



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3845

Introduced 10/19/2011, by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1134 new
65 ILCS 5/11-1-12 new
30 ILCS 805/8.35 new

Amends the Counties Code and the Illinois Municipal Code. Provides that a county or municipality, as applicable, shall establish a program that allows individuals to turn in any unwanted firearms by calling the local police department to set up a time to turn the firearm in at the police station. Limits the concurrent exercise of home rule powers. Amends the State Mandates Act. Requires implementation without reimbursement.

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FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by adding Section
5 5-1134 as follows:

6 (55 ILCS 5/5-1134 new)

7 Sec. 5-1134. Unwanted firearms. The county board of any
8 county shall establish a program that allows individuals to
9 turn in any unwanted firearms by calling the local police
10 department to set up a time to turn the firearm in at the
11 police station.

12 This Section is a limitation of home rule powers and
13 functions under subsection (i) of Section 6 of Article VII of
14 the Illinois Constitution on the concurrent exercise by home
15 rule units of powers and functions exercised by the State.

16 Section 10. The Illinois Municipal Code is amended by
17 adding Section 11-1-12 as follows:

18 (65 ILCS 5/11-1-12 new)

19 Sec. 11-1-12. Unwanted firearms. The corporate authorities
20 of any municipality shall establish a program that allows
21 individuals to turn in any unwanted firearms by calling the

1 local police department to set up a time to turn the firearm in
2 at the police station.

3 This Section is a limitation of home rule powers and
4 functions under subsection (i) of Section 6 of Article VII of
5 the Illinois Constitution on the concurrent exercise by home
6 rule units of powers and functions exercised by the State.

7 Section 90. The State Mandates Act is amended by adding
8 Section 8.35 as follows:

9 (30 ILCS 805/8.35 new)

10 Sec. 8.35. Exempt mandate. Notwithstanding Sections 6 and 8
11 of this Act, no reimbursement by the State is required for the
12 implementation of any mandate created by this amendatory Act of
13 the 97th General Assembly.