

SB0033



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB0033

Introduced 1/27/2011, by Sen. Kyle McCarter

SYNOPSIS AS INTRODUCED:

430 ILCS 65/13.1

from Ch. 38, par. 83-13.1

Amends the Firearm Owners Identification Card Act. Strikes a clause preventing provisions of ordinances from being invalid when they impose greater restrictions or limitations on the acquisition, possession and transfer of firearms than are imposed by this Act. Provides that regulation of the ownership and possession of firearms and related items are the exclusive powers of the State. Provides that a local government may not require registration, reporting of the sale or transfer of a firearm, or may not keep a firearms registry. Provides that any existing or future local ordinances or resolutions imposing any registration requirement on firearms and related items are invalid or void. Effective immediately.

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HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

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

6 (430 ILCS 65/13.1) (from Ch. 38, par. 83-13.1)

7 Sec. 13.1. (a) The regulation of the ownership and
8 possession of firearms and ammunition, components,
9 accessories, or accoutrements for firearms are exclusive
10 powers and functions of the State. A unit of local government,
11 including a home rule unit, may not require the registration of
12 the person or firearm or ammunition as a condition of ownership
13 or possession.

14 (b) No unit of local government may require that any
15 person, corporation, or entity report the sale or transfer of a
16 firearm or ammunition or keep a registry or list of the same.

17 (c) The provisions of any ordinance or resolution after the
18 effective date of this amendatory Act of the 97th General
19 Assembly by any unit of local government that imposes any type
20 of registration requirement on the ownership or possession of
21 firearms and ammunition, components, accessories, and
22 accoutrements of firearms are invalid and all those existing
23 ordinances and resolutions are void.

1 (d) This Section is a limitation of home rule powers under
2 subsection (h) of Section 6 of Article VII of the Illinois
3 Constitution.

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

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

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