



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB3455

Introduced 2/7/2012, by Sen. Michael W. Frerichs

#### SYNOPSIS AS INTRODUCED:

740 ILCS 130/5

Amends the Premises Liability Act. Provides that an owner or operator of a firearm range placed in operation after January 1, 1994 is immune from criminal liability and is not subject to any action for public or private nuisance or trespass arising out of or as a consequence of noise or sound emissions resulting from the normal use of the firearm range if: all areas from which a firearm may be properly discharged are at least 500 (rather than 1,000) yards from any occupied permanent dwelling on adjacent property; or the firearm range met those requirements at the time the range began its operation and subsequently an occupied permanent dwelling on adjacent property was built within 500 (rather than 1,000) yards from an area of the range from which a firearm may be properly discharged. Effective immediately.

LRB097 18654 AJ0 63888 b

1 AN ACT concerning civil law.

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.

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

8 (1) All areas from which a firearm may be properly  
9 discharged are at least 500 ~~1,000~~ yards from any occupied  
10 permanent dwelling on adjacent property.

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

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

18 (4) The firearm range is operated by a governmental  
19 entity or is licensed by the Department of Natural  
20 Resources.

21 (5) The firearm range met the requirements of clause  
22 (1) of this subsection (c) at the time the range began its  
23 operation and subsequently an occupied permanent dwelling  
24 on adjacent property was built within 500 ~~1,000~~ yards from  
25 an area of the range from which a firearm may be properly  
26 discharged.

1 (Source: P.A. 94-387, eff. 7-29-05.)

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