

SB1736



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1736

Introduced 2/9/2011, by Sen. Mike Jacobs

SYNOPSIS AS INTRODUCED:

430 ILCS 65/2

from Ch. 38, par. 83-2

Amends the Firearm Owners Identification Card Act. Eliminates the requirement that a person must have a Firearm Owner's Identification Card to possess a firearm. Effective immediately.

LRB097 08276 RLC 48402 b

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 2 as follows:

6 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

7 Sec. 2. Firearm Owner's Identification Card required;
8 exceptions.

9 (a) (1) No person may acquire ~~or possess~~ any firearm, stun
10 gun, or taser within this State without having in his or
11 her possession a Firearm Owner's Identification Card
12 previously issued in his or her name by the Department of
13 State Police under the provisions of this Act.

14 (2) No person may acquire ~~or possess~~ firearm ammunition
15 within this State without having in his or her possession a
16 Firearm Owner's Identification Card previously issued in
17 his or her name by the Department of State Police under the
18 provisions of this Act.

19 (b) The provisions of this Section regarding the possession
20 of firearms, firearm ammunition, stun guns, and tasers do not
21 apply to:

22 (1) United States Marshals, while engaged in the
23 operation of their official duties;

1 (2) Members of the Armed Forces of the United States or
2 the National Guard, while engaged in the operation of their
3 official duties;

4 (3) Federal officials required to carry firearms,
5 while engaged in the operation of their official duties;

6 (4) Members of bona fide veterans organizations which
7 receive firearms directly from the armed forces of the
8 United States, while using the firearms for ceremonial
9 purposes with blank ammunition;

10 (5) Nonresident hunters during hunting season, with
11 valid nonresident hunting licenses and while in an area
12 where hunting is permitted; however, at all other times and
13 in all other places these persons must have their firearms
14 unloaded and enclosed in a case;

15 (6) Those hunters exempt from obtaining a hunting
16 license who are required to submit their Firearm Owner's
17 Identification Card when hunting on Department of Natural
18 Resources owned or managed sites;

19 (7) Nonresidents while on a firing or shooting range
20 recognized by the Department of State Police; however,
21 these persons must at all other times and in all other
22 places have their firearms unloaded and enclosed in a case;

23 (8) Nonresidents while at a firearm showing or display
24 recognized by the Department of State Police; however, at
25 all other times and in all other places these persons must
26 have their firearms unloaded and enclosed in a case;

1 (9) Nonresidents whose firearms are unloaded and
2 enclosed in a case;

3 (10) Nonresidents who are currently licensed or
4 registered to possess a firearm in their resident state;

5 (11) Unemancipated minors while in the custody and
6 immediate control of their parent or legal guardian or
7 other person in loco parentis to the minor if the parent or
8 legal guardian or other person in loco parentis to the
9 minor has a currently valid Firearm Owner's Identification
10 Card;

11 (12) Color guards of bona fide veterans organizations
12 or members of bona fide American Legion bands while using
13 firearms for ceremonial purposes with blank ammunition;

14 (13) Nonresident hunters whose state of residence does
15 not require them to be licensed or registered to possess a
16 firearm and only during hunting season, with valid hunting
17 licenses, while accompanied by, and using a firearm owned
18 by, a person who possesses a valid Firearm Owner's
19 Identification Card and while in an area within a
20 commercial club licensed under the Wildlife Code where
21 hunting is permitted and controlled, but in no instance
22 upon sites owned or managed by the Department of Natural
23 Resources;

24 (14) Resident hunters who are properly authorized to
25 hunt and, while accompanied by a person who possesses a
26 valid Firearm Owner's Identification Card, hunt in an area

1 within a commercial club licensed under the Wildlife Code
2 where hunting is permitted and controlled;

3 (15) A person who is otherwise eligible to obtain a
4 Firearm Owner's Identification Card under this Act and is
5 under the direct supervision of a holder of a Firearm
6 Owner's Identification Card who is 21 years of age or older
7 while the person is on a firing or shooting range or is a
8 participant in a firearms safety and training course
9 recognized by a law enforcement agency or a national,
10 statewide shooting sports organization; and

11 (16) Competitive shooting athletes whose competition
12 firearms are sanctioned by the International Olympic
13 Committee, the International Paralympic Committee, the
14 International Shooting Sport Federation, or USA Shooting
15 in connection with such athletes' training for and
16 participation in shooting competitions at the 2016 Olympic
17 and Paralympic Games and sanctioned test events leading up
18 to the 2016 Olympic and Paralympic Games.

19 (c) The provisions of this Section regarding the
20 acquisition and possession of firearms, firearm ammunition,
21 stun guns, and tasers do not apply to law enforcement officials
22 of this or any other jurisdiction, while engaged in the
23 operation of their official duties.

24 (Source: P.A. 96-7, eff. 4-3-09.)

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