



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5855

by Rep. Bob Morgan

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois State Police Law of the Civil Administrative Code of Illinois. Provides that the Division of Criminal Investigation of the Illinois State Police shall conduct other investigations as provided by law, including, but not limited to, investigations of human trafficking, illegal drug trafficking, and illegal firearms trafficking. Provides that the Division of Criminal Investigation shall provide statewide coordination and strategy pertaining to firearm-related intelligence, firearms trafficking interdiction, and investigations. Amends the Firearm Owners Identification Card Act. Eliminates provisions that permit a person under 21 years of age who is not an active duty member of the United States Armed Forces or the Illinois National Guard to obtain a Firearm Owner's Identification Card with parental consent. Amends the Wildlife Code. Provides that when a person under 21 years of age is hunting under the supervision of a adult, the adult must possess a Firearm Owners Identification Card. Amends the Firearms Restraining Order Act. Provides that the State's Attorney of the county where the petition is filed may act as a friend of the court in any action filed under the Act. Provides that a petitioner may request a one-year (rather than 6-month) firearms restraining order. Amends the Criminal Code of 2012. Makes it unlawful to manufacture, deliver, sell, or purchase or cause to be manufactured, delivered, sold, or purchased or cause to be possessed by another, an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge. Makes it unlawful for any person to knowingly possess an assault weapon, .50 caliber rifle, or .50 caliber cartridge 300 days after the effective date of the amendatory Act, except possession of weapons registered with the Illinois State Police in the time provided. Provides exemptions and penalties. Prohibits the manufacture, delivery, sale, purchase, or possession of large capacity ammunition feeding devices. Defines terms. Provides exemptions and penalties. Makes other changes. Effective immediately.

LRB102 29834 RJT 41951 b

1 AN ACT concerning safety.

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

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
16 2605-215.

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

20 (3) Enforce all laws regulating the production, sale,
21 prescribing, manufacturing, administering, transporting,
22 having in possession, dispensing, delivering,

1 distributing, or use of controlled substances and
2 cannabis.

3 (4) Cooperate with the police of cities, villages, and
4 incorporated towns and with the police officers of any
5 county in enforcing the laws of the State and in making
6 arrests and recovering property.

7 (5) Apprehend and deliver up any person charged in
8 this State or any other state with treason or a felony or
9 other crime who has fled from justice and is found in this
10 State.

11 (6) Investigate recipients and providers under the
12 Illinois Public Aid Code and any personnel involved in the
13 administration of the Code who are suspected of any
14 violation of the Code pertaining to fraud in the
15 administration, receipt, or provision of assistance and
16 pertaining to any violation of criminal law; and exercise
17 the functions required under Section 2605-220 in the
18 conduct of those investigations.

19 (7) Conduct other investigations as provided by law,
20 including, but not limited to, investigations of human
21 trafficking, illegal drug trafficking, and illegal
22 firearms trafficking.

23 (8) Investigate public corruption.

24 (9) Exercise other duties that may be assigned by the
25 Director in order to fulfill the responsibilities and
26 achieve the purposes of the Illinois State Police, which

1 may include the coordination of gang, terrorist, and
2 organized crime prevention, control activities, and
3 assisting local law enforcement in their crime control
4 activities.

5 (b) (Blank).

6 (c) The Division of Criminal Investigation shall provide
7 statewide coordination and strategy pertaining to
8 firearm-related intelligence, firearms trafficking
9 interdiction, and investigations reaching across all divisions
10 of the Illinois State Police, including providing crime gun
11 intelligence support for suspects and firearms involved in
12 firearms trafficking or the commission of a crime involving
13 firearms that is investigated by the Illinois State Police and
14 other federal, State, and local law enforcement agencies, with
15 the objective of reducing and preventing illegal possession
16 and use of firearms, firearms trafficking, firearm-related
17 homicides, and other firearm-related violent crimes in
18 Illinois.

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

20 (20 ILCS 2605/2605-51.1)

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

22 Sec. 2605-51.1. Commission on Implementing the Firearms
23 Restraining Order Act.

24 (a) There is created the Commission on Implementing the
25 Firearms Restraining Order Act composed of at least 12 members

1 to advise on the strategies of education and implementation of
2 the Firearms Restraining Order Act. The Commission shall be
3 appointed by the Director of the Illinois State Police or his
4 or her designee and shall include a liaison or representative
5 nominated from the following:

6 (1) the Office of the Attorney General, appointed by
7 the Attorney General;

8 (2) the Director of the Illinois State Police or his
9 or her designee;

10 (3) at least 3 State's Attorneys, nominated by the
11 Director of the Office of the State's Attorneys Appellate
12 Prosecutor;

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

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

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

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

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

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

26 (10) a prosecutor with experience managing or

1 directing a program in another state where the
2 implementation of that state's extreme risk protection
3 order law has achieved high rates of petition filings
4 nominated by the National District Attorneys Association;
5 ~~and~~

6 (11) an expert from law enforcement who has experience
7 managing or directing a program in another state where the
8 implementation of that state's extreme risk protection
9 order law has achieved high rates of petition filings
10 nominated by the Director of the Illinois State Police;
11 and

12 (12) a circuit court clerk, nominated by the President
13 of the Illinois Association of Court Clerks.

14 (b) The Commission shall be chaired by the Director of the
15 Illinois State Police or his or her designee. The Commission
16 shall meet, either virtually or in person, to discuss the
17 implementation of the Firearms Restraining Order Act as
18 determined by the Commission while the strategies are being
19 established.

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

22 (d) An annual report shall be submitted to the General
23 Assembly by the Commission that may include summary
24 information about firearms restraining order use by county,
25 challenges to Firearms Restraining Order Act implementation,
26 and recommendations for increasing and improving

1 implementation.

2 (e) The Commission shall develop a model policy with an
3 overall framework for the timely relinquishment of firearms
4 whenever a firearms restraining order is issued. The model
5 policy shall be finalized within the first 4 months of
6 convening. In formulating the model policy, the Commission
7 shall consult counties in Illinois and other states with
8 extreme risk protection order laws which have achieved a high
9 rate of petition filings. Once approved, the Illinois State
10 Police shall work with their local law enforcement agencies
11 within their county to design a comprehensive strategy for the
12 timely relinquishment of firearms, using the model policy as
13 an overall framework. Each individual agency may make small
14 modifications as needed to the model policy and must approve
15 and adopt a policy that aligns with the model policy. The
16 Illinois State Police shall convene local police chiefs and
17 sheriffs within their county as needed to discuss the
18 relinquishment of firearms.

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

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

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

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

1 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

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

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

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

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

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

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

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

24 (4) Members of bona fide veterans organizations which
25 receive firearms directly from the armed forces of the

1 United States, while using the firearms for ceremonial
2 purposes with blank ammunition;

3 (5) Nonresident hunters 21 years of age or older
4 during hunting season, with valid nonresident hunting
5 licenses and while in an area where hunting is permitted;
6 however, at all other times and in all other places these
7 persons must have their firearms unloaded and enclosed in
8 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 21 years of age or older
9 whose state of residence does not require them to be
10 licensed or registered to possess a firearm and only
11 during hunting season, with valid hunting licenses, while
12 accompanied by, and using a firearm owned by, a person who
13 possesses a valid Firearm Owner's Identification Card and
14 while in an area within a commercial club licensed under
15 the Wildlife Code where hunting is permitted and
16 controlled, but in no instance upon sites owned or managed
17 by the Department of Natural 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 65/4) (from Ch. 38, par. 83-4)

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

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

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

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

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

1 ~~Department as prescribed by the Department stating~~
2 ~~that he or she is not an individual prohibited from~~
3 ~~having a Card;~~

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

25 (ii) He or she has not been convicted of a felony
26 under the laws of this or any other jurisdiction;

- 1 (iii) He or she is not addicted to narcotics;
- 2 (iv) He or she has not been a patient in a mental
3 health facility within the past 5 years or, if he or
4 she has been a patient in a mental health facility more
5 than 5 years ago submit the certification required
6 under subsection (u) of Section 8 of this Act;
- 7 (v) He or she is not a person with an intellectual
8 disability;
- 9 (vi) He or she is not a noncitizen who is
10 unlawfully present in the United States under the laws
11 of the United States;
- 12 (vii) He or she is not subject to an existing order
13 of protection prohibiting him or her from possessing a
14 firearm;
- 15 (viii) He or she has not been convicted within the
16 past 5 years of battery, assault, aggravated assault,
17 violation of an order of protection, or a
18 substantially similar offense in another jurisdiction,
19 in which a firearm was used or possessed;
- 20 (ix) He or she has not been convicted of domestic
21 battery, aggravated domestic battery, or a
22 substantially similar offense in another jurisdiction
23 committed before, on or after January 1, 2012 (the
24 effective date of Public Act 97-158). If the applicant
25 knowingly and intelligently waives the right to have
26 an offense described in this clause (ix) tried by a

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

10 (x) (Blank);

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

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

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

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

26 (B) en route to or from another country to

1 developmental disability; and

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

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

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

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

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

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

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

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

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

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

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

25 (c) Upon such written consent, pursuant to Section 4,
26 paragraph (a)(2)(i), the parent or legal guardian giving the

1 consent shall be liable for any damages resulting from the
2 applicant's use of firearms or firearm ammunition.

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

6 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

7 Sec. 8. Grounds for denial and revocation. The Illinois
8 State Police has authority to deny an application for or to
9 revoke and seize a Firearm Owner's Identification Card
10 previously issued under this Act only if the Illinois State
11 Police finds that the applicant or the person to whom such card
12 was issued is or was at the time of issuance:

13 (a) A person under 21 years of age who has been
14 convicted of a misdemeanor other than a traffic offense or
15 adjudged delinquent;

16 (b) (Blank); ~~This subsection (b) applies through the~~
17 ~~180th day following July 12, 2019 (the effective date of~~
18 ~~Public Act 101-80). A person under 21 years of age who does~~
19 ~~not have the written consent of his parent or guardian to~~
20 ~~acquire and possess firearms and firearm ammunition, or~~
21 ~~whose parent or guardian has revoked such written consent,~~
22 ~~or where such parent or guardian does not qualify to have a~~
23 ~~Firearm Owner's Identification Card;~~

24 (b-5) ~~This subsection (b-5) applies on and after the~~
25 ~~181st day following July 12, 2019 (the effective date of~~

1 ~~Public Act 101-80).~~ A person under 21 years of age who is
2 not an active duty member of the United States Armed
3 Forces or the Illinois National Guard ~~and does not have~~
4 ~~the written consent of his or her parent or guardian to~~
5 ~~acquire and possess firearms and firearm ammunition, or~~
6 ~~whose parent or guardian has revoked such written consent,~~
7 ~~or where such parent or guardian does not qualify to have a~~
8 ~~Firearm Owner's Identification Card;~~

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

11 (d) A person addicted to narcotics;

12 (e) A person who has been a patient of a mental health
13 facility within the past 5 years or a person who has been a
14 patient in a mental health facility more than 5 years ago
15 who has not received the certification required under
16 subsection (u) of this Section. An active law enforcement
17 officer employed by a unit of government or a Department
18 of Corrections employee authorized to possess firearms who
19 is denied, revoked, or has his or her Firearm Owner's
20 Identification Card seized under this subsection (e) may
21 obtain relief as described in subsection (c-5) of Section
22 10 of this Act if the officer or employee did not act in a
23 manner threatening to the officer or employee, another
24 person, or the public as determined by the treating
25 clinical psychologist or physician, and the officer or
26 employee seeks mental health treatment;

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

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

5 (h) A person who intentionally makes a false statement
6 in the Firearm Owner's Identification Card application;

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

9 (i-5) A noncitizen who has been admitted to the United
10 States under a non-immigrant visa (as that term is defined
11 in Section 101(a)(26) of the Immigration and Nationality
12 Act (8 U.S.C. 1101(a)(26))), except that this subsection
13 (i-5) does not apply to any noncitizen who has been
14 lawfully admitted to the United States under a
15 non-immigrant visa if that noncitizen is:

16 (1) admitted to the United States for lawful
17 hunting or sporting purposes;

18 (2) an official representative of a foreign
19 government who is:

20 (A) accredited to the United States Government
21 or the Government's mission to an international
22 organization having its headquarters in the United
23 States; or

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

26 (3) an official of a foreign government or

1 distinguished foreign visitor who has been so
2 designated by the Department of State;

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

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

9 (j) (Blank);

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

15 (l) A person who has been convicted of domestic
16 battery, aggravated domestic battery, or a substantially
17 similar offense in another jurisdiction committed before,
18 on or after January 1, 2012 (the effective date of Public
19 Act 97-158). If the applicant or person who has been
20 previously issued a Firearm Owner's Identification Card
21 under this Act knowingly and intelligently waives the
22 right to have an offense described in this paragraph (l)
23 tried by a jury, and by guilty plea or otherwise, results
24 in a conviction for an offense in which a domestic
25 relationship is not a required element of the offense but
26 in which a determination of the applicability of 18 U.S.C.

1 922(g)(9) is made under Section 112A-11.1 of the Code of
2 Criminal Procedure of 1963, an entry by the court of a
3 judgment of conviction for that offense shall be grounds
4 for denying an application for and for revoking and
5 seizing a Firearm Owner's Identification Card previously
6 issued to the person under this Act;

7 (m) (Blank);

8 (n) A person who is prohibited from acquiring or
9 possessing firearms or firearm ammunition by any Illinois
10 State statute or by federal law;

11 (o) A minor subject to a petition filed under Section
12 5-520 of the Juvenile Court Act of 1987 alleging that the
13 minor is a delinquent minor for the commission of an
14 offense that if committed by an adult would be a felony;

15 (p) An adult who had been adjudicated a delinquent
16 minor under the Juvenile Court Act of 1987 for the
17 commission of an offense that if committed by an adult
18 would be a felony;

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

22 (r) A person who has been adjudicated as a person with
23 a mental disability;

24 (s) A person who has been found to have a
25 developmental disability;

26 (t) A person involuntarily admitted into a mental

1 health facility; or

2 (u) A person who has had his or her Firearm Owner's
3 Identification Card revoked or denied under subsection (e)
4 of this Section or item (iv) of paragraph (2) of
5 subsection (a) of Section 4 of this Act because he or she
6 was a patient in a mental health facility as provided in
7 subsection (e) of this Section, shall not be permitted to
8 obtain a Firearm Owner's Identification Card, after the
9 5-year period has lapsed, unless he or she has received a
10 mental health evaluation by a physician, clinical
11 psychologist, or qualified examiner as those terms are
12 defined in the Mental Health and Developmental
13 Disabilities Code, and has received a certification that
14 he or she is not a clear and present danger to himself,
15 herself, or others. The physician, clinical psychologist,
16 or qualified examiner making the certification and his or
17 her employer shall not be held criminally, civilly, or
18 professionally liable for making or not making the
19 certification required under this subsection, except for
20 willful or wanton misconduct. This subsection does not
21 apply to a person whose firearm possession rights have
22 been restored through administrative or judicial action
23 under Section 10 or 11 of this Act.

24 Upon revocation of a person's Firearm Owner's
25 Identification Card, the Illinois State Police shall provide
26 notice to the person and the person shall comply with Section

1 9.5 of this Act.

2 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;
3 102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.
4 5-27-22.)

5 Section 15. The Firearms Restraining Order Act is amended
6 by changing Sections 10, 40, 45, and 55 as follows:

7 (430 ILCS 67/10)

8 Sec. 10. Commencement of action; procedure.

9 (a) An action for a firearms restraining order is
10 commenced by filing a verified petition for a firearms
11 restraining order in any circuit court.

12 (b) A petition for a firearms restraining order may be
13 filed in: (1) any county where the respondent resides or (2)
14 any county where an incident occurred that involved the
15 respondent posing an immediate and present danger of causing
16 personal injury to the respondent or another by having in his
17 or her custody or control, or purchasing, possessing, or
18 receiving, a firearm, ammunition, or firearm parts that could
19 be assembled to make an operable firearm.

20 (c) No fee shall be charged by the clerk for filing,
21 amending, vacating, certifying, printing, or photocopying
22 petitions or orders; or for issuing alias summons; or for any
23 related filing service. No fee shall be charged by the sheriff
24 or other law enforcement for service by the sheriff or other

1 law enforcement of a petition, rule, motion, or order in an
2 action commenced under this Section.

3 (d) The court shall provide, through the office of the
4 clerk of the court, simplified forms and clerical assistance
5 to help with the writing and filing of a petition under this
6 Section by any person not represented by counsel. In addition,
7 that assistance may be provided by the State's Attorney.

8 (e) The State's Attorney of the county where the petition
9 is filed may act as a friend of the court in any action filed
10 under this Act. An Assistant State's Attorney of the county
11 where the petition is filed may also be appointed as a friend
12 of the court to assist a petitioner in court regarding
13 firearms restraining orders.

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

15 (430 ILCS 67/40)

16 Sec. 40. One-year ~~Six-month~~ orders.

17 (a) A petitioner may request a one-year ~~6-month~~ firearms
18 restraining order by filing an affidavit or verified pleading
19 alleging that the respondent poses a significant danger of
20 causing personal injury to himself, herself, or another in the
21 near future by having in his or her custody or control,
22 purchasing, possessing, or receiving a firearm, ammunition,
23 and firearm parts that could be assembled to make an operable
24 firearm. The petition shall also describe the number, types,
25 and locations of any firearms, ammunition, and firearm parts

1 that could be assembled to make an operable firearm presently
2 believed by the petitioner to be possessed or controlled by
3 the respondent.

4 (b) If the respondent is alleged to pose a significant
5 danger of causing personal injury to an intimate partner, or
6 an intimate partner is alleged to have been the target of a
7 threat or act of violence by the respondent, the petitioner
8 shall make a good faith effort to provide notice to any and all
9 intimate partners of the respondent. The notice must include
10 that the petitioner intends to petition the court for a
11 one-year ~~6-month~~ firearms restraining order, and, if the
12 petitioner is a law enforcement officer, referral to relevant
13 domestic violence or stalking advocacy or counseling
14 resources, if appropriate. The petitioner shall attest to
15 having provided the notice in the filed affidavit or verified
16 pleading. If, after making a good faith effort, the petitioner
17 is unable to provide notice to any or all intimate partners,
18 the affidavit or verified pleading should describe what
19 efforts were made.

20 (c) Every person who files a petition for a one-year
21 ~~6-month~~ firearms restraining order, knowing the information
22 provided to the court at any hearing or in the affidavit or
23 verified pleading to be false, is guilty of perjury under
24 Section 32-2 of the Criminal Code of 2012.

25 (d) Upon receipt of a petition for a one-year ~~6-month~~
26 firearms restraining order, the court shall order a hearing

1 within 30 days.

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

5 (1) The unlawful and reckless use, display, or
6 brandishing of a firearm, ammunition, and firearm parts
7 that could be assembled to make an operable firearm by the
8 respondent.

9 (2) The history of use, attempted use, or threatened
10 use of physical force by the respondent against another
11 person.

12 (3) Any prior arrest of the respondent for a felony
13 offense.

14 (4) Evidence of the abuse of controlled substances or
15 alcohol by the respondent.

16 (5) A recent threat of violence or act of violence by
17 the respondent directed toward himself, herself, or
18 another.

19 (6) A violation of an emergency order of protection
20 issued under Section 217 of the Illinois Domestic Violence
21 Act of 1986 or Section 112A-17 of the Code of Criminal
22 Procedure of 1963 or of an order of protection issued
23 under Section 214 of the Illinois Domestic Violence Act of
24 1986 or Section 112A-14 of the Code of Criminal Procedure
25 of 1963.

26 (7) A pattern of violent acts or violent threats,

1 including, but not limited to, threats of violence or acts
2 of violence by the respondent directed toward himself,
3 herself, or another.

4 (f) At the hearing, the petitioner shall have the burden
5 of proving, by clear and convincing evidence, that the
6 respondent poses a significant danger of personal injury to
7 himself, herself, or another by having in his or her custody or
8 control, purchasing, possessing, or receiving a firearm,
9 ammunition, and firearm parts that could be assembled to make
10 an operable firearm.

11 (g) If the court finds that there is clear and convincing
12 evidence to issue a firearms restraining order, the court
13 shall issue a firearms restraining order that shall be in
14 effect for one year, ~~6 months~~ subject to renewal under Section
15 45 of this Act or termination under that Section.

16 (g-5) If the court issues a one-year ~~6-month~~ firearms
17 restraining order, it shall, upon a finding of probable cause
18 that the respondent possesses firearms, ammunition, and
19 firearm parts that could be assembled to make an operable
20 firearm, issue a search warrant directing a law enforcement
21 agency to seize the respondent's firearms, ammunition, and
22 firearm parts that could be assembled to make an operable
23 firearm. The court may, as part of that warrant, direct the law
24 enforcement agency to search the respondent's residence and
25 other places where the court finds there is probable cause to
26 believe he or she is likely to possess the firearms,

1 ammunition, and firearm parts that could be assembled to make
2 an operable firearm. A return of the search warrant shall be
3 filed by the law enforcement agency within 4 days thereafter,
4 setting forth the time, date, and location that the search
5 warrant was executed and what items, if any, were seized.

6 (h) A one-year ~~6-month~~ firearms restraining order shall
7 require:

8 (1) the respondent to refrain from having in his or
9 her custody or control, purchasing, possessing, or
10 receiving additional firearms, ammunition, and firearm
11 parts that could be assembled to make an operable firearm
12 for the duration of the order under Section 8.2 of the
13 Firearm Owners Identification Card Act; and

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

17 (i) Except as otherwise provided in subsection (i-5) of
18 this Section, upon expiration of the period of safekeeping, if
19 the firearms, ammunition, and firearm parts that could be
20 assembled to make an operable firearm or Firearm Owner's
21 Identification Card cannot be returned to the respondent
22 because the respondent cannot be located, fails to respond to
23 requests to retrieve the firearms, ammunition, and firearm
24 parts that could be assembled to make an operable firearm, or
25 is not lawfully eligible to possess a firearm, ammunition, and
26 firearm parts that could be assembled to make an operable

1 firearm, upon petition from the local law enforcement agency,
2 the court may order the local law enforcement agency to
3 destroy the firearms, ammunition, and firearm parts that could
4 be assembled to make an operable firearm, use the firearms,
5 ammunition, and firearm parts that could be assembled to make
6 an operable firearm for training purposes, or use the
7 firearms, ammunition, and firearm parts that could be
8 assembled to make an operable firearm for any other
9 application as deemed appropriate by the local law enforcement
10 agency.

11 (i-5) A respondent whose Firearm Owner's Identification
12 Card has been revoked or suspended may petition the court, if
13 the petitioner is present in court or has notice of the
14 respondent's petition, to transfer the respondent's firearm,
15 ammunition, and firearm parts that could be assembled to make
16 an operable firearm to a person who is lawfully able to possess
17 the firearm, ammunition, and firearm parts that could be
18 assembled to make an operable firearm if the person does not
19 reside at the same address as the respondent. Notice of the
20 petition shall be served upon the person protected by the
21 emergency firearms restraining order. While the order is in
22 effect, the transferee who receives the respondent's firearms,
23 ammunition, and firearm parts that could be assembled to make
24 an operable firearm must swear or affirm by affidavit that he
25 or she shall not transfer the firearm, ammunition, and firearm
26 parts that could be assembled to make an operable firearm to

1 the respondent or to anyone residing in the same residence as
2 the respondent.

3 (i-6) If a person other than the respondent claims title
4 to any firearms, ammunition, and firearm parts that could be
5 assembled to make an operable firearm surrendered under this
6 Section, he or she may petition the court, if the petitioner is
7 present in court or has notice of the petition, to have the
8 firearm, ammunition, and firearm parts that could be assembled
9 to make an operable firearm returned to him or her. If the
10 court determines that person to be the lawful owner of the
11 firearm, ammunition, and firearm parts that could be assembled
12 to make an operable firearm, the firearm, ammunition, and
13 firearm parts that could be assembled to make an operable
14 firearm shall be returned to him or her, provided that:

15 (1) the firearm, ammunition, and firearm parts that
16 could be assembled to make an operable firearm are removed
17 from the respondent's custody, control, or possession and
18 the lawful owner agrees to store the firearm, ammunition,
19 and firearm parts that could be assembled to make an
20 operable firearm in a manner such that the respondent does
21 not have access to or control of the firearm, ammunition,
22 and firearm parts that could be assembled to make an
23 operable firearm; and

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

1 The person petitioning for the return of his or her
2 firearm, ammunition, and firearm parts that could be assembled
3 to make an operable firearm must swear or affirm by affidavit
4 that he or she: (i) is the lawful owner of the firearm,
5 ammunition, and firearm parts that could be assembled to make
6 an operable firearm; (ii) shall not transfer the firearm,
7 ammunition, and firearm parts that could be assembled to make
8 an operable firearm to the respondent; and (iii) will store
9 the firearm, ammunition, and firearm parts that could be
10 assembled to make an operable firearm in a manner that the
11 respondent does not have access to or control of the firearm,
12 ammunition, and firearm parts that could be assembled to make
13 an operable firearm.

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

17 (k) When the court issues a firearms restraining order
18 under this Section, the court shall inform the respondent that
19 he or she is entitled to one hearing during the period of the
20 order to request a termination of the order, under Section 45
21 of this Act, and shall provide the respondent with a form to
22 request a hearing.

23 (Source: P.A. 101-81, eff. 7-12-19; 102-237, eff. 1-1-22;
24 102-345, eff. 6-1-22; 102-538, eff. 8-20-21; 102-813, eff.
25 5-13-22.)

1 (430 ILCS 67/45)

2 Sec. 45. Termination and renewal.

3 (a) A person subject to a firearms restraining order
4 issued under this Act may submit one written request at any
5 time during the effective period of the order for a hearing to
6 terminate the order.

7 (1) The respondent shall have the burden of proving by
8 a preponderance of the evidence that the respondent does
9 not pose a danger of causing personal injury to himself,
10 herself, or another in the near future by having in his or
11 her custody or control, purchasing, possessing, or
12 receiving a firearm, ammunition, and firearm parts that
13 could be assembled to make an operable firearm.

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

17 (b) A petitioner may request a renewal of a firearms
18 restraining order at any time within the 3 months before the
19 expiration of a firearms restraining order.

20 (1) A court shall, after notice and a hearing, renew a
21 firearms restraining order issued under this part if the
22 petitioner proves, 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 (2) In determining whether to renew a firearms
4 restraining order issued under this Act, the court shall
5 consider evidence of the facts identified in subsection
6 (e) of Section 40 of this Act and any other evidence of an
7 increased risk for violence.

8 (3) At the hearing, the petitioner shall have the
9 burden of proving 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 (4) The renewal of a firearms restraining order issued
17 under this Section shall be in effect for one year ~~6~~
18 ~~months~~, subject to termination by further order of the
19 court at a hearing held under this Section and further
20 renewal by further order of the court under this Section.

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

22 (430 ILCS 67/55)

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

24 (a) All sheriffs shall furnish to the Illinois State
25 Police, daily, in the form and detail the Illinois State

1 ~~Police Department~~ requires, copies of any recorded firearms
2 restraining orders issued by the court, and any foreign orders
3 of protection filed by the clerk of the court, and transmitted
4 to the sheriff by the clerk of the court under Section 50. Each
5 firearms restraining order shall be entered in the Law
6 Enforcement Agencies Data System (LEADS) on the same day it is
7 issued by the court. If an emergency firearms restraining
8 order was issued in accordance with Section 35 of this Act, the
9 order shall be entered in the Law Enforcement Agencies Data
10 System (LEADS) as soon as possible after receipt from the
11 clerk.

12 (b) The Illinois State Police shall maintain a complete
13 and systematic record and index of all valid and recorded
14 firearms restraining orders issued or filed under this Act.
15 The data shall be used to inform all dispatchers and law
16 enforcement officers at the scene of a violation of a firearms
17 restraining order of the effective dates and terms of any
18 recorded order of protection.

19 (c) The data, records, and transmittals required under
20 this Section shall pertain to any valid emergency or one-year
21 ~~6-month~~ firearms restraining order, whether issued in a civil
22 or criminal proceeding or authorized under the laws of another
23 state, tribe, or United States territory.

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

25 Section 20. The Wildlife Code is amended by changing

1 Sections 3.1-5 and 3.1-9 as follows:

2 (520 ILCS 5/3.1-5)

3 Sec. 3.1-5. Apprentice Hunter License Program.

4 (a) The Department shall establish an Apprentice Hunter
5 License Program. The purpose of this Program shall be to
6 extend limited hunting privileges, in lieu of obtaining a
7 valid hunting license, to persons interested in learning about
8 hunting sports.

9 (b) Any resident or nonresident may apply to the
10 Department for an Apprentice Hunter License. The Apprentice
11 Hunter License shall be a non-renewable license that shall
12 expire on the March 31 following the date of issuance.

13 (c) The Apprentice Hunter License shall entitle the
14 licensee to hunt on private property while supervised by a
15 validly licensed resident or nonresident hunter who is 21
16 years of age or older.

17 (c-5) The Apprentice Hunter License shall entitle the
18 licensee to hunt on public property while supervised by a
19 validly licensed resident or nonresident who is 21 years of
20 age or older and has a hunter education certificate. When the
21 licensee is hunting with a firearm under the supervision of a
22 resident adult who is 21 years of age or older, the adult must
23 also possess a valid Firearm Owner's Identification Card.

24 (d) In order to be approved for the Apprentice Hunter
25 License, the applicant must request an Apprentice Hunter

1 License on a form designated and made available by the
2 Department and submit a \$7 fee, which shall be separate from
3 and additional to any other stamp, permit, tag, or license fee
4 that may be required for hunting under this Code. The
5 Department shall adopt suitable administrative rules that are
6 reasonable and necessary for the administration of the
7 program, but shall not require any certificate of competency
8 or other hunting education as a condition of the Apprentice
9 Hunter License.

10 (Source: P.A. 100-638, eff. 1-1-19; 101-444, eff. 6-1-20.)

11 (520 ILCS 5/3.1-9)

12 Sec. 3.1-9. Youth Hunting and Trapping License.

13 (a) Before any youth under 18 years of age shall take or
14 attempt to take any species protected by Section 2.2 of this
15 Code for which an open season is established, he or she shall
16 first procure and possess a valid Youth Hunting and Trapping
17 License. The Youth Hunting and Trapping License shall be a
18 renewable license that shall expire on the March 31 following
19 the date of issuance. The fee for a Youth Hunting and Trapping
20 License is \$7.

21 A Youth Hunting and Trapping License shall entitle the
22 licensee to hunt while supervised by an adult who is 21 years
23 of age or older and has a valid Illinois hunting license.

24 A youth licensed under this subsection (a) shall not hunt
25 or carry a hunting device, including, but not limited to, a

1 firearm, bow and arrow, or crossbow unless the youth is
2 accompanied by and under the close personal supervision of an
3 adult who is 21 years of age or older and has a valid Illinois
4 hunting license. When the youth is hunting with a firearm
5 under the supervision of a resident adult who is 21 years of
6 age or older, the adult must also possess a valid Firearm
7 Owner's Identification Card.

8 The Department shall adopt rules for the administration of
9 the program, but shall not require any certificate of
10 competency or other hunting or trapping education as a
11 condition of the Youth Hunting and Trapping License. If a
12 youth has a valid certificate of competency for hunting from a
13 hunter safety course approved by the Department, he or she is
14 exempt from the supervision requirements for youth hunters in
15 this Section.

16 (b) A Youth Hunting and Trapping License shall entitle the
17 licensee to trap while supervised by an adult who is 21 years
18 of age or older and has a valid Illinois trapping license.

19 A youth licensed under this Section shall not trap or
20 carry a hunting device, including, but not limited to, a
21 firearm, bow and arrow, or crossbow unless the youth is
22 accompanied by and under the close personal supervision of an
23 adult who is 21 years of age or older and has a valid Illinois
24 trapping license.

25 The Department shall adopt rules for the administration of
26 the program, but shall not require any certificate of

1 competency or other trapping education as a condition of the
2 Youth Hunting and Trapping License. If a youth has a valid
3 certificate of competency for trapping from a trapper safety
4 course approved by the Department, then he or she is exempt
5 from the supervision requirements for youth trappers in this
6 Section.

7 (Source: P.A. 100-638, eff. 1-1-19; 100-691, eff. 1-1-19;
8 101-81, eff. 7-12-19.)

9 Section 25. The Criminal Code of 2012 is amended by
10 changing Section 24-1 and by adding Sections 24-1.9 and
11 24-1.10 as follows:

12 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

16 (1) Sells, manufactures, purchases, possesses or
17 carries any bludgeon, black-jack, slung-shot, sand-club,
18 sand-bag, metal knuckles or other knuckle weapon
19 regardless of its composition, throwing star, or any
20 knife, commonly referred to as a switchblade knife, which
21 has a blade that opens automatically by hand pressure
22 applied to a button, spring or other device in the handle
23 of the knife, or a ballistic knife, which is a device that
24 propels a knifelike blade as a projectile by means of a

1 coil spring, elastic material or compressed gas; or

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

7 (2.5) Carries or possesses with intent to use the same
8 unlawfully against another, any firearm in a church,
9 synagogue, mosque, or other building, structure, or place
10 used for religious worship; or

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

17 (4) Carries or possesses in any vehicle or concealed
18 on or about his person except when on his land or in his
19 own abode, legal dwelling, or fixed place of business, or
20 on the land or in the legal dwelling of another person as
21 an invitee with that person's permission, any pistol,
22 revolver, stun gun or taser or other firearm, except that
23 this subsection (a) (4) does not apply to or affect
24 transportation of weapons that meet one of the following
25 conditions:

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

- 1 (ii) are not immediately accessible; or
- 2 (iii) are unloaded and enclosed in a case, firearm
- 3 carrying box, shipping box, or other container by a
- 4 person who has been issued a currently valid Firearm
- 5 Owner's Identification Card; or
- 6 (iv) are carried or possessed in accordance with
- 7 the Firearm Concealed Carry Act by a person who has
- 8 been issued a currently valid license under the
- 9 Firearm Concealed Carry Act; or
- 10 (5) Sets a spring gun; or
- 11 (6) Possesses any device or attachment of any kind
- 12 designed, used or intended for use in silencing the report
- 13 of any firearm; or
- 14 (7) Sells, manufactures, purchases, possesses or
- 15 carries:
- 16 (i) a machine gun, which shall be defined for the
- 17 purposes of this subsection as any weapon, which
- 18 shoots, is designed to shoot, or can be readily
- 19 restored to shoot, automatically more than one shot
- 20 without manually reloading by a single function of the
- 21 trigger, including the frame or receiver of any such
- 22 weapon, or sells, manufactures, purchases, possesses,
- 23 or carries any combination of parts designed or
- 24 intended for use in converting any weapon into a
- 25 machine gun, or any combination or parts from which a
- 26 machine gun can be assembled if such parts are in the

1 possession or under the control of a person;

2 (ii) any rifle having one or more barrels less
3 than 16 inches in length or a shotgun having one or
4 more barrels less than 18 inches in length or any
5 weapon made from a rifle or shotgun, whether by
6 alteration, modification, or otherwise, if such a
7 weapon as modified has an overall length of less than
8 26 inches; or

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

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

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

26 (9) Carries or possesses in a vehicle or on or about

1 his or her person any pistol, revolver, stun gun or taser
2 or firearm or ballistic knife, when he or she is hooded,
3 robed or masked in such manner as to conceal his or her
4 identity; or

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

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

19 (ii) are not immediately accessible; or

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

24 (iv) are carried or possessed in accordance with
25 the Firearm Concealed Carry Act by a person who has
26 been issued a currently valid license under the

1 Firearm Concealed Carry Act.

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

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

24 (12) (Blank); or

25 (13) Carries or possesses on or about his or her
26 person while in a building occupied by a unit of

1 government, a billy club, other weapon of like character,
2 or other instrument of like character intended for use as
3 a weapon. For the purposes of this Section, "billy club"
4 means a short stick or club commonly carried by police
5 officers which is either telescopic or constructed of a
6 solid piece of wood or other man-made material; or

7 (14) Manufactures, possesses, sells, or offers to
8 sell, purchase, manufacture, import, transfer, or use:

9 (i) any manual, power-driven, electronic, or any
10 other device that is designed to and functions to
11 increase the rate of fire of a semiautomatic firearm
12 when the device is attached to the firearm;

13 (ii) any part of a semiautomatic firearm or
14 combination of parts that is designed to and functions
15 to increase the rate of fire of a semiautomatic
16 firearm by eliminating the need for the operator of
17 the firearm to make a separate movement for each
18 individual function of the trigger; or

19 (iii) any other device, part, kit, tool,
20 accessory, or combination of parts that is designed to
21 and functions to increase the rate of fire of a
22 semiautomatic firearm above the standard rate of fire
23 for semiautomatic firearms that is not equipped with
24 that device, part, or combination of parts.

25 (b) Sentence. A person convicted of a violation of
26 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),

1 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a
2 Class A misdemeanor. A person convicted of a violation of
3 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony;
4 a person convicted of a violation of subsection 24-1(a)(6) or
5 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person
6 convicted of a violation of subsection 24-1(a)(7)(i) commits a
7 Class 2 felony and shall be sentenced to a term of imprisonment
8 of not less than 3 years and not more than 7 years, unless the
9 weapon is possessed in the passenger compartment of a motor
10 vehicle as defined in Section 1-146 of the Illinois Vehicle
11 Code, or on the person, while the weapon is loaded, in which
12 case it shall be a Class X felony. A person convicted of a
13 second or subsequent violation of subsection 24-1(a)(4),
14 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3
15 felony. A person convicted of a violation of subsection
16 24-1(a)(2.5) or 24-1(a)(14) commits a Class 2 felony. The
17 possession of each weapon or device in violation of this
18 Section constitutes a single and separate violation.

19 (c) Violations in specific places.

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

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

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

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

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

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

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

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

26 (5) For the purposes of this subsection (c), "public

1 transportation agency" means a public or private agency
2 that provides for the transportation or conveyance of
3 persons by means available to the general public, except
4 for transportation by automobiles not used for conveyance
5 of the general public as passengers; and "public
6 transportation facility" means a terminal or other place
7 where one may obtain public transportation.

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

20 (e) Exemptions.

21 (1) Crossbows, Common or Compound bows and Underwater
22 Spearguns are exempted from the definition of ballistic
23 knife as defined in paragraph (1) of subsection (a) of
24 this Section.

25 (2) The provision of paragraph (1) of subsection (a)
26 of this Section prohibiting the sale, manufacture,

1 purchase, possession, or carrying of any knife, commonly
2 referred to as a switchblade knife, which has a blade that
3 opens automatically by hand pressure applied to a button,
4 spring or other device in the handle of the knife, does not
5 apply to a person who possesses a currently valid Firearm
6 Owner's Identification Card previously issued in his or
7 her name by the Illinois State Police or to a person or an
8 entity engaged in the business of selling or manufacturing
9 switchblade knives.

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

11 (720 ILCS 5/24-1.9 new)

12 Sec. 24-1.9. Manufacture, possession, delivery, sale, and
13 purchase of assault weapons, .50 caliber rifles, and .50
14 caliber cartridges.

15 (a) Definitions. In this Section:

16 (1) "Assault pistol" means any of the following or a copy,
17 regardless of the producer or manufacturer:

18 (A) AA Arms AP-9 pistol.

19 (B) Armalite M15 11.5 pistol.

20 (C) Beretta 93R pistol.

21 (D) Bushmaster pistol.

22 (E) Claridge HI-TEC pistol.

23 (F) D Max Industries pistol.

24 (G) EKO Cobra pistol.

25 (H) Encom MK-IV, MP-9, or MP-45 pistol.

- 1 (I) Heckler and Koch MP5K, MP7, SP-89, or VP70 pistol.
- 2 (J) Holmes MP-83 pistol.
- 3 (K) Ingram MAC 10/11 pistol and variations, including
4 the Partisan Avenger and the SWD Cobray.
- 5 (L) Intratec TEC-9/DC-9 pistol in any centerfire
6 variation.
- 7 (M) P.A.W.S. type pistol.
- 8 (N) Skorpion pistol.
- 9 (O) Spectre double action pistol (Sile, F.I.E.,
10 Mitchell).
- 11 (P) Stechkin automatic pistol.
- 12 (Q) Steyer tactical pistol.
- 13 (R) UZI pistol.
- 14 (S) Weaver Arms Nighthawk pistol.
- 15 (T) Wilkinson "Linda" pistol.
- 16 (2) "Assault shotgun or rifle" means any of the following
17 or a copy, regardless of the producer or manufacturer:
- 18 (A) American Arms Spectre da Semiautomatic carbine.
- 19 (B) AR10.
- 20 (C) AR15.
- 21 (D) AR70.
- 22 (E) Armalite M15.
- 23 (F) Avtomat Kalashnikov semiautomatic rifle in any
24 format, including the AK-47 in all forms.
- 25 (G) Algimec AGM-1 type semi-auto.
- 26 (H) AR 100 type semi-auto.

- 1 (I) AR 180 type semi-auto.
- 2 (J) Argentine L.S.R. semi-auto.
- 3 (K) Australian Automatic Arms SAR type semi-auto.
- 4 (L) Auto-Ordnance Thompson M1 and 1927
5 semi-automatics.
- 6 (M) Barrett light .50 cal. semi-auto.
- 7 (N) Beretta AR70 type semi-auto.
- 8 (O) Bushmaster semi-auto rifle.
- 9 (P) Calico models M-100 and M-900.
- 10 (Q) CIS SR 88 type semi-auto.
- 11 (R) Claridge HI TEC C-9 carbines.
- 12 (S) Colt AR-15, CAR-15, and all imitations except Colt
13 AR-15 Sporter H-BAR rifle.
- 14 (T) Daewoo MAX 1 and MAX 2, aka AR 100, 110C, K-1, and
15 K-2.
- 16 (U) Dragunov Chinese made semi-auto.
- 17 (V) Famas semi-auto (.223 caliber).
- 18 (W) Feather AT-9 semi-auto.
- 19 (X) FN LAR and FN FAL assault rifle.
- 20 (Y) FNC semi-auto type carbine.
- 21 (Z) F.I.E./Franchi LAW 12 and SPAS 12 assault shotgun.
- 22 (AA) Smith & Wesson M&P 15.
- 23 (BB) Steyr-AUG-SA semi-auto.
- 24 (CC) Galil models AR and ARM semi-auto.
- 25 (DD) Heckler and Koch HK-91 A3, HK-93 A2, HK-94 A2 and
26 A3.

- 1 (EE) Holmes model 88 shotgun.
- 2 (FF) Manchester Arms "Commando" MK-45, MK-9.
- 3 (GG) Mandell TAC-1 semi-auto carbine.
- 4 (HH) Mossberg model 500 Bullpup assault shotgun.
- 5 (II) Sterling Mark 6.
- 6 (JJ) P.A.W.S. carbine.
- 7 (KK) Ruger mini-14 folding stock model (.223 caliber).
- 8 (LL) SIG 550/551 assault rifle (.223 caliber).
- 9 (MM) SKS with detachable magazine.
- 10 (NN) AP-74 Commando type semi-auto.
- 11 (OO) Springfield Armory BM-59, SAR-48, G3, SAR-3, M-21
12 sniper rifle, and M1A, excluding the M1 Garand.
- 13 (PP) Street sweeper assault type shotgun.
- 14 (QQ) Striker 12 assault shotgun in all formats.
- 15 (RR) Unique F11 semi-auto type.
- 16 (SS) Daewoo USAS 12 semi-auto shotgun.
- 17 (TT) UZI 9mm carbine or rifle.
- 18 (UU) Valmet M-76 and M-78 semi-auto.
- 19 (VV) Weaver Arms "Nighthawk" semi-auto carbine.
- 20 (WW) Wilkinson Arms 9mm semi-auto "Terry".
- 21 (3) "Assault weapon" means:
- 22 (A) An assault shotgun or rifle.
- 23 (B) An assault pistol.
- 24 (C) A semiautomatic, centerfire rifle that can accept
25 a detachable magazine and has at least one of the
26 following:

1 (i) A folding or telescoping stock.

2 (ii) Any grip of the weapon, including a pistol
3 grip, a thumbhole stock, or any other stock, the use of
4 which would allow an individual to grip the weapon,
5 resulting in any finger on the trigger hand in
6 addition to the trigger finger being directly below
7 any portion of the action of the weapon when firing.

8 (iii) A forward pistol grip.

9 (iv) A flash suppressor.

10 (v) A grenade launcher or flare launcher.

11 (D) A semiautomatic, centerfire rifle that has an
12 overall length of less than 30 inches.

13 (E) A semiautomatic pistol that can accept a
14 detachable magazine and has at least one of the following:

15 (i) An ability to accept a detachable ammunition
16 magazine that attaches at some location outside of the
17 pistol grip.

18 (ii) A threaded barrel capable of accepting a
19 flash suppressor, forward pistol grip or silencer.

20 (iii) A shroud that is attached to, or partially
21 or completely encircles, the barrel and that permits
22 the shooter to fire the firearm without being burned,
23 except a slide that encloses the barrel.

24 (iv) A second hand grip.

25 (F) A semiautomatic shotgun that has both of the
26 following:

1 (i) A folding or telescoping stock.

2 (ii) Any grip of the weapon, including a pistol
3 grip, a thumbhole stock, or any other stock, the use of
4 which would allow an individual to grip the weapon,
5 resulting in any finger on the trigger hand in
6 addition to the trigger finger being directly below
7 any portion of the action of the weapon when firing.

8 (G) A semiautomatic shotgun that has the ability to
9 accept a detachable magazine.

10 (H) A shotgun with a revolving cylinder.

11 (I) A semiautomatic pistol with a fixed magazine that
12 can accept more than 10 rounds.

13 (J) A semiautomatic, centerfire rifle that has a fixed
14 magazine that can accept more than 10 rounds.

15 "Assault weapon" does not include:

16 (A) any firearm that:

17 (i) is manually operated by bolt, pump, lever, or
18 slide action;

19 (ii) is an unserviceable firearm or has been made
20 permanently inoperable;

21 (iii) is an antique firearm;

22 (iv) uses rimfire ammunition or cartridges; or

23 (v) has been excluded as an assault weapon in a
24 Department of Natural Resources rule; the Department
25 of Natural Resources shall have the authority to adopt
26 rules to further define exclusions of assault weapon

1 types under this Section, so long as the make, model,
2 and caliber of the firearm excluded has a viable
3 application to hunting game and conforms to accepted
4 hunting principles of fair chase; or

5 (B) any air rifle as defined in Section 24.8-0.1
6 of this Code.

7 In this Section, a firearm is considered to have the
8 ability to accept a detachable magazine unless the magazine or
9 ammunition feeding device can only be removed through
10 disassembly of the firearm action.

11 (4) "Assault weapon attachment" means any device capable
12 of being attached to a firearm that is specifically designed
13 for making or converting a firearm into any of the firearms
14 listed in paragraph (1) of this subsection (a).

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

17 (6) ".50 caliber rifle" means a centerfire rifle capable
18 of firing a .50 caliber cartridge. The term does not include
19 any antique firearm, any shotgun including a shotgun that has
20 a rifle barrel, or any muzzle-loader which uses black powder
21 for hunting or historical reenactments.

22 (7) ".50 caliber cartridge" means a cartridge in .50 BMG
23 caliber, either by designation or actual measurement, that is
24 capable of being fired from a centerfire rifle. The term ".50
25 caliber cartridge" does not include any memorabilia or display
26 item that is filled with a permanent inert substance or that is

1 otherwise permanently altered in a manner that prevents ready
2 modification for use as live ammunition or shotgun ammunition
3 with a caliber measurement that is equal to or greater than .50
4 caliber.

5 (8) "Detachable magazine" means an ammunition feeding
6 device that can be removed readily from a firearm without
7 requiring disassembly of the firearm action or without the use
8 of a tool, including a bullet or cartridge.

9 (9) "Locking mechanism" means secured by a device or
10 mechanism, other than the firearm safety, designed to render a
11 firearm temporarily inoperable; or a box or container capable
12 of containing the firearm and that can be securely locked.

13 (b) The Illinois State Police shall take all steps
14 necessary to carry out the requirements of this Section within
15 180 days after the effective date of this amendatory Act of the
16 102nd General Assembly.

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

25 (d) Except as otherwise provided in subsections (e) and
26 (f), 300 days after the effective date of this amendatory Act

1 of the 102nd General Assembly, it is unlawful for any person
2 within this State to knowingly possess an assault weapon, .50
3 caliber rifle, or .50 caliber cartridge.

4 (e) This Section does not apply to a person who possessed
5 an assault weapon or .50 caliber rifle prohibited by
6 subsection (d) of this Section before the effective date of
7 this amendatory Act of the 102nd General Assembly, if the
8 person has provided in a registration affidavit, under oath or
9 affirmation and in the form and manner prescribed by the
10 Illinois State Police on or after 180 days after the effective
11 date of this amendatory Act of the 102nd General Assembly but
12 within 300 days after the effective date of this amendatory
13 Act of the 102nd General Assembly:

14 (1) the affiant's name;

15 (2) the affiant's date of birth;

16 (3) the affiant's Firearm Owner's Identification Card
17 number;

18 (4) the make, model, caliber, and serial number of the
19 weapon; and

20 (5) proof of a locking mechanism that properly fits
21 the weapon, in the form of a statement that the weapon is
22 owned by the person submitting the affidavit and that the
23 affiant owns a locking mechanism for the weapon.

24 The affidavit form shall include the following statement
25 printed in bold type: "Warning: Entering false information on
26 this form is punishable as perjury under Section 32-2 of the

1 Criminal Code of 2012."

2 Beginning 300 days after the effective date of this
3 amendatory Act of the 102nd General Assembly, the person with
4 a registered assault weapon or .50 caliber rifle may transfer
5 the assault weapon or .50 caliber rifle only to an heir, an
6 individual residing in another state maintaining it in another
7 state, or a dealer licensed as a federal firearms dealer under
8 Section 923 of the federal Gun Control Act of 1968. Within 10
9 days after transfer of the weapon except to an heir, the person
10 shall notify the Illinois State Police of the name and address
11 of the transferee and comply with the requirements of
12 subsection (b) of Section 3 of the Firearm Owners
13 Identification Card Act. The person to whom the weapon is
14 transferred shall, within 60 days of the transfer, complete an
15 affidavit and pay the required registration fee under this
16 Section. A person to whom the weapon is transferred may
17 transfer it only as provided in this subsection.

18 (f) For the purpose of registration required under
19 subsection (e), the Illinois State Police shall assess a
20 registration fee of \$25 per person to the owner of an assault
21 weapon and \$25 per person to the owner of a .50 caliber rifle.
22 The fees shall be deposited into the State Police Firearm
23 Services Fund. If a person owns more than one assault weapon or
24 more than one .50 caliber rifle, the person shall only pay one
25 registration fee.

26 (g) This Section does not apply to or affect any of the

1 following:

2 (1) Peace officers, as defined in Section 2-13 of this
3 Code, while performing their official duties or while
4 traveling to or from their places of duty.

5 (2) Acquisition and possession by a local law
6 enforcement agency for the purpose of equipping the
7 agency's peace officers as defined in paragraph (1) of
8 this subsection (g).

9 (3) Wardens, superintendents, and keepers of prisons,
10 penitentiaries, jails, and other institutions for the
11 detention of persons accused or convicted of an offense.

12 (4) Members of the Armed Services or Reserve Forces of
13 the United States or the Illinois National Guard, while
14 performing their official duties or while traveling to or
15 from their places of duty.

16 (5) Any company that employs armed security officers
17 in this State at a nuclear energy, storage, weapons, or
18 development site or facility regulated by the federal
19 Nuclear Regulatory Commission and any person employed as
20 an armed security force member at a nuclear energy,
21 storage, weapons, or development site or facility
22 regulated by the federal Nuclear Regulatory Commission who
23 has completed the background screening and training
24 mandated by the rules and regulations of the federal
25 Nuclear Regulatory Commission and while performing
26 official duties.

1 (6) Manufacture, transportation, or sale of weapons,
2 attachments, or ammunition to persons authorized under
3 subdivisions (1) through (5) of this subsection (g) to
4 possess those items.

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

22 (8) Any nonresident who transports, within 24 hours, a
23 weapon for any lawful purpose from any place where the
24 nonresident may lawfully possess and carry that weapon to
25 any other place where the nonresident may lawfully possess
26 and carry that weapon if, during the transportation, the

1 weapon is unloaded, and neither the weapon nor any
2 ammunition being transported is readily accessible or is
3 directly accessible from the passenger compartment of the
4 transporting vehicle. In the case of a vehicle without a
5 compartment separate from the driver's compartment, the
6 weapon or ammunition shall be contained in a locked
7 container other than the glove compartment or console.

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

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

26 (11) The manufacture, transportation, possession,

1 sale, or rental of blank-firing assault weapons and .50
2 caliber rifles, or the weapon's respective attachments, to
3 persons authorized or permitted, or both authorized and
4 permitted, to acquire and possess these weapons or
5 attachments for the purpose of rental for use solely as
6 props for a motion picture, television, or video
7 production or entertainment event.

8 (h) Sentence.

9 (1) A person who knowingly manufactures, delivers, sells,
10 purchases, or possesses or causes to be manufactured,
11 delivered, sold, purchased, or possessed an assault weapon in
12 violation of this Section commits a Class 3 felony for a first
13 violation and a Class 2 felony for a second or subsequent
14 violation or for the possession or delivery of 2 or more of
15 these weapons at the same time.

16 (2) A person who knowingly manufactures, delivers, sells,
17 purchases, or possesses or causes to be manufactured,
18 delivered, sold, purchased, or possessed in violation of this
19 Section an assault weapon attachment commits a Class 4 felony
20 for a first violation and a Class 3 felony for a second or
21 subsequent violation.

22 (3) A person who knowingly manufactures, delivers, sells,
23 purchases, or possesses or causes to be manufactured,
24 delivered, sold, purchased, or possessed in violation of this
25 Section a .50 caliber rifle commits a Class 3 felony for a
26 first violation and a Class 2 felony for a second or subsequent

1 violation or for the possession or delivery of 2 or more of
2 these weapons at the same time.

3 (4) A person who knowingly manufactures, delivers, sells,
4 purchases, or possesses or causes to be manufactured,
5 delivered, sold, purchased, or possessed in violation of this
6 Section a .50 caliber cartridge commits a Class A misdemeanor.

7 (5) Any other violation of this Section is a Class A
8 misdemeanor.

9 (720 ILCS 5/24-1.10 new)

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

12 (a) In this Section:

13 "Large capacity ammunition feeding device" means:

14 (1) a magazine, belt, drum, feed strip, or similar
15 device that has a capacity of, or that can be readily
16 restored or converted to accept, more than 10 rounds of
17 ammunition; or

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

20 "Large capacity ammunition feeding device" does not
21 include an attached tubular device designed to accept, and
22 capable of operating only with, .22 caliber rimfire
23 ammunition. "Large capacity ammunition feeding device" does
24 not include a tubular magazine that is contained in a
25 lever-action firearm or any device that has been made

1 permanently inoperable.

2 (b) Except as provided in subsection (c), it is unlawful
3 for any person within this State to knowingly manufacture,
4 deliver, sell, purchase, or possess or cause to be
5 manufactured, delivered, sold, or purchased a large capacity
6 ammunition feeding device.

7 (c) This Section does not apply to or affect any of the
8 following:

9 (1) Peace officers as defined in Section 2-13 of this
10 Code while performing their official duties or while
11 traveling to or from their places of duty.

12 (2) A local law enforcement agency for the purpose of
13 equipping the agency's peace officers as defined in
14 paragraph (1) of this subsection (c).

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

18 (4) Members of the Armed Services or Reserve Forces of
19 the United States or the Illinois National Guard, while
20 their official duties or while traveling to or from their
21 places of duty.

22 (5) Any company that employs armed security officers
23 in this State at a nuclear energy, storage, weapons, or
24 development site or facility regulated by the federal
25 Nuclear Regulatory Commission and any person employed as
26 an armed security force member at a nuclear energy,

1 storage, weapons, or development site or facility
2 regulated by the federal Nuclear Regulatory Commission who
3 has completed the background screening and training
4 mandated by the rules and regulations of the federal
5 Nuclear Regulatory Commission and while performing
6 official duties.

7 (6) Sale of large capacity ammunition feeding devices
8 to persons authorized under subdivisions (1) through (5)
9 of this subsection (c) to possess those devices.

10 (7) Sale or rental of large capacity ammunition
11 feeding devices for blank-firing assault weapons and .50
12 caliber rifles, to persons authorized or permitted, or
13 both authorized and permitted, to acquire these devices
14 for the purpose of rental for use solely as props for a
15 motion picture, television, or video production or
16 entertainment event.

17 (d) Sentence. A person who knowingly delivers, sells,
18 purchases, or causes to be delivered, sold, or purchased in
19 violation of this Section a large capacity ammunition feeding
20 device capable of holding more than 10 rounds of ammunition
21 commits a Class 3 felony for a first violation and a Class 2
22 felony for a second or subsequent violation or for delivery or
23 possession of 2 or more of these devices at the same time. Any
24 other violation of this Section is a Class A misdemeanor.

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.

1		INDEX
2		Statutes amended in order of appearance
3	20 ILCS 2605/2605-35	was 20 ILCS 2605/55a-3
4	20 ILCS 2605/2605-51.1	
5	430 ILCS 65/2	from Ch. 38, par. 83-2
6	430 ILCS 65/4	from Ch. 38, par. 83-4
7	430 ILCS 65/8	from Ch. 38, par. 83-8
8	430 ILCS 67/10	
9	430 ILCS 67/40	
10	430 ILCS 67/45	
11	430 ILCS 67/55	
12	520 ILCS 5/3.1-5	
13	520 ILCS 5/3.1-9	
14	720 ILCS 5/24-1	from Ch. 38, par. 24-1
15	720 ILCS 5/24-1.9 new	
16	720 ILCS 5/24-1.10 new	