

1 AN ACT concerning the local regulation of firearms.

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

4 Section 1. Short title. This Act may be cited as the
5 Local Government Firearm Regulation Preemption Act.

6 Section 5. Legislative declaration. The General
7 Assembly finds that as a matter of public policy it is
8 necessary to provide statewide uniform standards to guarantee
9 that the right to arms guaranteed to individuals under the
10 Second Amendment to the United States Constitution and under
11 Article I, Section 22 of the Constitution of the State of
12 Illinois and the right of equal protection guaranteed under
13 Article I, Section 2 of the Constitution of the State of
14 Illinois apply equally to all persons in the State of
15 Illinois, and that the laws regulating the possession,
16 transportation, storage, purchase, selling, or otherwise
17 dealing in firearms, ammunition, components, accessories, and
18 accoutrements apply equally throughout this State. The
19 General Assembly finds it necessary and in the public
20 interest to occupy the entire field of regulation of the
21 bearing of firearms to ensure that a person who qualifies
22 under the laws of the United States and of this State is not
23 denied his or her rights and that a person who does not so
24 qualify does not have those rights.

25 Section 10. Possession of firearms. Any person who is
26 in the possession of firearms, ammunition, components,
27 accessories, and accoutrements in compliance with the laws
28 and regulations of the United States of America and of this
29 State is entitled to possess those firearms throughout this
30 State; and a county, municipality, or other unit of local

1 government may not limit, abridge, or deny that right.

2 Section 15. Transportation of firearms. Any person who
3 transports firearms, ammunition, components, accessories, and
4 accoutrements in compliance with the laws and regulations of
5 the United States of America and of this State is entitled to
6 transport those firearms throughout this State; and a county,
7 municipality, or other unit of local government may not
8 limit, abridge, or deny that right.

9 Section 20. Firearm dealers and gun shows. A firearm
10 dealer or gun show that operates his, her, or its business in
11 compliance with the laws of the United States of America and
12 of this State is entitled to operate his, her, or its
13 business if the business complies with local zoning and other
14 ordinances that apply equally to all retail businesses or in
15 suitable business districts anywhere in this State; and a
16 county, municipality, or other unit of local government may
17 not limit, abridge, or deny that right, except to impose
18 license fees and occupation and use taxes that are the same
19 as for other retail businesses.

20 Section 25. Preemption of home rule. A unit of local
21 government, including a home rule unit, may not regulate
22 firearms, ammunition, components, accessories, or
23 accoutrements in a manner more restrictive than as provided
24 in this Act. This Section is a limitation under subsection
25 (i) of Section 6 of Article VII of the Illinois Constitution
26 on the concurrent exercise by home rule units of powers and
27 functions exercised by the State.

28 Section 95. The Firearm Owners Identification Card Act
29 is amended by changing Section 13.1 as follows:

(430 ILCS 65/13.1) (from Ch. 38, par. 83-13.1)

Sec. 13.1. Preemption.

(a) The provisions of any ordinance or resolution adopted before, on, or after the effective date of this amendatory Act of the 93rd General Assembly by any unit of local government that impose restrictions or limitations on the acquisition, possession, transportation, storage, purchase, selling, or otherwise dealing in firearms, ammunition, components, accessories, and accoutrements than are imposed by the Local Government Firearm Regulation Preemption Act are invalid, except as authorized by that Act, and all those existing ordinances and resolutions are declared null and void.

(b) A unit of local government, including a home rule unit, may not regulate the acquisition, possession, transportation, storage, purchase, selling, or otherwise dealing in firearms, ammunition, components, accessories, or accoutrements in a manner more restrictive than provided in the Local Government Firearm Regulation Preemption Act. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

~~The---provisions---of---any---ordinance---enacted---by---any municipality-which-requires-registration-or--imposes--greater restrictions--or--limitations--on-the-acquisition, possession and-transfer-of-firearms-than-are-imposed-by--this--Act,--are not-invalidated-or-affected-by-this-Act.~~

(Source: P.A. 76-1939.)

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