



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2103

Introduced 2/25/2005, by Sen. Todd Sieben

SYNOPSIS AS INTRODUCED:

740 ILCS 130/5

Amends the Premises Liability Act. Provides that the immunity for an owner or operator of a firearm range extends to the owner or operator of a range in which an occupied permanent dwelling on adjacent property was built within 1,000 yards from an area of the range from which a firearm may be properly discharged if the dwelling was built after the range began its operation. Effective immediately.

LRB094 11205 LCB 41905 b

1 AN ACT in relation to immunity.

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

4 Section 5. The Premises Liability Act is amended by
5 changing Section 5 as follows:

6 (740 ILCS 130/5)

7 Sec. 5. Firearm ranges; liability.

8 (a) As used in this Section, "firearm range" means a rifle,
9 pistol, silhouette, skeet, trap, black powder, or other similar
10 range in this State used for discharging firearms in a sporting
11 event, for practice or instruction in the use of a firearm, or
12 for the testing of a firearm. "Firearm range" also includes
13 licensed shooting preserves and public hunting areas operated
14 or licensed by the Department of Natural Resources.

15 (b) An owner or operator of a firearm range in existence on
16 January 1, 1994, is immune from any criminal liability arising
17 out of or as a consequence of noise or sound emissions
18 resulting from the normal use of the firearm range. An owner or
19 operator of a firearm range is not subject to any action for
20 public or private nuisance or trespass and no court in this
21 State shall enjoin the use or operation of a firearm range on
22 the basis of noise or sound emissions resulting from the normal
23 use of the firearm range.

24 (c) An owner or operator of a firearm range placed in
25 operation after January 1, 1994, is immune from any criminal
26 liability and is not subject to any action for public or
27 private nuisance or trespass arising out of or as a consequence
28 of noise or sound emissions resulting from the normal use of
29 the firearm range, if the firearm range conforms to any one of
30 the following requirements:

31 (1) All areas from which a firearm may be properly
32 discharged are at least 1,000 yards from any occupied

1 permanent dwelling on adjacent property.

2 (2) All areas from which a firearm may be properly
3 discharged are enclosed by a permanent building or
4 structure that absorbs or contains sound energy escaping
5 from the muzzle of firearms in use.

6 (3) If the firearm range is situated on land otherwise
7 subject to land use zoning, the firearm range is in
8 compliance with the requirements of the zoning authority.

9 (4) The firearm range is operated by a governmental
10 entity or is licensed by the Department of Natural
11 Resources.

12 (5) The firearm range met the requirements of clause
13 (1) of this subsection (c) at the time the range began its
14 operation and subsequently an occupied permanent dwelling
15 on adjacent property was built within 1,000 yards from an
16 area of the range from which a firearm may be properly
17 discharged.

18 (Source: P.A. 88-598, eff. 8-31-94; 89-445, eff. 2-7-96.)

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