owner's Identification Card prior to the  
21 sale or transfer of a firearm. The Illinois State Police shall  
22 have the Internet-based system updated and available for use  
23 by January 1, 2024. The Illinois State Police shall adopt  
24 rules not inconsistent with this Section to implement this  
25 system; but no rule shall allow the Illinois State Police to  
26 retain records in contravention of State and federal law.

1 (a-25) On or before January 1, 2022, the Illinois State  
2 Police shall develop an Internet-based system upon which the  
3 serial numbers of firearms that have been reported stolen are  
4 available for public access for individuals to ensure any  
5 firearms are not reported stolen prior to the sale or transfer  
6 of a firearm under this Section. The Illinois State Police  
7 shall have the Internet-based system completed and available  
8 for use by July 1, 2022. The Illinois State Police shall adopt  
9 rules not inconsistent with this Section to implement this  
10 system.

11 (b) Any person within this State who transfers or causes  
12 to be transferred any firearm, stun gun, or taser shall keep a  
13 record of such transfer for a period of 10 years from the date  
14 of transfer. Any person within this State who receives any  
15 firearm, stun gun, or taser pursuant to subsection (a-10)  
16 shall provide a record of the transfer within 10 days of the  
17 transfer to a federally licensed firearm dealer and shall not  
18 be required to maintain a transfer record. The federally  
19 licensed firearm dealer shall maintain the transfer record for  
20 20 years from the date of receipt. A federally licensed  
21 firearm dealer may charge a fee not to exceed \$25 to retain the  
22 record. The record shall be provided and maintained in either  
23 an electronic or paper format. The federally licensed firearm  
24 dealer shall not be liable for the accuracy of any information  
25 in the transfer record submitted pursuant to this Section.  
26 Such records shall contain the date of the transfer; the

1 description, serial number or other information identifying  
2 the firearm, stun gun, or taser if no serial number is  
3 available; and, if the transfer was completed within this  
4 State, the transferee's Firearm Owner's Identification Card  
5 number and any approval number or documentation provided by  
6 the Illinois State Police pursuant to subsection (a-10) of  
7 this Section; if the transfer was not completed within this  
8 State, the record shall contain the name and address of the  
9 transferee. On or after January 1, 2006, the record shall  
10 contain the date of application for transfer of the firearm.  
11 On demand of a peace officer such transferor shall produce for  
12 inspection such record of transfer. For any transfer pursuant  
13 to subsection (a-10) of this Section, on the demand of a peace  
14 officer, such transferee shall identify the federally licensed  
15 firearm dealer maintaining the transfer record. If the  
16 transfer or sale took place at a gun show, the record shall  
17 include the unique identification number. Failure to record  
18 the unique identification number or approval number is a petty  
19 offense. For transfers of a firearm, stun gun, or taser made on  
20 or after January 18, 2019 (the effective date of Public Act  
21 100-1178), failure by the private seller to maintain the  
22 transfer records in accordance with this Section, or failure  
23 by a transferee pursuant to subsection a-10 of this Section to  
24 identify the federally licensed firearm dealer maintaining the  
25 transfer record, is a Class A misdemeanor for the first  
26 offense and a Class 4 felony for a second or subsequent offense

1 occurring within 10 years of the first offense and the second  
2 offense was committed after conviction of the first offense.  
3 Whenever any person who has not previously been convicted of  
4 any violation of subsection (a-5), the court may grant  
5 supervision pursuant to and consistent with the limitations of  
6 Section 5-6-1 of the Unified Code of Corrections. A transferee  
7 or transferor shall not be criminally liable under this  
8 Section provided that he or she provides the Illinois State  
9 Police with the transfer records in accordance with procedures  
10 established by the Illinois State Police. The Illinois State  
11 Police shall establish, by rule, a standard form on its  
12 website.

13 (b-5) Any resident may purchase ammunition from a person  
14 within or outside of Illinois if shipment is by United States  
15 mail or by a private express carrier authorized by federal law  
16 to ship ammunition. Any resident purchasing ammunition within  
17 or outside the State of Illinois must provide the seller with a  
18 copy of his or her valid Firearm Owner's Identification Card  
19 or valid concealed carry license and either his or her  
20 Illinois driver's license or Illinois State Identification  
21 Card prior to the shipment of the ammunition. The ammunition  
22 may be shipped only to an address on either of those 2  
23 documents.

24 (c) The provisions of this Section regarding the transfer  
25 of firearm ammunition shall not apply to those persons  
26 specified in paragraph (b) of Section 2 of this Act.

1 (Source: P.A. 102-237, eff. 1-1-24; 102-538, eff. 8-20-21;  
2 102-813, eff. 5-13-22.)

3 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

4 (Text of Section before amendment by P.A. 102-237)

5 Sec. 3. (a) Except as provided in Section 3a, no person may  
6 knowingly transfer, or cause to be transferred, any firearm,  
7 firearm ammunition, stun gun, or taser to any person within  
8 this State unless the transferee with whom he deals displays  
9 either: (1) a currently valid Firearm Owner's Identification  
10 Card which has previously been issued in his or her name by the  
11 Illinois State Police under the provisions of this Act; or (2)  
12 a currently valid license to carry a concealed firearm which  
13 has previously been issued in his or her name by the Illinois  
14 State Police under the Firearm Concealed Carry Act. In  
15 addition, all firearm, stun gun, and taser transfers by  
16 federally licensed firearm dealers are subject to Section 3.1.

17 (a-5) Any person who is not a federally licensed firearm  
18 dealer and who desires to transfer or sell a firearm while that  
19 person is on the grounds of a gun show must, before selling or  
20 transferring the firearm, request the Illinois State Police to  
21 conduct a background check on the prospective recipient of the  
22 firearm in accordance with Section 3.1.

23 (a-10) Notwithstanding item (2) of subsection (a) of this  
24 Section, any person who is not a federally licensed firearm  
25 dealer and who desires to transfer or sell a firearm or

1 firearms to any person who is not a federally licensed firearm  
2 dealer shall, before selling or transferring the firearms,  
3 contact the Illinois State Police with the transferee's or  
4 purchaser's Firearm Owner's Identification Card number to  
5 determine the validity of the transferee's or purchaser's  
6 Firearm Owner's Identification Card. This subsection shall not  
7 be effective until January 1, 2014. The Illinois State Police  
8 may adopt rules concerning the implementation of this  
9 subsection. The Illinois State Police shall provide the seller  
10 or transferor an approval number if the purchaser's Firearm  
11 Owner's Identification Card is valid. Approvals issued by the  
12 Illinois State Police for the purchase of a firearm pursuant  
13 to this subsection are valid for 30 days from the date of  
14 issue.

15 (a-15) The provisions of subsection (a-10) of this Section  
16 do not apply to:

17 (1) transfers that occur at the place of business of a  
18 federally licensed firearm dealer, if the federally  
19 licensed firearm dealer conducts a background check on the  
20 prospective recipient of the firearm in accordance with  
21 Section 3.1 of this Act and follows all other applicable  
22 federal, State, and local laws as if he or she were the  
23 seller or transferor of the firearm, although the dealer  
24 is not required to accept the firearm into his or her  
25 inventory. The purchaser or transferee may be required by  
26 the federally licensed firearm dealer to pay a fee not to

1 exceed \$10 per firearm, which the dealer may retain as  
2 compensation for performing the functions required under  
3 this paragraph, plus the applicable fees authorized by  
4 Section 3.1;

5 (2) transfers as a bona fide gift to the transferor's  
6 husband, wife, son, daughter, stepson, stepdaughter,  
7 father, mother, stepfather, stepmother, brother, sister,  
8 nephew, niece, uncle, aunt, grandfather, grandmother,  
9 grandson, granddaughter, father-in-law, mother-in-law,  
10 son-in-law, or daughter-in-law;

11 (3) transfers by persons acting pursuant to operation  
12 of law or a court order;

13 (4) transfers on the grounds of a gun show under  
14 subsection (a-5) of this Section;

15 (5) the delivery of a firearm by its owner to a  
16 gunsmith for service or repair, the return of the firearm  
17 to its owner by the gunsmith, or the delivery of a firearm  
18 by a gunsmith to a federally licensed firearms dealer for  
19 service or repair and the return of the firearm to the  
20 gunsmith;

21 (6) temporary transfers that occur while in the home  
22 of the unlicensed transferee, if the unlicensed transferee  
23 is not otherwise prohibited from possessing firearms and  
24 the unlicensed transferee reasonably believes that  
25 possession of the firearm is necessary to prevent imminent  
26 death or great bodily harm to the unlicensed transferee;

1           (7) transfers to a law enforcement or corrections  
2 agency or a law enforcement or corrections officer acting  
3 within the course and scope of his or her official duties;

4           (8) transfers of firearms that have been rendered  
5 permanently inoperable to a nonprofit historical society,  
6 museum, or institutional collection; and

7           (9) transfers to a person who is exempt from the  
8 requirement of possessing a Firearm Owner's Identification  
9 Card under Section 2 of this Act.

10          (a-20) The Illinois State Police shall develop an  
11 Internet-based system for individuals to determine the  
12 validity of a Firearm Owner's Identification Card prior to the  
13 sale or transfer of a firearm. The Illinois State Police shall  
14 have the Internet-based system completed and available for use  
15 by July 1, 2015. The Illinois State Police shall adopt rules  
16 not inconsistent with this Section to implement this system.

17          (b) Any person within this State who transfers or causes  
18 to be transferred any firearm, stun gun, or taser shall keep a  
19 record of such transfer for a period of 10 years from the date  
20 of transfer. Such record shall contain the date of the  
21 transfer; the description, serial number or other information  
22 identifying the firearm, stun gun, or taser if no serial  
23 number is available; and, if the transfer was completed within  
24 this State, the transferee's Firearm Owner's Identification  
25 Card number and any approval number or documentation provided  
26 by the Illinois State Police pursuant to subsection (a-10) of



1 this Section; if the transfer was not completed within this  
2 State, the record shall contain the name and address of the  
3 transferee. On or after January 1, 2006, the record shall  
4 contain the date of application for transfer of the firearm.  
5 On demand of a peace officer such transferor shall produce for  
6 inspection such record of transfer. If the transfer or sale  
7 took place at a gun show, the record shall include the unique  
8 identification number. Failure to record the unique  
9 identification number or approval number is a petty offense.  
10 For transfers of a firearm, stun gun, or taser made on or after  
11 January 18, 2019 (the effective date of Public Act 100-1178),  
12 failure by the private seller to maintain the transfer records  
13 in accordance with this Section is a Class A misdemeanor for  
14 the first offense and a Class 4 felony for a second or  
15 subsequent offense. A transferee shall not be criminally  
16 liable under this Section provided that he or she provides the  
17 Illinois State Police with the transfer records in accordance  
18 with procedures established by the Illinois State Police. The  
19 Illinois State Police shall establish, by rule, a standard  
20 form on its website.

21 (b-5) Any resident may purchase ammunition from a person  
22 within or outside of Illinois if shipment is by United States  
23 mail or by a private express carrier authorized by federal law  
24 to ship ammunition. Any resident purchasing ammunition within  
25 or outside the State of Illinois must provide the seller with a  
26 copy of his or her valid Firearm Owner's Identification Card

1 or valid concealed carry license and either his or her  
2 Illinois driver's license or Illinois State Identification  
3 Card prior to the shipment of the ammunition. The ammunition  
4 may be shipped only to an address on either of those 2  
5 documents.

6 (c) The provisions of this Section regarding the transfer  
7 of firearm ammunition shall not apply to those persons  
8 specified in paragraph (b) of Section 2 of this Act.

9 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

10 (Text of Section after amendment by P.A. 102-237)

11 Sec. 3. (a) Except as provided in Section 3a, no person may  
12 knowingly transfer, or cause to be transferred, any firearm,  
13 firearm ammunition, stun gun, or taser to any person within  
14 this State unless the transferee with whom he deals displays  
15 either: (1) a currently valid Firearm Owner's Identification  
16 Card which has previously been issued in his or her name by the  
17 Illinois State Police under the provisions of this Act; or (2)  
18 a currently valid license to carry a concealed firearm which  
19 has previously been issued in his or her name by the Illinois  
20 State Police under the Firearm Concealed Carry Act. In  
21 addition, all firearm, stun gun, and taser transfers by  
22 federally licensed firearm dealers are subject to Section 3.1.

23 (a-5) Any person who is not a federally licensed firearm  
24 dealer and who desires to transfer or sell a firearm while that  
25 person is on the grounds of a gun show must, before selling or

1 transferring the firearm, request the Illinois State Police to  
2 conduct a background check on the prospective recipient of the  
3 firearm in accordance with Section 3.1.

4 (a-10) Notwithstanding item (2) of subsection (a) of this  
5 Section, any person who is not a federally licensed firearm  
6 dealer and who desires to transfer or sell a firearm or  
7 firearms to any person who is not a federally licensed firearm  
8 dealer shall, before selling or transferring the firearms,  
9 contact a federal firearm license dealer under paragraph (1)  
10 of subsection (a-15) of this Section to conduct the transfer  
11 or the Illinois State Police with the transferee's or  
12 purchaser's Firearm Owner's Identification Card number to  
13 determine the validity of the transferee's or purchaser's  
14 Firearm Owner's Identification Card under State and federal  
15 law, including the National Instant Criminal Background Check  
16 System. This subsection shall not be effective until January  
17 1, 2024. Until that date the transferor shall contact the  
18 Illinois State Police with the transferee's or purchaser's  
19 Firearm Owner's Identification Card number to determine the  
20 validity of the card. The Illinois State Police may adopt  
21 rules concerning the implementation of this subsection. The  
22 Illinois State Police shall provide the seller or transferor  
23 an approval number if the purchaser's Firearm Owner's  
24 Identification Card is valid. Approvals issued by the Illinois  
25 State Police for the purchase of a firearm pursuant to this  
26 subsection are valid for 30 days from the date of issue.

1 (a-15) The provisions of subsection (a-10) of this Section  
2 do not apply to:

3 (1) transfers that occur at the place of business of a  
4 federally licensed firearm dealer, if the federally  
5 licensed firearm dealer conducts a background check on the  
6 prospective recipient of the firearm in accordance with  
7 Section 3.1 of this Act and follows all other applicable  
8 federal, State, and local laws as if he or she were the  
9 seller or transferor of the firearm, although the dealer  
10 is not required to accept the firearm into his or her  
11 inventory. The purchaser or transferee may be required by  
12 the federally licensed firearm dealer to pay a fee not to  
13 exceed \$25 per firearm, which the dealer may retain as  
14 compensation for performing the functions required under  
15 this paragraph, plus the applicable fees authorized by  
16 Section 3.1;

17 (2) transfers as a bona fide gift to the transferor's  
18 husband, wife, son, daughter, stepson, stepdaughter,  
19 father, mother, stepfather, stepmother, brother, sister,  
20 nephew, niece, uncle, aunt, grandfather, grandmother,  
21 grandson, granddaughter, father-in-law, mother-in-law,  
22 son-in-law, or daughter-in-law;

23 (3) transfers by persons acting pursuant to operation  
24 of law or a court order;

25 (4) transfers on the grounds of a gun show under  
26 subsection (a-5) of this Section;

1           (5) the delivery of a firearm by its owner to a  
2           gunsmith for service or repair, the return of the firearm  
3           to its owner by the gunsmith, or the delivery of a firearm  
4           by a gunsmith to a federally licensed firearms dealer for  
5           service or repair and the return of the firearm to the  
6           gunsmith;

7           (6) temporary transfers that occur while in the home  
8           of the unlicensed transferee, if the unlicensed transferee  
9           is not otherwise prohibited from possessing firearms and  
10          the unlicensed transferee reasonably believes that  
11          possession of the firearm is necessary to prevent imminent  
12          death or great bodily harm to the unlicensed transferee;

13          (7) transfers to a law enforcement or corrections  
14          agency or a law enforcement or corrections officer acting  
15          within the course and scope of his or her official duties;

16          (8) transfers of firearms that have been rendered  
17          permanently inoperable to a nonprofit historical society,  
18          museum, or institutional collection; and

19          (9) transfers to a person who is exempt from the  
20          requirement of possessing a Firearm Owner's Identification  
21          Card under Section 2 of this Act.

22          (a-20) The Illinois State Police shall develop an  
23          Internet-based system for individuals to determine the  
24          validity of a Firearm Owner's Identification Card prior to the  
25          sale or transfer of a firearm. The Illinois State Police shall  
26          have the Internet-based system updated and available for use

1 by January 1, 2024. The Illinois State Police shall adopt  
2 rules not inconsistent with this Section to implement this  
3 system; but no rule shall allow the Illinois State Police to  
4 retain records in contravention of State and federal law.

5 (a-25) On or before January 1, 2022, the Illinois State  
6 Police shall develop an Internet-based system upon which the  
7 serial numbers of firearms that have been reported stolen are  
8 available for public access for individuals to ensure any  
9 firearms are not reported stolen prior to the sale or transfer  
10 of a firearm under this Section. The Illinois State Police  
11 shall have the Internet-based system completed and available  
12 for use by July 1, 2022. The Illinois State Police shall adopt  
13 rules not inconsistent with this Section to implement this  
14 system.

15 (b) Any person within this State who transfers or causes  
16 to be transferred any firearm, stun gun, or taser shall keep a  
17 record of such transfer for a period of 10 years from the date  
18 of transfer. Any person within this State who receives any  
19 firearm, stun gun, or taser pursuant to subsection (a-10)  
20 shall provide a record of the transfer within 10 days of the  
21 transfer to a federally licensed firearm dealer and shall not  
22 be required to maintain a transfer record. The federally  
23 licensed firearm dealer shall maintain the transfer record for  
24 20 years from the date of receipt. A federally licensed  
25 firearm dealer may charge a fee not to exceed \$25 to retain the  
26 record. The record shall be provided and maintained in either

1 an electronic or paper format. The federally licensed firearm  
2 dealer shall not be liable for the accuracy of any information  
3 in the transfer record submitted pursuant to this Section.  
4 Such records shall contain the date of the transfer; the  
5 description, serial number or other information identifying  
6 the firearm, stun gun, or taser if no serial number is  
7 available; and, if the transfer was completed within this  
8 State, the transferee's Firearm Owner's Identification Card  
9 number and any approval number or documentation provided by  
10 the Illinois State Police pursuant to subsection (a-10) of  
11 this Section; if the transfer was not completed within this  
12 State, the record shall contain the name and address of the  
13 transferee. On or after January 1, 2006, the record shall  
14 contain the date of application for transfer of the firearm.  
15 On demand of a peace officer such transferor shall produce for  
16 inspection such record of transfer. For any transfer pursuant  
17 to subsection (a-10) of this Section, on the demand of a peace  
18 officer, such transferee shall identify the federally licensed  
19 firearm dealer maintaining the transfer record. If the  
20 transfer or sale took place at a gun show, the record shall  
21 include the unique identification number. Failure to record  
22 the unique identification number or approval number is a petty  
23 offense. For transfers of a firearm, stun gun, or taser made on  
24 or after January 18, 2019 (the effective date of Public Act  
25 100-1178), failure by the private seller to maintain the  
26 transfer records in accordance with this Section, or failure

1 by a transferee pursuant to subsection a-10 of this Section to  
2 identify the federally licensed firearm dealer maintaining the  
3 transfer record, is a Class A misdemeanor for the first  
4 offense and a Class 4 felony for a second or subsequent offense  
5 occurring within 10 years of the first offense and the second  
6 offense was committed after conviction of the first offense.  
7 Whenever any person who has not previously been convicted of  
8 any violation of subsection (a-5), the court may grant  
9 supervision pursuant to and consistent with the limitations of  
10 Section 5-6-1 of the Unified Code of Corrections. A transferee  
11 or transferor shall not be criminally liable under this  
12 Section provided that he or she provides the Illinois State  
13 Police with the transfer records in accordance with procedures  
14 established by the Illinois State Police. The Illinois State  
15 Police shall establish, by rule, a standard form on its  
16 website.

17 (b-5) Any resident may purchase ammunition from a person  
18 within or outside of Illinois if shipment is by United States  
19 mail or by a private express carrier authorized by federal law  
20 to ship ammunition. Any resident purchasing ammunition within  
21 or outside the State of Illinois must provide the seller with a  
22 copy of his or her valid Firearm Owner's Identification Card  
23 or valid concealed carry license and either his or her  
24 Illinois driver's license or Illinois State Identification  
25 Card prior to the shipment of the ammunition. The ammunition  
26 may be shipped only to an address on either of those 2



1 documents.

2 (c) The provisions of this Section regarding the transfer  
3 of firearm ammunition shall not apply to those persons  
4 specified in paragraph (b) of Section 2 of this Act.

5 (Source: P.A. 102-237, eff. 1-1-24; 102-538, eff. 8-20-21;  
6 102-813, eff. 5-13-22.)

7 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

8 Sec. 4. Application for Firearm Owner's Identification  
9 Cards.

10 (a) Each applicant for a Firearm Owner's Identification  
11 Card must:

12 (1) Submit an application as made available by the  
13 Illinois State Police; and

14 (2) Submit evidence to the Illinois State Police that:

15 (i) This subparagraph (i) applies through the  
16 180th day following July 12, 2019 (the effective date  
17 of Public Act 101-80). He or she is 21 years of age or  
18 over, or if he or she is under 21 years of age that he  
19 or she has the written consent of his or her parent or  
20 legal guardian to possess and acquire firearms and  
21 firearm ammunition and that he or she has never been  
22 convicted of a misdemeanor other than a traffic  
23 offense or adjudged delinquent, provided, however,  
24 that such parent or legal guardian is not an  
25 individual prohibited from having a Firearm Owner's

1 Identification Card and files an affidavit with the  
2 Department as prescribed by the Department stating  
3 that he or she is not an individual prohibited from  
4 having a Card;

5 (i-5) This subparagraph (i-5) applies on and after  
6 the 181st day following July 12, 2019 (the effective  
7 date of Public Act 101-80). He or she is 21 years of  
8 age or over, or if he or she is under 21 years of age  
9 that he or she has never been convicted of a  
10 misdemeanor other than a traffic offense or adjudged  
11 delinquent and is an active duty member of the United  
12 States Armed Forces or the Illinois National Guard or  
13 has the written consent of his or her parent or legal  
14 guardian to possess and acquire firearms and firearm  
15 ammunition, provided, however, that such parent or  
16 legal guardian is not an individual prohibited from  
17 having a Firearm Owner's Identification Card and files  
18 an affidavit with the Illinois State Police as  
19 prescribed by the Illinois State Police stating that  
20 he or she is not an individual prohibited from having a  
21 Card or the active duty member of the United States  
22 Armed Forces or the Illinois National Guard under 21  
23 years of age annually submits proof to the Illinois  
24 State Police, in a manner prescribed by the Illinois  
25 State Police;

26 (ii) He or she has not been convicted of a felony

1 under the laws of this or any other jurisdiction;

2 (iii) He or she is not addicted to narcotics;

3 (iv) He or she has not been a patient in a mental  
4 health facility within the past 5 years or, if he or  
5 she has been a patient in a mental health facility more  
6 than 5 years ago submit the certification required  
7 under subsection (u) of Section 8 of this Act;

8 (v) He or she is not a person with an intellectual  
9 disability;

10 (vi) He or she is not a noncitizen who is  
11 unlawfully present in the United States under the laws  
12 of the United States;

13 (vii) He or she is not subject to an existing order  
14 of protection prohibiting him or her from possessing a  
15 firearm;

16 (viii) He or she has not been convicted within the  
17 past 5 years of battery, assault, aggravated assault,  
18 violation of an order of protection, or a  
19 substantially similar offense in another jurisdiction,  
20 in which a firearm was used or possessed;

21 (ix) He or she has not been convicted of domestic  
22 battery, aggravated domestic battery, or a  
23 substantially similar offense in another jurisdiction  
24 committed before, on or after January 1, 2012 (the  
25 effective date of Public Act 97-158). If the applicant  
26 knowingly and intelligently waives the right to have

1 an offense described in this clause (ix) tried by a  
2 jury, and by guilty plea or otherwise, results in a  
3 conviction for an offense in which a domestic  
4 relationship is not a required element of the offense  
5 but in which a determination of the applicability of  
6 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of  
7 the Code of Criminal Procedure of 1963, an entry by the  
8 court of a judgment of conviction for that offense  
9 shall be grounds for denying the issuance of a Firearm  
10 Owner's Identification Card under this Section;

11 (x) (Blank);

12 (xi) He or she is not a noncitizen who has been  
13 admitted to the United States under a non-immigrant  
14 visa (as that term is defined in Section 101(a)(26) of  
15 the Immigration and Nationality Act (8 U.S.C.  
16 1101(a)(26))), or that he or she is a noncitizen who  
17 has been lawfully admitted to the United States under  
18 a non-immigrant visa if that noncitizen is:

19 (1) admitted to the United States for lawful  
20 hunting or sporting purposes;

21 (2) an official representative of a foreign  
22 government who is:

23 (A) accredited to the United States  
24 Government or the Government's mission to an  
25 international organization having its  
26 headquarters in the United States; or

1 (B) en route to or from another country to  
2 which that noncitizen is accredited;

3 (3) an official of a foreign government or  
4 distinguished foreign visitor who has been so  
5 designated by the Department of State;

6 (4) a foreign law enforcement officer of a  
7 friendly foreign government entering the United  
8 States on official business; or

9 (5) one who has received a waiver from the  
10 Attorney General of the United States pursuant to  
11 18 U.S.C. 922 (y) (3);

12 (xii) He or she is not a minor subject to a  
13 petition filed under Section 5-520 of the Juvenile  
14 Court Act of 1987 alleging that the minor is a  
15 delinquent minor for the commission of an offense that  
16 if committed by an adult would be a felony;

17 (xiii) He or she is not an adult who had been  
18 adjudicated a delinquent minor under the Juvenile  
19 Court Act of 1987 for the commission of an offense that  
20 if committed by an adult would be a felony;

21 (xiv) He or she is a resident of the State of  
22 Illinois;

23 (xv) He or she has not been adjudicated as a person  
24 with a mental disability;

25 (xvi) He or she has not been involuntarily  
26 admitted into a mental health facility; and

1           (xvii) He or she is not a person with a  
2           developmental disability; and

3           (3) Upon request by the Illinois State Police, sign a  
4           release on a form prescribed by the Illinois State Police  
5           waiving any right to confidentiality and requesting the  
6           disclosure to the Illinois State Police of limited mental  
7           health institution admission information from another  
8           state, the District of Columbia, any other territory of  
9           the United States, or a foreign nation concerning the  
10          applicant for the sole purpose of determining whether the  
11          applicant is or was a patient in a mental health  
12          institution and disqualified because of that status from  
13          receiving a Firearm Owner's Identification Card. No mental  
14          health care or treatment records may be requested. The  
15          information received shall be destroyed within one year of  
16          receipt.

17          (a-5) Each applicant for a Firearm Owner's Identification  
18          Card who is over the age of 18 shall furnish to the Illinois  
19          State Police either his or her Illinois driver's license  
20          number or Illinois Identification Card number, except as  
21          provided in subsection (a-10).

22          (a-10) Each applicant for a Firearm Owner's Identification  
23          Card, who is employed as a law enforcement officer, an armed  
24          security officer in Illinois, or by the United States Military  
25          permanently assigned in Illinois and who is not an Illinois  
26          resident, shall furnish to the Illinois State Police his or

1 her driver's license number or state identification card  
2 number from his or her state of residence. The Illinois State  
3 Police may adopt rules to enforce the provisions of this  
4 subsection (a-10).

5 (a-15) If an applicant applying for a Firearm Owner's  
6 Identification Card moves from the residence address named in  
7 the application, he or she shall immediately notify in a form  
8 and manner prescribed by the Illinois State Police of that  
9 change of address.

10 (a-20) Each applicant for a Firearm Owner's Identification  
11 Card shall furnish to the Illinois State Police his or her  
12 photograph. An applicant who is 21 years of age or older  
13 seeking a religious exemption to the photograph requirement  
14 must furnish with the application an approved copy of United  
15 States Department of the Treasury Internal Revenue Service  
16 Form 4029. In lieu of a photograph, an applicant regardless of  
17 age seeking a religious exemption to the photograph  
18 requirement shall submit fingerprints on a form and manner  
19 prescribed by the Illinois State Police with his or her  
20 application.

21 (a-25) Beginning January 1, 2023, each applicant for the  
22 issuance of a Firearm Owner's Identification Card may include  
23 a full set of his or her fingerprints in electronic format to  
24 the Illinois State Police, unless the applicant has previously  
25 provided a full set of his or her fingerprints to the Illinois  
26 State Police under this Act or the Firearm Concealed Carry

1 Act.

2 The fingerprints must be transmitted through a live scan  
3 fingerprint vendor licensed by the Department of Financial and  
4 Professional Regulation. The fingerprints shall be checked  
5 against the fingerprint records now and hereafter filed in the  
6 Illinois State Police and Federal Bureau of Investigation  
7 criminal history records databases, including all available  
8 State and local criminal history record information files.

9 The Illinois State Police shall charge applicants a  
10 one-time fee for conducting the criminal history record check,  
11 which shall be deposited into the State Police Services Fund  
12 and shall not exceed the actual cost of the State and national  
13 criminal history record check.

14 (a-26) The Illinois State Police shall research, explore,  
15 and report to the General Assembly by January 1, 2022 on the  
16 feasibility of permitting voluntarily submitted fingerprints  
17 obtained for purposes other than Firearm Owner's  
18 Identification Card enforcement that are contained in the  
19 Illinois State Police database for purposes of this Act.

20 (b) Each application form shall include the following  
21 statement printed in bold type: "Warning: Entering false  
22 information on an application for a Firearm Owner's  
23 Identification Card is punishable as a Class 2 felony in  
24 accordance with subsection (d-5) of Section 14 of the Firearm  
25 Owners Identification Card Act."

26 (c) Upon such written consent, pursuant to Section 4,



1 paragraph (a)(2)(i), the parent or legal guardian giving the  
2 consent shall be liable for any damages resulting from the  
3 applicant's use of firearms or firearm ammunition.

4 (Source: P.A. 101-80, eff. 7-12-19; 102-237, eff. 1-1-22;  
5 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1030, eff.  
6 5-27-22.)

7 (430 ILCS 65/4.1 new)

8 Sec. 4.1. Assault weapon, .50 caliber rifle, assault  
9 weapon attachment, or .50 caliber cartridge endorsement.

10 (a) The endorsement affidavit form completed pursuant to  
11 Section 24-1.9 of the Criminal Code of 2012 must be executed  
12 electronically through the individual's Firearm Owner's  
13 Identification Card account.

14 (b) The Illinois State Police shall adopt rules in  
15 accordance with this Section for the electronic submission of  
16 an endorsement affidavit.

17 (c) Entering false information on the endorsement  
18 affidavit form is a violation of this Act and is also  
19 punishable as perjury under Section 32-2 of the Criminal Code  
20 of 2012.

21 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

22 Sec. 8. Grounds for denial and revocation. The Illinois  
23 State Police has authority to deny an application for or to  
24 revoke and seize a Firearm Owner's Identification Card

1 previously issued under this Act only if the Illinois State  
2 Police finds that the applicant or the person to whom such card  
3 was issued is or was at the time of issuance:

4 (a) A person under 21 years of age who has been  
5 convicted of a misdemeanor other than a traffic offense or  
6 adjudged delinquent;

7 (b) This subsection (b) applies through the 180th day  
8 following July 12, 2019 (the effective date of Public Act  
9 101-80). A person under 21 years of age who does not have  
10 the written consent of his parent or guardian to acquire  
11 and possess firearms and firearm ammunition, or whose  
12 parent or guardian has revoked such written consent, or  
13 where such parent or guardian does not qualify to have a  
14 Firearm Owner's Identification Card;

15 (b-5) This subsection (b-5) applies on and after the  
16 181st day following July 12, 2019 (the effective date of  
17 Public Act 101-80). A person under 21 years of age who is  
18 not an active duty member of the United States Armed  
19 Forces or the Illinois National Guard and does not have  
20 the written consent of his or her parent or guardian to  
21 acquire and possess firearms and firearm ammunition, or  
22 whose parent or guardian has revoked such written consent,  
23 or where such parent or guardian does not qualify to have a  
24 Firearm Owner's Identification Card;

25 (c) A person convicted of a felony under the laws of  
26 this or any other jurisdiction;

1 (d) A person addicted to narcotics;

2 (e) A person who has been a patient of a mental health  
3 facility within the past 5 years or a person who has been a  
4 patient in a mental health facility more than 5 years ago  
5 who has not received the certification required under  
6 subsection (u) of this Section. An active law enforcement  
7 officer employed by a unit of government or a Department  
8 of Corrections employee authorized to possess firearms who  
9 is denied, revoked, or has his or her Firearm Owner's  
10 Identification Card seized under this subsection (e) may  
11 obtain relief as described in subsection (c-5) of Section  
12 10 of this Act if the officer or employee did not act in a  
13 manner threatening to the officer or employee, another  
14 person, or the public as determined by the treating  
15 clinical psychologist or physician, and the officer or  
16 employee seeks mental health treatment;

17 (f) A person whose mental condition is of such a  
18 nature that it poses a clear and present danger to the  
19 applicant, any other person or persons, or the community;

20 (g) A person who has an intellectual disability;

21 (h) A person who intentionally makes a false statement  
22 in the Firearm Owner's Identification Card application or  
23 endorsement affidavit;

24 (i) A noncitizen who is unlawfully present in the  
25 United States under the laws of the United States;

26 (i-5) A noncitizen who has been admitted to the United

1 States under a non-immigrant visa (as that term is defined  
2 in Section 101(a)(26) of the Immigration and Nationality  
3 Act (8 U.S.C. 1101(a)(26))), except that this subsection  
4 (i-5) does not apply to any noncitizen who has been  
5 lawfully admitted to the United States under a  
6 non-immigrant visa if that noncitizen is:

7 (1) admitted to the United States for lawful  
8 hunting or sporting purposes;

9 (2) an official representative of a foreign  
10 government who is:

11 (A) accredited to the United States Government  
12 or the Government's mission to an international  
13 organization having its headquarters in the United  
14 States; or

15 (B) en route to or from another country to  
16 which that noncitizen is accredited;

17 (3) an official of a foreign government or  
18 distinguished foreign visitor who has been so  
19 designated by the Department of State;

20 (4) a foreign law enforcement officer of a  
21 friendly foreign government entering the United States  
22 on official business; or

23 (5) one who has received a waiver from the  
24 Attorney General of the United States pursuant to 18  
25 U.S.C. 922(y)(3);

26 (j) (Blank);

1           (k) A person who has been convicted within the past 5  
2 years of battery, assault, aggravated assault, violation  
3 of an order of protection, or a substantially similar  
4 offense in another jurisdiction, in which a firearm was  
5 used or possessed;

6           (l) A person who has been convicted of domestic  
7 battery, aggravated domestic battery, or a substantially  
8 similar offense in another jurisdiction committed before,  
9 on or after January 1, 2012 (the effective date of Public  
10 Act 97-158). If the applicant or person who has been  
11 previously issued a Firearm Owner's Identification Card  
12 under this Act knowingly and intelligently waives the  
13 right to have an offense described in this paragraph (l)  
14 tried by a jury, and by guilty plea or otherwise, results  
15 in a conviction for an offense in which a domestic  
16 relationship is not a required element of the offense but  
17 in which a determination of the applicability of 18 U.S.C.  
18 922(g)(9) is made under Section 112A-11.1 of the Code of  
19 Criminal Procedure of 1963, an entry by the court of a  
20 judgment of conviction for that offense shall be grounds  
21 for denying an application for and for revoking and  
22 seizing a Firearm Owner's Identification Card previously  
23 issued to the person under this Act;

24           (m) (Blank);

25           (n) A person who is prohibited from acquiring or  
26 possessing firearms or firearm ammunition by any Illinois

1 State statute or by federal law;

2 (o) A minor subject to a petition filed under Section  
3 5-520 of the Juvenile Court Act of 1987 alleging that the  
4 minor is a delinquent minor for the commission of an  
5 offense that if committed by an adult would be a felony;

6 (p) An adult who had been adjudicated a delinquent  
7 minor under the Juvenile Court Act of 1987 for the  
8 commission of an offense that if committed by an adult  
9 would be a felony;

10 (q) A person who is not a resident of the State of  
11 Illinois, except as provided in subsection (a-10) of  
12 Section 4;

13 (r) A person who has been adjudicated as a person with  
14 a mental disability;

15 (s) A person who has been found to have a  
16 developmental disability;

17 (t) A person involuntarily admitted into a mental  
18 health facility; or

19 (u) A person who has had his or her Firearm Owner's  
20 Identification Card revoked or denied under subsection (e)  
21 of this Section or item (iv) of paragraph (2) of  
22 subsection (a) of Section 4 of this Act because he or she  
23 was a patient in a mental health facility as provided in  
24 subsection (e) of this Section, shall not be permitted to  
25 obtain a Firearm Owner's Identification Card, after the  
26 5-year period has lapsed, unless he or she has received a

1           mental health evaluation by a physician, clinical  
2           psychologist, or qualified examiner as those terms are  
3           defined in the Mental Health and Developmental  
4           Disabilities Code, and has received a certification that  
5           he or she is not a clear and present danger to himself,  
6           herself, or others. The physician, clinical psychologist,  
7           or qualified examiner making the certification and his or  
8           her employer shall not be held criminally, civilly, or  
9           professionally liable for making or not making the  
10          certification required under this subsection, except for  
11          willful or wanton misconduct. This subsection does not  
12          apply to a person whose firearm possession rights have  
13          been restored through administrative or judicial action  
14          under Section 10 or 11 of this Act.

15          Upon revocation of a person's Firearm Owner's  
16          Identification Card, the Illinois State Police shall provide  
17          notice to the person and the person shall comply with Section  
18          9.5 of this Act.

19          (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;  
20          102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.  
21          5-27-22.)

22          Section 15. The Firearms Restraining Order Act is amended  
23          by changing Sections 40, 45, and 55 as follows:

24                   (430 ILCS 67/40)

1           Sec. 40. Plenary ~~Six-month~~ orders.

2           (a) A petitioner may request a ~~6-month~~ firearms  
3 restraining order for up to one year by filing an affidavit or  
4 verified pleading alleging that the respondent poses a  
5 significant danger of causing personal injury to himself,  
6 herself, or another in the near future by having in his or her  
7 custody or control, purchasing, possessing, or receiving a  
8 firearm, ammunition, and firearm parts that could be assembled  
9 to make an operable firearm. The petition shall also describe  
10 the number, types, and locations of any firearms, ammunition,  
11 and firearm parts that could be assembled to make an operable  
12 firearm presently believed by the petitioner to be possessed  
13 or controlled by the respondent. The firearms restraining  
14 order may be renewed for an additional period of up to one year  
15 in accordance with Section 45 of this Act.

16           (b) If the respondent is alleged to pose a significant  
17 danger of causing personal injury to an intimate partner, or  
18 an intimate partner is alleged to have been the target of a  
19 threat or act of violence by the respondent, the petitioner  
20 shall make a good faith effort to provide notice to any and all  
21 intimate partners of the respondent. The notice must include  
22 the duration of time that the petitioner intends to petition  
23 the court for a ~~6-month~~ firearms restraining order, and, if  
24 the petitioner is a law enforcement officer, referral to  
25 relevant domestic violence or stalking advocacy or counseling  
26 resources, if appropriate. The petitioner shall attest to



1 having provided the notice in the filed affidavit or verified  
2 pleading. If, after making a good faith effort, the petitioner  
3 is unable to provide notice to any or all intimate partners,  
4 the affidavit or verified pleading should describe what  
5 efforts were made.

6 (c) Every person who files a petition for a plenary  
7 ~~6-month~~ firearms restraining order, knowing the information  
8 provided to the court at any hearing or in the affidavit or  
9 verified pleading to be false, is guilty of perjury under  
10 Section 32-2 of the Criminal Code of 2012.

11 (d) Upon receipt of a petition for a plenary ~~6-month~~  
12 firearms restraining order, the court shall order a hearing  
13 within 30 days.

14 (e) In determining whether to issue a firearms restraining  
15 order under this Section, the court shall consider evidence  
16 including, but not limited to, the following:

17 (1) The unlawful and reckless use, display, or  
18 brandishing of a firearm, ammunition, and firearm parts  
19 that could be assembled to make an operable firearm by the  
20 respondent.

21 (2) The history of use, attempted use, or threatened  
22 use of physical force by the respondent against another  
23 person.

24 (3) Any prior arrest of the respondent for a felony  
25 offense.

26 (4) Evidence of the abuse of controlled substances or

1 alcohol by the respondent.

2 (5) A recent threat of violence or act of violence by  
3 the respondent directed toward himself, herself, or  
4 another.

5 (6) A violation of an emergency order of protection  
6 issued under Section 217 of the Illinois Domestic Violence  
7 Act of 1986 or Section 112A-17 of the Code of Criminal  
8 Procedure of 1963 or of an order of protection issued  
9 under Section 214 of the Illinois Domestic Violence Act of  
10 1986 or Section 112A-14 of the Code of Criminal Procedure  
11 of 1963.

12 (7) A pattern of violent acts or violent threats,  
13 including, but not limited to, threats of violence or acts  
14 of violence by the respondent directed toward himself,  
15 herself, or another.

16 (f) At the hearing, the petitioner shall have the burden  
17 of proving, by clear and convincing evidence, that the  
18 respondent poses a significant danger of personal injury to  
19 himself, herself, or another by having in his or her custody or  
20 control, purchasing, possessing, or receiving a firearm,  
21 ammunition, and firearm parts that could be assembled to make  
22 an operable firearm.

23 (g) If the court finds that there is clear and convincing  
24 evidence to issue a plenary firearms restraining order, the  
25 court shall issue a firearms restraining order that shall be  
26 in effect for up to one year, but not less than 6 months, ~~6~~

1 ~~months~~ subject to renewal under Section 45 of this Act or  
2 termination under that Section.

3 (g-5) If the court issues a plenary ~~6-month~~ firearms  
4 restraining order, it shall, upon a finding of probable cause  
5 that the respondent possesses firearms, ammunition, and  
6 firearm parts that could be assembled to make an operable  
7 firearm, issue a search warrant directing a law enforcement  
8 agency to seize the respondent's firearms, ammunition, and  
9 firearm parts that could be assembled to make an operable  
10 firearm. The court may, as part of that warrant, direct the law  
11 enforcement agency to search the respondent's residence and  
12 other places where the court finds there is probable cause to  
13 believe he or she is likely to possess the firearms,  
14 ammunition, and firearm parts that could be assembled to make  
15 an operable firearm. A return of the search warrant shall be  
16 filed by the law enforcement agency within 4 days thereafter,  
17 setting forth the time, date, and location that the search  
18 warrant was executed and what items, if any, were seized.

19 (h) A plenary ~~6-month~~ firearms restraining order shall  
20 require:

21 (1) the respondent to refrain from having in his or  
22 her custody or control, purchasing, possessing, or  
23 receiving additional firearms, ammunition, and firearm  
24 parts that could be assembled to make an operable firearm  
25 for the duration of the order under Section 8.2 of the  
26 Firearm Owners Identification Card Act; and

1           (2) the respondent to comply with Section 9.5 of the  
2           Firearm Owners Identification Card Act and subsection (g)  
3           of Section 70 of the Firearm Concealed Carry Act.

4           (i) Except as otherwise provided in subsection (i-5) of  
5           this Section, upon expiration of the period of safekeeping, if  
6           the firearms, ammunition, and firearm parts that could be  
7           assembled to make an operable firearm or Firearm Owner's  
8           Identification Card cannot be returned to the respondent  
9           because the respondent cannot be located, fails to respond to  
10          requests to retrieve the firearms, ammunition, and firearm  
11          parts that could be assembled to make an operable firearm, or  
12          is not lawfully eligible to possess a firearm, ammunition, and  
13          firearm parts that could be assembled to make an operable  
14          firearm, upon petition from the local law enforcement agency,  
15          the court may order the local law enforcement agency to  
16          destroy the firearms, ammunition, and firearm parts that could  
17          be assembled to make an operable firearm, use the firearms,  
18          ammunition, and firearm parts that could be assembled to make  
19          an operable firearm for training purposes, or use the  
20          firearms, ammunition, and firearm parts that could be  
21          assembled to make an operable firearm for any other  
22          application as deemed appropriate by the local law enforcement  
23          agency.

24          (i-5) A respondent whose Firearm Owner's Identification  
25          Card has been revoked or suspended may petition the court, if  
26          the petitioner is present in court or has notice of the

1 respondent's petition, to transfer the respondent's firearm,  
2 ammunition, and firearm parts that could be assembled to make  
3 an operable firearm to a person who is lawfully able to possess  
4 the firearm, ammunition, and firearm parts that could be  
5 assembled to make an operable firearm if the person does not  
6 reside at the same address as the respondent. Notice of the  
7 petition shall be served upon the person protected by the  
8 emergency firearms restraining order. While the order is in  
9 effect, the transferee who receives the respondent's firearms,  
10 ammunition, and firearm parts that could be assembled to make  
11 an operable firearm must swear or affirm by affidavit that he  
12 or she shall not transfer the firearm, ammunition, and firearm  
13 parts that could be assembled to make an operable firearm to  
14 the respondent or to anyone residing in the same residence as  
15 the respondent.

16 (i-6) If a person other than the respondent claims title  
17 to any firearms, ammunition, and firearm parts that could be  
18 assembled to make an operable firearm surrendered under this  
19 Section, he or she may petition the court, if the petitioner is  
20 present in court or has notice of the petition, to have the  
21 firearm, ammunition, and firearm parts that could be assembled  
22 to make an operable firearm returned to him or her. If the  
23 court determines that person to be the lawful owner of the  
24 firearm, ammunition, and firearm parts that could be assembled  
25 to make an operable firearm, the firearm, ammunition, and  
26 firearm parts that could be assembled to make an operable

1 firearm shall be returned to him or her, provided that:

2 (1) the firearm, ammunition, and firearm parts that  
3 could be assembled to make an operable firearm are removed  
4 from the respondent's custody, control, or possession and  
5 the lawful owner agrees to store the firearm, ammunition,  
6 and firearm parts that could be assembled to make an  
7 operable firearm in a manner such that the respondent does  
8 not have access to or control of the firearm, ammunition,  
9 and firearm parts that could be assembled to make an  
10 operable firearm; and

11 (2) the firearm, ammunition, and firearm parts that  
12 could be assembled to make an operable firearm are not  
13 otherwise unlawfully possessed by the owner.

14 The person petitioning for the return of his or her  
15 firearm, ammunition, and firearm parts that could be assembled  
16 to make an operable firearm must swear or affirm by affidavit  
17 that he or she: (i) is the lawful owner of the firearm,  
18 ammunition, and firearm parts that could be assembled to make  
19 an operable firearm; (ii) shall not transfer the firearm,  
20 ammunition, and firearm parts that could be assembled to make  
21 an operable firearm to the respondent; and (iii) will store  
22 the firearm, ammunition, and firearm parts that could be  
23 assembled to make an operable firearm in a manner that the  
24 respondent does not have access to or control of the firearm,  
25 ammunition, and firearm parts that could be assembled to make  
26 an operable firearm.

1 (j) If the court does not issue a firearms restraining  
2 order at the hearing, the court shall dissolve any emergency  
3 firearms restraining order then in effect.

4 (k) When the court issues a firearms restraining order  
5 under this Section, the court shall inform the respondent that  
6 he or she is entitled to one hearing during the period of the  
7 order to request a termination of the order, under Section 45  
8 of this Act, and shall provide the respondent with a form to  
9 request a hearing.

10 (Source: P.A. 101-81, eff. 7-12-19; 102-237, eff. 1-1-22;  
11 102-345, eff. 6-1-22; 102-538, eff. 8-20-21; 102-813, eff.  
12 5-13-22.)

13 (430 ILCS 67/45)

14 Sec. 45. Termination and renewal.

15 (a) A person subject to a firearms restraining order  
16 issued under this Act may submit one written request at any  
17 time during the effective period of the order for a hearing to  
18 terminate the order.

19 (1) The respondent shall have the burden of proving by  
20 a preponderance of the evidence that the respondent does  
21 not pose a danger of causing personal injury to himself,  
22 herself, or another in the near future by having in his or  
23 her custody or control, purchasing, possessing, or  
24 receiving a firearm, ammunition, and firearm parts that  
25 could be assembled to make an operable firearm.

1           (2) If the court finds after the hearing that the  
2           respondent has met his or her burden, the court shall  
3           terminate the order.

4           (b) A petitioner may request a renewal of a firearms  
5           restraining order at any time within the 3 months before the  
6           expiration of a firearms restraining order.

7           (1) A court shall, after notice and a hearing, renew a  
8           firearms restraining order issued under this part if the  
9           petitioner proves, by clear and convincing evidence, that  
10          the respondent continues to pose a danger of causing  
11          personal injury to himself, herself, or another in the  
12          near future by having in his or her custody or control,  
13          purchasing, possessing, or receiving a firearm,  
14          ammunition, and firearm parts that could be assembled to  
15          make an operable firearm.

16          (2) In determining whether to renew a firearms  
17          restraining order issued under this Act, the court shall  
18          consider evidence of the facts identified in subsection  
19          (e) of Section 40 of this Act and any other evidence of an  
20          increased risk for violence.

21          (3) At the hearing, the petitioner shall have the  
22          burden of proving by clear and convincing evidence that  
23          the respondent continues to pose a danger of causing  
24          personal injury to himself, herself, or another in the  
25          near future by having in his or her custody or control,  
26          purchasing, possessing, or receiving a firearm,



1 ammunition, and firearm parts that could be assembled to  
2 make an operable firearm.

3 (4) The renewal of a firearms restraining order issued  
4 under this Section shall be in effect for up to one year  
5 and may be renewed for an additional period of up to one  
6 year ~~6 months~~, subject to termination by further order of  
7 the court at a hearing held under this Section and further  
8 renewal by further order of the court under this Section.

9 (Source: P.A. 101-81, eff. 7-12-19; 102-345, eff. 6-1-22.)

10 (430 ILCS 67/55)

11 Sec. 55. Data maintenance by law enforcement agencies.

12 (a) All sheriffs shall furnish to the Illinois State  
13 Police, daily, in the form and detail the Illinois State  
14 Police Department requires, copies of any recorded firearms  
15 restraining orders issued by the court, and any foreign orders  
16 of protection filed by the clerk of the court, and transmitted  
17 to the sheriff by the clerk of the court under Section 50. Each  
18 firearms restraining order shall be entered in the Law  
19 Enforcement Agencies Data System (LEADS) on the same day it is  
20 issued by the court. If an emergency firearms restraining  
21 order was issued in accordance with Section 35 of this Act, the  
22 order shall be entered in the Law Enforcement Agencies Data  
23 System (LEADS) as soon as possible after receipt from the  
24 clerk.

25 (b) The Illinois State Police shall maintain a complete

1 and systematic record and index of all valid and recorded  
2 firearms restraining orders issued or filed under this Act.  
3 The data shall be used to inform all dispatchers and law  
4 enforcement officers at the scene of a violation of a firearms  
5 restraining order of the effective dates and terms of any  
6 recorded order of protection.

7 (c) The data, records, and transmittals required under  
8 this Section shall pertain to any valid emergency or plenary  
9 ~~6-month~~ firearms restraining order, whether issued in a civil  
10 or criminal proceeding or authorized under the laws of another  
11 state, tribe, or United States territory.

12 (Source: P.A. 101-81, eff. 7-12-19; 102-538, eff. 8-20-21.)

13 Section 25. The Criminal Code of 2012 is amended by  
14 changing Section 24-1 and by adding Sections 24-1.9 and  
15 24-1.10 as follows:

16 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

17 Sec. 24-1. Unlawful use of weapons.

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

20 (1) Sells, manufactures, purchases, possesses or  
21 carries any bludgeon, black-jack, slung-shot, sand-club,  
22 sand-bag, metal knuckles or other knuckle weapon  
23 regardless of its composition, throwing star, or any  
24 knife, commonly referred to as a switchblade knife, which

1 has a blade that opens automatically by hand pressure  
2 applied to a button, spring or other device in the handle  
3 of the knife, or a ballistic knife, which is a device that  
4 propels a knifelike blade as a projectile by means of a  
5 coil spring, elastic material or compressed gas; or

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

11 (2.5) Carries or possesses with intent to use the same  
12 unlawfully against another, any firearm in a church,  
13 synagogue, mosque, or other building, structure, or place  
14 used for religious worship; or

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

21 (4) Carries or possesses in any vehicle or concealed  
22 on or about his person except when on his land or in his  
23 own abode, legal dwelling, or fixed place of business, or  
24 on the land or in the legal dwelling of another person as  
25 an invitee with that person's permission, any pistol,  
26 revolver, stun gun or taser or other firearm, except that

1           this subsection (a) (4) does not apply to or affect  
2           transportation of weapons that meet one of the following  
3           conditions:

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

5                   (ii) are not immediately accessible; or

6                   (iii) are unloaded and enclosed in a case, firearm  
7           carrying box, shipping box, or other container by a  
8           person who has been issued a currently valid Firearm  
9           Owner's Identification Card; or

10                   (iv) are carried or possessed in accordance with  
11           the Firearm Concealed Carry Act by a person who has  
12           been issued a currently valid license under the  
13           Firearm Concealed Carry Act; or

14                   (5) Sets a spring gun; or

15                   (6) Possesses any device or attachment of any kind  
16           designed, used or intended for use in silencing the report  
17           of any firearm; or

18                   (7) Sells, manufactures, delivers, imports, purchases,  
19           possesses or carries:

20                   (i) a machine gun, which shall be defined for the  
21           purposes of this subsection as any weapon, which  
22           shoots, is designed to shoot, or can be readily  
23           restored to shoot, automatically more than one shot  
24           without manually reloading by a single function of the  
25           trigger, including the frame or receiver of any such  
26           weapon, or sells, manufactures, purchases, possesses,

1 or carries any combination of parts designed or  
2 intended for use in converting any weapon into a  
3 machine gun, or any combination or parts from which a  
4 machine gun can be assembled if such parts are in the  
5 possession or under the control of a person;

6 (ii) any rifle having one or more barrels less  
7 than 16 inches in length or a shotgun having one or  
8 more barrels less than 18 inches in length or any  
9 weapon made from a rifle or shotgun, whether by  
10 alteration, modification, or otherwise, if such a  
11 weapon as modified has an overall length of less than  
12 26 inches or any assault weapon or .50 caliber rifle in  
13 violation of Section 24-1.9; or

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

19 (8) Carries or possesses any firearm, stun gun or  
20 taser or other deadly weapon in any place which is  
21 licensed to sell intoxicating beverages, or at any public  
22 gathering held pursuant to a license issued by any  
23 governmental body or any public gathering at which an  
24 admission is charged, excluding a place where a showing,  
25 demonstration or lecture involving the exhibition of  
26 unloaded firearms is conducted.

1           This subsection (a) (8) does not apply to any auction  
2 or raffle of a firearm held pursuant to a license or permit  
3 issued by a governmental body, nor does it apply to  
4 persons engaged in firearm safety training courses; or

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

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

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

24           (ii) are not immediately accessible; or

25           (iii) are unloaded and enclosed in a case, firearm  
26 carrying box, shipping box, or other container by a

1 person who has been issued a currently valid Firearm  
2 Owner's Identification Card; or

3 (iv) are carried or possessed in accordance with  
4 the Firearm Concealed Carry Act by a person who has  
5 been issued a currently valid license under the  
6 Firearm Concealed Carry Act.

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

19 (11) Sells, manufactures, delivers, imports,  
20 possesses, or purchases any assault weapon attachment or  
21 .50 caliber cartridge in violation of Section 24-1.9 or  
22 any explosive bullet. For purposes of this paragraph (a)  
23 "explosive bullet" means the projectile portion of an  
24 ammunition cartridge which contains or carries an  
25 explosive charge which will explode upon contact with the  
26 flesh of a human or an animal. "Cartridge" means a tubular

1 metal case having a projectile affixed at the front  
2 thereof and a cap or primer at the rear end thereof, with  
3 the propellant contained in such tube between the  
4 projectile and the cap; or

5 (12) (Blank); or

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

14 (14) Manufactures, possesses, sells, or offers to  
15 sell, purchase, manufacture, import, transfer, or use any  
16 device, part, kit, tool, accessory, or combination of  
17 parts that is designed to and functions to increase the  
18 rate of fire of a semiautomatic firearm above the standard  
19 rate of fire for semiautomatic firearms that is not  
20 equipped with that device, part, or combination of parts.

21 (b) Sentence. A person convicted of a violation of  
22 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),  
23 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a  
24 Class A misdemeanor. A person convicted of a violation of  
25 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony;  
26 a person convicted of a violation of subsection 24-1(a)(6) or



1 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person  
2 convicted of a violation of subsection 24-1(a)(7)(i) commits a  
3 Class 2 felony and shall be sentenced to a term of imprisonment  
4 of not less than 3 years and not more than 7 years, unless the  
5 weapon is possessed in the passenger compartment of a motor  
6 vehicle as defined in Section 1-146 of the Illinois Vehicle  
7 Code, or on the person, while the weapon is loaded, in which  
8 case it shall be a Class X felony. A person convicted of a  
9 second or subsequent violation of subsection 24-1(a)(4),  
10 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3  
11 felony. A person convicted of a violation of subsection  
12 24-1(a)(2.5) or 24-1(a)(14) commits a Class 2 felony. The  
13 possession of each weapon or device in violation of this  
14 Section constitutes a single and separate violation.

15 (c) Violations in specific places.

16 (1) A person who violates subsection 24-1(a)(6) or  
17 24-1(a)(7) in any school, regardless of the time of day or  
18 the time of year, in residential property owned, operated  
19 or managed by a public housing agency or leased by a public  
20 housing agency as part of a scattered site or mixed-income  
21 development, in a public park, in a courthouse, on the  
22 real property comprising any school, regardless of the  
23 time of day or the time of year, on residential property  
24 owned, operated or managed by a public housing agency or  
25 leased by a public housing agency as part of a scattered  
26 site or mixed-income development, on the real property

1 comprising any public park, on the real property  
2 comprising any courthouse, in any conveyance owned, leased  
3 or contracted by a school to transport students to or from  
4 school or a school related activity, in any conveyance  
5 owned, leased, or contracted by a public transportation  
6 agency, or on any public way within 1,000 feet of the real  
7 property comprising any school, public park, courthouse,  
8 public transportation facility, or residential property  
9 owned, operated, or managed by a public housing agency or  
10 leased by a public housing agency as part of a scattered  
11 site or mixed-income development commits a Class 2 felony  
12 and shall be sentenced to a term of imprisonment of not  
13 less than 3 years and not more than 7 years.

14 (1.5) A person who violates subsection 24-1(a)(4),  
15 24-1(a)(9), or 24-1(a)(10) in any school, regardless of  
16 the time of day or the time of year, in residential  
17 property owned, operated, or managed by a public housing  
18 agency or leased by a public housing agency as part of a  
19 scattered site or mixed-income development, in a public  
20 park, in a courthouse, on the real property comprising any  
21 school, regardless of the time of day or the time of year,  
22 on residential property owned, operated, or managed by a  
23 public housing agency or leased by a public housing agency  
24 as part of a scattered site or mixed-income development,  
25 on the real property comprising any public park, on the  
26 real property comprising any courthouse, in any conveyance

1 owned, leased, or contracted by a school to transport  
2 students to or from school or a school related activity,  
3 in any conveyance owned, leased, or contracted by a public  
4 transportation agency, or on any public way within 1,000  
5 feet of the real property comprising any school, public  
6 park, courthouse, public transportation facility, or  
7 residential property owned, operated, or managed by a  
8 public housing agency or leased by a public housing agency  
9 as part of a scattered site or mixed-income development  
10 commits a Class 3 felony.

11 (2) A person who violates subsection 24-1(a)(1),  
12 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the  
13 time of day or the time of year, in residential property  
14 owned, operated or managed by a public housing agency or  
15 leased by a public housing agency as part of a scattered  
16 site or mixed-income development, in a public park, in a  
17 courthouse, on the real property comprising any school,  
18 regardless of the time of day or the time of year, on  
19 residential property owned, operated or managed by a  
20 public housing agency or leased by a public housing agency  
21 as part of a scattered site or mixed-income development,  
22 on the real property comprising any public park, on the  
23 real property comprising any courthouse, in any conveyance  
24 owned, leased or contracted by a school to transport  
25 students to or from school or a school related activity,  
26 in any conveyance owned, leased, or contracted by a public

1 transportation agency, or on any public way within 1,000  
2 feet of the real property comprising any school, public  
3 park, courthouse, public transportation facility, or  
4 residential property owned, operated, or managed by a  
5 public housing agency or leased by a public housing agency  
6 as part of a scattered site or mixed-income development  
7 commits a Class 4 felony. "Courthouse" means any building  
8 that is used by the Circuit, Appellate, or Supreme Court  
9 of this State for the conduct of official business.

10 (3) Paragraphs (1), (1.5), and (2) of this subsection  
11 (c) shall not apply to law enforcement officers or  
12 security officers of such school, college, or university  
13 or to students carrying or possessing firearms for use in  
14 training courses, parades, hunting, target shooting on  
15 school ranges, or otherwise with the consent of school  
16 authorities and which firearms are transported unloaded  
17 enclosed in a suitable case, box, or transportation  
18 package.

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

22 (5) For the purposes of this subsection (c), "public  
23 transportation agency" means a public or private agency  
24 that provides for the transportation or conveyance of  
25 persons by means available to the general public, except  
26 for transportation by automobiles not used for conveyance

1 of the general public as passengers; and "public  
2 transportation facility" means a terminal or other place  
3 where one may obtain public transportation.

4 (d) The presence in an automobile other than a public  
5 omnibus of any weapon, instrument or substance referred to in  
6 subsection (a) (7) is prima facie evidence that it is in the  
7 possession of, and is being carried by, all persons occupying  
8 such automobile at the time such weapon, instrument or  
9 substance is found, except under the following circumstances:  
10 (i) if such weapon, instrument or instrumentality is found  
11 upon the person of one of the occupants therein; or (ii) if  
12 such weapon, instrument or substance is found in an automobile  
13 operated for hire by a duly licensed driver in the due, lawful  
14 and proper pursuit of his or her trade, then such presumption  
15 shall not apply to the driver.

16 (e) Exemptions.

17 (1) Crossbows, Common or Compound bows and Underwater  
18 Spearguns are exempted from the definition of ballistic  
19 knife as defined in paragraph (1) of subsection (a) of  
20 this Section.

21 (2) The provision of paragraph (1) of subsection (a)  
22 of this Section prohibiting the sale, manufacture,  
23 purchase, possession, or carrying of any knife, commonly  
24 referred to as a switchblade knife, which has a blade that  
25 opens automatically by hand pressure applied to a button,  
26 spring or other device in the handle of the knife, does not

1 apply to a person who possesses a currently valid Firearm  
2 Owner's Identification Card previously issued in his or  
3 her name by the Illinois State Police or to a person or an  
4 entity engaged in the business of selling or manufacturing  
5 switchblade knives.

6 (Source: P.A. 101-223, eff. 1-1-20; 102-538, eff. 8-20-21.)

7 (720 ILCS 5/24-1.9 new)

8 Sec. 24-1.9. Manufacture, possession, delivery, sale, and  
9 purchase of assault weapons, .50 caliber rifles, and .50  
10 caliber cartridges.

11 (a) Definitions. In this Section:

12 (1) "Assault weapon" means any of the following, except as  
13 provided in subdivision (2) of this subsection:

14 (A) A semiautomatic rifle that has the capacity to  
15 accept a detachable magazine or that may be readily  
16 modified to accept a detachable magazine, if the firearm  
17 has one or more of the following:

18 (i) a pistol grip or thumbhole stock;

19 (ii) any feature capable of functioning as a  
20 protruding grip that can be held by the non-trigger  
21 hand;

22 (iii) a folding, telescoping, thumbhole, or  
23 detachable stock, or a stock that is otherwise  
24 foldable or adjustable in a manner that operates to  
25 reduce the length, size, or any other dimension, or

1 otherwise enhances the concealability of, the weapon;

2 (iv) a flash suppressor;

3 (v) a grenade launcher;

4 (vi) a shroud attached to the barrel or that  
5 partially or completely encircles the barrel, allowing  
6 the bearer to hold the firearm with the non-trigger  
7 hand without being burned, but excluding a slide that  
8 encloses the barrel.

9 (B) A semiautomatic rifle that has a fixed magazine  
10 with the capacity to accept more than 10 rounds, except  
11 for an attached tubular device designed to accept, and  
12 capable of operating only with, .22 caliber rimfire  
13 ammunition.

14 (C) A semiautomatic pistol that has the capacity to  
15 accept a detachable magazine or that may be readily  
16 modified to accept a detachable magazine, if the firearm  
17 has one or more of the following:

18 (i) a threaded barrel;

19 (ii) a second pistol grip or another feature  
20 capable of functioning as a protruding grip that can  
21 be held by the non-trigger hand;

22 (iii) a shroud attached to the barrel or that  
23 partially or completely encircles the barrel, allowing  
24 the bearer to hold the firearm with the non-trigger  
25 hand without being burned, but excluding a slide that  
26 encloses the barrel;

1           (iv) a flash suppressor;

2           (v) the capacity to accept a detachable magazine  
3 at some location outside of the pistol grip;

4           (vi) a manufactured weight of 50 ounces or more  
5 when unloaded; or

6           (vii) a buffer tube, arm brace, or other part that  
7 protrudes horizontally behind the pistol grip and is  
8 designed or redesigned to allow or facilitate a  
9 firearm to be fired from the shoulder.

10          (D) A semiautomatic pistol that has a fixed magazine  
11 with the capacity to accept more than 15 rounds.

12          (E) Any shotgun with a revolving cylinder.

13          (F) A semiautomatic shotgun that has one or more of  
14 the following:

15           (i) a pistol grip or thumbhole stock;

16           (ii) any feature capable of functioning as a  
17 protruding grip that can be held by the non-trigger  
18 hand;

19           (iii) a folding, telescoping, or thumbhole stock;

20           (iv) a grenade launcher;

21           (v) a fixed magazine with the capacity to accept  
22 or may be readily modified to accept more than five  
23 rounds; or

24           (vi) the capacity to accept a detachable magazine.

25          (G) Any semiautomatic firearm that has the capacity to  
26 accept a belt ammunition feeding device.



1           (H) Any firearm that has been modified to be operable  
2           as an assault weapon as defined in this Section.

3           (I) Any part or combination of parts designed or  
4           intended to convert a firearm into an assault weapon,  
5           including any combination of parts from which an assault  
6           weapon may be readily assembled if those parts are in the  
7           possession or under the control of the same person.

8           (J) All of the following rifles, copies, duplicates,  
9           variants, or altered facsimiles with the capability of any  
10          such weapon:

11           (i) All AK types, including the following:

12                   (I) AK, AK47, AK47S, AK-74, AKM, AKS, ARM,  
13                   MAK90, MISR, NHM90, NHM91, SA85, SA93, Vector Arms  
14                   AK-47, VEPR, WASR-10, and WUM.

15                   (II) IZHMAASH Saiga AK.

16                   (III) MAADI AK47 and ARM.

17                   (IV) Norinco 56S, 56S2, 84S, and 86S.

18                   (V) Poly Technologies AK47 and AKS.

19                   (VI) SKS with a detachable magazine.

20           (ii) all AR types, including the following:

21                   (I) AR-10.

22                   (II) AR-15.

23                   (III) Alexander Arms Overmatch Plus 16.

24                   (IV) Armalite M15 22LR Carbine.

25                   (V) Armalite M15-T.

26                   (VI) Barrett REC7.

- 1                   (VII) Beretta AR-70.
- 2                   (VIII) Black Rain Ordnance Recon Scout.
- 3                   (IX) Bushmaster ACR.
- 4                   (X) Bushmaster Carbon 15.
- 5                   (XI) Bushmaster MOE series.
- 6                   (XII) Bushmaster XM15.
- 7                   (XIII) Chiappa Firearms MFour rifles.
- 8                   (XIV) Colt Match Target rifles.
- 9                   (XV) CORE Rifle Systems CORE15 rifles.
- 10                   (XVI) Daniel Defense M4A1 rifles.
- 11                   (XVII) Devil Dog Arms 15 Series rifles.
- 12                   (XVIII) Diamondback DB15 rifles.
- 13                   (XIX) DoubleStar AR rifles.
- 14                   (XX) DPMS Tactical rifles.
- 15                   (XXI) DSA Inc. ZM-4 Carbine.
- 16                   (XXII) Heckler & Koch MR556.
- 17                   (XXIII) High Standard HSA-15 rifles.
- 18                   (XXIV) Jesse James Nomad AR-15 rifle.
- 19                   (XXV) Knight's Armament SR-15.
- 20                   (XXVI) Lancer L15 rifles.
- 21                   (XXVII) MGI Hydra Series rifles.
- 22                   (XXVIII) Mossberg MMR Tactical rifles.
- 23                   (XXIX) Noreen Firearms BN 36 rifle.
- 24                   (XXX) Olympic Arms.
- 25                   (XXXI) POF USA P415.
- 26                   (XXXII) Precision Firearms AR rifles.

- 1                   (XXXIII) Remington R-15 rifles.
- 2                   (XXXIV) Rhino Arms AR rifles.
- 3                   (XXXV) Rock River Arms LAR-15 or Rock River  
4 Arms LAR-47.
- 5                   (XXXVI) Sig Sauer SIG516 rifles and MCX  
6 rifles.
- 7                   (XXXVII) Smith & Wesson M&P15 rifles.
- 8                   (XXXVIII) Stag Arms AR rifles.
- 9                   (XXXIX) Sturm, Ruger & Co. SR556 and AR-556  
10 rifles.
- 11                   (XL) Uselton Arms Air-Lite M-4 rifles.
- 12                   (XLI) Windham Weaponry AR rifles.
- 13                   (XLII) WMD Guns Big Beast.
- 14                   (XLIII) Yankee Hill Machine Company, Inc.  
15 YHM-15 rifles.
- 16                   (iii) Barrett M107A1.
- 17                   (iv) Barrett M82A1.
- 18                   (v) Beretta CX4 Storm.
- 19                   (vi) Calico Liberty Series.
- 20                   (vii) CETME Sporter.
- 21                   (viii) Daewoo K-1, K-2, Max 1, Max 2, AR 100, and  
22 AR 110C.
- 23                   (ix) Fabrique Nationale/FN Herstal FAL, LAR, 22  
24 FNC, 308 Match, L1A1 Sporter, PS90, SCAR, and FS2000.
- 25                   (x) Feather Industries AT-9.
- 26                   (xi) Galil Model AR and Model ARM.

- 1                   (xii) Hi-Point Carbine.
- 2                   (xiii) HK-91, HK-93, HK-94, HK-PSG-1, and HK USC.
- 3                   (xiv) IWI TAVOR, Galil ACE rifle.
- 4                   (xv) Kel-Tec Sub-2000, SU-16, and RFB.
- 5                   (xvi) SIG AMT, SIG PE-57, Sig Sauer SG 550, Sig  
6 Sauer SG 551, and SIG MCX.
- 7                   (xvii) Springfield Armory SAR-48.
- 8                   (xviii) Steyr AUG.
- 9                   (xix) Sturm, Ruger & Co. Mini-14 Tactical Rifle  
10 M-14/20CF.
- 11                   (xx) All Thompson rifles, including the following:
- 12                   (I) Thompson M1SB.
- 13                   (II) Thompson T1100D.
- 14                   (III) Thompson T150D.
- 15                   (IV) Thompson T1B.
- 16                   (V) Thompson T1B100D.
- 17                   (VI) Thompson T1B50D.
- 18                   (VII) Thompson T1BSB.
- 19                   (VIII) Thompson T1-C.
- 20                   (IX) Thompson T1D.
- 21                   (X) Thompson T1SB.
- 22                   (XI) Thompson T5.
- 23                   (XII) Thompson T5100D.
- 24                   (XIII) Thompson TM1.
- 25                   (XIV) Thompson TM1C.
- 26                   (xxi) UMAREX UZI rifle.

1                   (xxii) UZI Mini Carbine, UZI Model A Carbine, and  
2                   UZI Model B Carbine.

3                   (xxiii) Valmet M62S, M71S, and M78.

4                   (xxiv) Vector Arms UZI Type.

5                   (xxv) Weaver Arms Nighthawk.

6                   (xxvi) Wilkinson Arms Linda Carbine.

7                   (K) All of the following pistols, copies, duplicates,  
8                   variants, or altered facsimiles with the capability of any  
9                   such weapon thereof:

10                   (i) All AK types, including the following:

11                   (I) Centurion 39 AK pistol.

12                   (II) CZ Scorpion pistol.

13                   (III) Draco AK-47 pistol.

14                   (IV) HCR AK-47 pistol.

15                   (V) IO Inc. Hellpup AK-47 pistol.

16                   (VI) Krinkov pistol.

17                   (VII) Mini Draco AK-47 pistol.

18                   (VIII) PAP M92 pistol.

19                   (IX) Yuqo Krebs Krink pistol.

20                   (ii) All AR types, including the following:

21                   (I) American Spirit AR-15 pistol.

22                   (II) Bushmaster Carbon 15 pistol.

23                   (III) Chiappa Firearms M4 Pistol GEN II.

24                   (IV) CORE Rifle Systems CORE15 Roscoe pistol.

25                   (V) Daniel Defense MK18 pistol.

26                   (VI) DoubleStar Corporation AR pistol.

- 1                   (VII) DPMS AR-15 pistol.
- 2                   (VIII) Jesse James Nomad AR-15 pistol.
- 3                   (IX) Olympic Arms AR-15 pistol.
- 4                   (X) Osprey Armament MK-18 pistol.
- 5                   (XI) POF USA AR pistols.
- 6                   (XII) Rock River Arms LAR 15 pistol.
- 7                   (XIII) Uselton Arms Air-Lite M-4 pistol.
- 8                   (iii) Calico pistols.
- 9                   (iv) DSA SA58 PKP FAL pistol.
- 10                  (v) Encom MP-9 and MP-45.
- 11                  (vi) Heckler & Koch model SP-89 pistol.
- 12                  (vii) Intratec AB-10, TEC-22 Scorpion, TEC-9, and
- 13                  TEC-DC9.
- 14                  (viii) IWI Galil Ace pistol, UZI PRO pistol.
- 15                  (ix) Kel-Tec PLR 16 pistol.
- 16                  (x) All MAC types, including the following:
- 17                   (I) MAC-10.
- 18                   (II) MAC-11.
- 19                   (III) Masterpiece Arms MPA A930 Mini Pistol,
- 20                   MPA460 Pistol, MPA Tactical Pistol, and MPA Mini
- 21                   Tactical Pistol.
- 22                   (IV) Military Armament Corp. Ingram M-11.
- 23                   (V) Velocity Arms VMAC.
- 24                  (xi) Sig Sauer P556 pistol.
- 25                  (xii) Sites Spectre.
- 26                  (xiii) All Thompson types, including the

1           following:

2                   (I) Thompson TA510D.

3                   (II) Thompson TA5.

4                   (xiv) All UZI types, including Micro-UZI.

5           (L) All of the following pistols, copies, duplicates,  
6 All of the following shotguns, copies, duplicates,  
7 variants, or altered facsimiles with the capability of any  
8 such weapon thereof:

9                   (i) DERYA Anakon MC-1980, Anakon SD12.

10                  (ii) Doruk Lethal shotguns.

11                  (iii) Franchi LAW-12 and SPAS 12.

12                  (iv) All IZHMASH Saiga 12 types, including the  
13 following:

14                   (I) IZHMASH Saiga 12.

15                   (II) IZHMASH Saiga 12S.

16                   (III) IZHMASH Saiga 12S EXP-01.

17                   (IV) IZHMASH Saiga 12K.

18                   (V) IZHMASH Saiga 12K-030.

19                   (VI) IZHMASH Saiga 12K-040 Taktika.

20                  (v) Streetsweeper.

21                  (vi) Striker 12.

22           (2) "Assault weapon" does not include:

23                   (A) Any firearm that is an unserviceable firearm or  
24 has been made permanently inoperable.

25                   (B) An antique firearm or a replica of an antique  
26 firearm.

1           (C) A firearm that is manually operated by bolt, pump,  
2           lever or slide action, unless the firearm is a shotgun  
3           with a revolving cylinder.

4           (D) Any air rifle as defined in Section 24.8-0.1 of  
5           this Code.

6           (3) "Assault weapon attachment" means any device capable  
7           of being attached to a firearm that is specifically designed  
8           for making or converting a firearm into any of the firearms  
9           listed in paragraph (1) of this subsection (a).

10           (4) "Antique firearm" has the meaning ascribed to it in 18  
11           U.S.C. 921(a)(16).

12           (5) ".50 caliber rifle" means a centerfire rifle capable  
13           of firing a .50 caliber cartridge. The term does not include  
14           any antique firearm, any shotgun including a shotgun that has  
15           a rifle barrel, or any muzzle-loader which uses black powder  
16           for hunting or historical reenactments.

17           (6) ".50 caliber cartridge" means a cartridge in .50 BMG  
18           caliber, either by designation or actual measurement, that is  
19           capable of being fired from a centerfire rifle. The term ".50  
20           caliber cartridge" does not include any memorabilia or display  
21           item that is filled with a permanent inert substance or that is  
22           otherwise permanently altered in a manner that prevents ready  
23           modification for use as live ammunition or shotgun ammunition  
24           with a caliber measurement that is equal to or greater than .50  
25           caliber.

26           (7) "Detachable magazine" means an ammunition feeding



1 device that may be removed from a firearm without disassembly  
2 of the firearm action, including an ammunition feeding device  
3 that may be readily removed from a firearm with the use of a  
4 bullet, cartridge, accessory, or other tool, or any other  
5 object that functions as a tool.

6 (8) "Fixed magazine" means an ammunition feeding device  
7 that is permanently attached to a firearm, or contained in and  
8 not removable from a firearm, or that is otherwise not a  
9 detachable magazine, but does not include an attached tubular  
10 device designed to accept, and capable of operating only with,  
11 .22 caliber rimfire ammunition.

12 (b) Except as provided in subsections (c), (d), and (e),  
13 on or after the effective date of this amendatory Act of the  
14 102nd General Assembly, it is unlawful for any person within  
15 this State to knowingly manufacture, deliver, sell, import, or  
16 purchase or cause to be manufactured, delivered, sold,  
17 imported, or purchased by another, an assault weapon, assault  
18 weapon attachment, .50 caliber rifle, or .50 caliber  
19 cartridge.

20 (c) Except as otherwise provided in subsection (d), 300  
21 days after the effective date of this amendatory Act of the  
22 102nd General Assembly, it is unlawful for any person within  
23 this State to knowingly possess an assault weapon, assault  
24 weapon attachment, .50 caliber rifle, or .50 caliber  
25 cartridge.

26 (d) This Section does not apply to a person who possessed

1 before the effective date of this amendatory Act of the 102nd  
2 General Assembly an assault weapon, assault weapon attachment,  
3 .50 caliber rifle, or .50 caliber cartridge prohibited by  
4 subsection (c) of this Section, if the person has provided in  
5 an endorsement affidavit, prior to January 1, 2024, under oath  
6 or affirmation and in the form and manner prescribed by the  
7 Illinois State Police, no later than October 1, 2023:

8 (1) the affiant's Firearm Owner's Identification Card  
9 number; and

10 (2) an affirmation that the affiant: (i) possessed an  
11 assault weapon, assault weapon attachment, .50 caliber  
12 rifle, or .50 caliber cartridge before the effective date  
13 of this amendatory Act of the 102nd General Assembly; or  
14 (ii) inherited the assault weapon, assault weapon  
15 attachment, .50 caliber rifle, or .50 caliber cartridge  
16 from a person with an endorsement under this Section or  
17 from a person authorized under subdivisions (1) through  
18 (5) of subsection (e) to possess the assault weapon,  
19 assault weapon attachment, .50 caliber rifle, or .50  
20 caliber cartridge.

21 The affidavit form shall include the following statement  
22 printed in bold type: "Warning: Entering false information on  
23 this form is punishable as perjury under Section 32-2 of the  
24 Criminal Code of 2012. Entering false information on this form  
25 is a violation of the Firearm Owners Identification Card Act."

26 In any administrative, civil, or criminal proceeding in

1 this State, a completed endorsement affidavit submitted to the  
2 Illinois State Police by a person under this Section creates a  
3 rebuttable presumption that the person is entitled to possess  
4 and transport the assault weapon, assault weapon attachment,  
5 .50 caliber rifle, or .50 caliber cartridge.

6 Beginning 90 days after the effective date of this  
7 amendatory Act of the 102nd General Assembly, a person  
8 authorized under this Section to possess an assault weapon,  
9 assault weapon attachment, .50 caliber rifle, or .50 caliber  
10 cartridge shall possess such items only:

11 (1) on private property owned or immediately  
12 controlled by the person;

13 (2) on private property that is not open to the public  
14 with the express permission of the person who owns or  
15 immediately controls such property;

16 (3) while on the premises of a licensed firearms  
17 dealer or gunsmith for the purpose of lawful repair;

18 (4) while engaged in the legal use of the assault  
19 weapon, assault weapon attachment, .50 caliber rifle, or  
20 .50 caliber cartridge at a properly licensed firing range  
21 or sport shooting competition venue; or

22 (5) while traveling to or from these locations,  
23 provided that the assault weapon, assault weapon  
24 attachment, or .50 caliber rifle is unloaded and the  
25 assault weapon, assault weapon attachment, .50 caliber  
26 rifle, or .50 caliber cartridge is enclosed in a case,

1 firearm carrying box, shipping box, or other container.

2 Beginning on January 1, 2024, the person with the  
3 endorsement for an assault weapon, assault weapon attachment,  
4 .50 caliber rifle, or .50 caliber cartridge or a person  
5 authorized under subdivisions (1) through (5) of subsection  
6 (e) to possess an assault weapon, assault weapon attachment,  
7 .50 caliber rifle, or .50 caliber cartridge may transfer the  
8 assault weapon, assault weapon attachment, .50 caliber rifle,  
9 or .50 caliber cartridge only to an heir, an individual  
10 residing in another state maintaining it in another state, or  
11 a dealer licensed as a federal firearms dealer under Section  
12 923 of the federal Gun Control Act of 1968. Within 10 days  
13 after transfer of the weapon except to an heir, the person  
14 shall notify the Illinois State Police of the name and address  
15 of the transferee and comply with the requirements of  
16 subsection (b) of Section 3 of the Firearm Owners  
17 Identification Card Act. The person to whom the weapon or  
18 ammunition is transferred shall, within 60 days of the  
19 transfer, complete an affidavit required under this Section. A  
20 person to whom the weapon is transferred may transfer it only  
21 as provided in this subsection.

22 Except as provided in subsection (e) and beginning on  
23 January 1, 2024, any person who moves into this State in  
24 possession of an assault weapon, assault weapon attachment,  
25 .50 caliber rifle, or .50 caliber cartridge shall, within 60  
26 days, apply for a Firearm Owners Identification Card and

1 complete an endorsement application as outlined in subsection  
2 (d).

3 Notwithstanding any other law, information contained in  
4 the endorsement affidavit shall be confidential and shall not  
5 be disclosed, except to law enforcement agencies acting in the  
6 performance of their duties.

7 (e) The provisions of this Section regarding the purchase  
8 or possession of assault weapons, assault weapon attachments,  
9 .50 caliber rifles, and .50 cartridges, as well as the  
10 provisions of this Section that prohibit causing those items  
11 to be purchased or possessed, do not apply to:

12 (1) Peace officers, as defined in Section 2-13 of this  
13 Code.

14 (2) Qualified law enforcement officers and qualified  
15 retired law enforcement officers as defined in the Law  
16 Enforcement Officers Safety Act of 2004 (18 USC Sections  
17 926B and 926C) and as recognized under Illinois law.

18 (3) Acquisition and possession by a federal, State, or  
19 local law enforcement agency for the purpose of equipping  
20 the agency's peace officers as defined in paragraph (1) or  
21 (2) of this subsection (e).

22 (4) Wardens, superintendents, and keepers of prisons,  
23 penitentiaries, jails, and other institutions for the  
24 detention of persons accused or convicted of an offense.

25 (5) Members of the Armed Services or Reserve Forces of  
26 the United States or the Illinois National Guard, while

1 performing their official duties or while traveling to or  
2 from their places of duty.

3 (6) Any company that employs armed security officers  
4 in this State at a nuclear energy, storage, weapons, or  
5 development site or facility regulated by the federal  
6 Nuclear Regulatory Commission and any person employed as  
7 an armed security force member at a nuclear energy,  
8 storage, weapons, or development site or facility  
9 regulated by the federal Nuclear Regulatory Commission who  
10 has completed the background screening and training  
11 mandated by the rules and regulations of the federal  
12 Nuclear Regulatory Commission and while performing  
13 official duties.

14 The provisions of this Section do not apply to the  
15 manufacture, delivery, sale, import, purchase, or possession  
16 of an assault weapon, assault weapon attachment, .50 caliber  
17 rifle, or .50 caliber cartridge or causing the manufacture,  
18 delivery, sale, importation, purchase, or possession of those  
19 items:

20 (A) for sale or transfer to persons authorized under  
21 subdivisions (1) through (6) of this subsection (e) to  
22 possess those items;

23 (B) for sale or transfer to the United States or any  
24 department or agency thereof; or

25 (C) for sale or transfer in another state or for  
26 export.

1       This Section does not apply to or affect any of the  
2 following:

3           (i) Possession of any firearm if that firearm is  
4 sanctioned by the International Olympic Committee and by  
5 USA Shooting, the national governing body for  
6 international shooting competition in the United States,  
7 but only when the firearm is in the actual possession of an  
8 Olympic target shooting competitor or target shooting  
9 coach for the purpose of storage, transporting to and from  
10 Olympic target shooting practice or events if the firearm  
11 is broken down in a nonfunctioning state, is not  
12 immediately accessible, or is unloaded and enclosed in a  
13 firearm case, carrying box, shipping box, or other similar  
14 portable container designed for the safe transportation of  
15 firearms, and when the Olympic target shooting competitor  
16 or target shooting coach is engaging in those practices or  
17 events. For the purposes of this paragraph (8), "firearm"  
18 has the meaning provided in Section 1.1 of the Firearm  
19 Owners Identification Card Act.

20           (ii) Any nonresident who transports, within 24 hours,  
21 a weapon for any lawful purpose from any place where the  
22 nonresident may lawfully possess and carry that weapon to  
23 any other place where the nonresident may lawfully possess  
24 and carry that weapon if, during the transportation, the  
25 weapon is unloaded, and neither the weapon nor any  
26 ammunition being transported is readily accessible or is

1 directly accessible from the passenger compartment of the  
2 transporting vehicle. In the case of a vehicle without a  
3 compartment separate from the driver's compartment, the  
4 weapon or ammunition shall be contained in a locked  
5 container other than the glove compartment or console.

6 (iii) Possession of a weapon at an event taking place  
7 at the World Shooting and Recreational Complex at Sparta,  
8 only while engaged in the legal use of the weapon, or while  
9 traveling to or from that location if the weapon is broken  
10 down in a nonfunctioning state, is not immediately  
11 accessible, or is unloaded and enclosed in a firearm case,  
12 carrying box, shipping box, or other similar portable  
13 container designed for the safe transportation of  
14 firearms.

15 (iv) Possession of a weapon only for hunting use  
16 expressly permitted under the Wildlife Code, or while  
17 traveling to or from a location authorized for this  
18 hunting use under the Wildlife Code if the weapon is  
19 broken down in a nonfunctioning state, is not immediately  
20 accessible, or is unloaded and enclosed in a firearm case,  
21 carrying box, shipping box, or other similar portable  
22 container designed for the safe transportation of  
23 firearms.

24 (v) The manufacture, transportation, possession, sale,  
25 or rental of blank-firing assault weapons and .50 caliber  
26 rifles, or the weapon's respective attachments, to persons



1 authorized or permitted, or both authorized and permitted,  
2 to acquire and possess these weapons or attachments for  
3 the purpose of rental for use solely as props for a motion  
4 picture, television, or video production or entertainment  
5 event.

6 Any person not subject to this Section may submit an  
7 endorsement affidavit if the person chooses.

8 (f) Any sale or transfer with a background check initiated  
9 to the Illinois State Police on or before the effective date of  
10 this amendatory Act of the 102nd General Assembly is allowed  
11 to be completed after the effective date of this amendatory  
12 Act once an approval is issued by the Illinois State Police and  
13 any applicable waiting period under Section 24-3 has expired.

14 (g) The Illinois State Police shall take all steps  
15 necessary to carry out the requirements of this Section within  
16 by October 1, 2023.

17 (720 ILCS 5/24-1.10 new)

18 Sec. 24-1.10. Manufacture, delivery, or sale of large  
19 capacity ammunition feeding devices.

20 (a) In this Section:

21 "Large capacity ammunition feeding device" means:

22 (1) a magazine, belt, drum, feed strip, or similar  
23 device that has a capacity of, or that can be readily  
24 restored or converted to accept, more than 10 rounds of  
25 ammunition for long guns and more than 15 rounds of

1 ammunition for handguns; or

2 (2) any combination of parts from which a device  
3 described in paragraph (1) can be assembled.

4 "Large capacity ammunition feeding device" does not  
5 include an attached tubular device designed to accept, and  
6 capable of operating only with, .22 caliber rimfire  
7 ammunition. "Large capacity ammunition feeding device" does  
8 not include a tubular magazine that is contained in a  
9 lever-action firearm or any device that has been made  
10 permanently inoperable.

11 (b) Except as provided in subsection (c) and (d), it is  
12 unlawful for any person within this State to knowingly  
13 manufacture, deliver, sell, purchase, or possess or cause to  
14 be manufactured, delivered, sold, or purchased a large  
15 capacity ammunition feeding device.

16 (c) This Section does not apply to any person who  
17 possesses a large capacity ammunition feeding device prior to  
18 the effective date of this amendatory Act of the 102nd General  
19 Assembly.

20 Beginning 90 days after the effective date of this  
21 amendatory Act of the 102nd General Assembly, a person  
22 authorized under this Section to possess a large capacity  
23 ammunition feeding device shall possess such device only:

24 (1) on private property owned or immediately  
25 controlled by the person;

26 (2) on private property that is not open to the public

1 with the express permission of the person who owns or  
2 immediately controls such property;

3 (3) while on the premises of a licensed firearms  
4 dealer or gunsmith for the purpose of lawful repair;

5 (4) while engaged in the legal use of the large  
6 capacity ammunition feeding device at a properly licensed  
7 firing range or sport shooting competition venue; or

8 (5) while traveling to or from these locations,  
9 provided that the large capacity ammunition feeding device  
10 is stored unloaded and enclosed in a case, firearm  
11 carrying box, shipping box, or other container.

12 Beginning 90 days after the effective date of this  
13 amendatory Act of the 102nd General Assembly, a person  
14 authorized under this Section to possess a large capacity  
15 ammunition feeding device may transfer the large capacity  
16 ammunition feeding device only to an heir, an individual  
17 residing in another state maintaining it in another state, or  
18 a dealer licensed as a federal firearms dealer under Section  
19 923 of the federal Gun Control Act of 1968. Within 10 days  
20 after transfer of the large capacity ammunition feeding device  
21 except to an heir, the person shall notify the Illinois State  
22 Police of the name and address of the transferee and comply  
23 with the requirements of subsection (b) of Section 3 of the  
24 Firearm Owners Identification Card Act. The person to whom the  
25 large capacity ammunition feeding device is transferred shall,  
26 within 60 days of the transfer, complete an affidavit required

1 under this Section. A person to whom the large capacity  
2 ammunition feeding device is transferred may transfer it only  
3 as provided in this subsection.

4 Except as provided in subsection (d) and beginning 90 days  
5 after the effective date of this amendatory Act of the 102nd  
6 General Assembly, any person who moves into this State in  
7 possession of a large capacity ammunition feeding device  
8 shall, within 60 days, apply for a Firearm Owners  
9 Identification Card.

10 (d) The provisions of this Section regarding the purchase  
11 or possession of large capacity ammunition feeding devices, as  
12 well as the provisions of this Section that prohibit causing  
13 those items to be purchased or possessed, do not apply to:

14 (1) Peace officers as defined in Section 2-13 of this  
15 Code.

16 (2) Qualified law enforcement officers and qualified  
17 retired law enforcement officers as defined in the Law  
18 Enforcement Officers Safety Act of 2004 (18 USC Sections  
19 926B and 926C) and as recognized under Illinois law.

20 (3) A federal, State, or local law enforcement agency  
21 for the purpose of equipping the agency's peace officers  
22 as defined in paragraph (1) or (2) of this subsection (d).

23 (4) Wardens, superintendents, and keepers of prisons,  
24 penitentiaries, jails, and other institutions for the  
25 detention of persons accused or convicted of an offense.

26 (5) Members of the Armed Services or Reserve Forces of

1 the United States or the Illinois National Guard, while  
2 their official duties or while traveling to or from their  
3 places of duty.

4 (6) Any company that employs armed security officers  
5 in this State at a nuclear energy, storage, weapons, or  
6 development site or facility regulated by the federal  
7 Nuclear Regulatory Commission and any person employed as  
8 an armed security force member at a nuclear energy,  
9 storage, weapons, or development site or facility  
10 regulated by the federal Nuclear Regulatory Commission who  
11 has completed the background screening and training  
12 mandated by the rules and regulations of the federal  
13 Nuclear Regulatory Commission and while performing  
14 official duties.

15 (e) This Section does not apply to or affect any of the  
16 following:

17 (1) Manufacture, delivery, sale, importation,  
18 purchase, or possession or causing to be manufactured,  
19 delivered, sold, imported, purchased, or possessed a large  
20 capacity ammunition feeding device:

21 (A) for sale or transfer to persons authorized  
22 under subdivisions (1) through (5) of subsection (d)  
23 to possess those items;

24 (B) for sale or transfer to the United States or  
25 any department or agency thereof; or

26 (C) for sale or transfer in another state or for

1           export.

2           (2) Sale or rental of large capacity ammunition  
3           feeding devices for blank-firing assault weapons and .50  
4           caliber rifles, to persons authorized or permitted, or  
5           both authorized and permitted, to acquire these devices  
6           for the purpose of rental for use solely as props for a  
7           motion picture, television, or video production or  
8           entertainment event.

9           (f) Sentence. A person who knowingly delivers, sells,  
10          purchases, or causes to be delivered, sold, or purchased in  
11          violation of this Section a large capacity ammunition feeding  
12          device capable of holding more than 10 rounds of ammunition  
13          for long guns or more than 15 rounds of ammunition for handguns  
14          commits a petty offense with a fine of \$1,000 for each  
15          violation.

16           Section 97. Severability. The provisions of this Act are  
17          severable under Section 1.31 of the Statute on Statutes.

18           Section 99. Effective date. This Act takes effect upon  
19          becoming law.".