

SB1895



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1895

Introduced 2/26/2021, by Sen. John F. Curran

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-9

Amends the Criminal Code of 2012. Changes the age from under 14 years to under 16 years in the statute requiring a person to store or leave, within premises under his or her control, a firearm if the person knows or has reason to believe that a minor under that age who does not have a Firearm Owner's Identification Card is likely to gain access to the firearm without the lawful permission of the minor's parent, guardian, or person having charge of the minor, and the minor causes death or great bodily harm with the firearm.

LRB102 10302 RLC 15629 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

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

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

6 (720 ILCS 5/24-9)

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

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

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

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

21 (3) placed in some other location that a reasonable
22 person would believe to be secure from a minor under the
23 age of 16 ~~14~~ years.

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

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

6 (1) if the minor under 16 ~~14~~ years of age gains access
7 to a firearm and uses it in a lawful act of self-defense or
8 defense of another; or

9 (2) to any firearm obtained by a minor under the age of
10 16 ~~14~~ because of an unlawful entry of the premises by the
11 minor or another person.

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

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