



Rep. Ann Williams

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LRB098 08475 MRW 41646 a

1 AMENDMENT TO HOUSE BILL 1155

2 AMENDMENT NO. _____. Amend House Bill 1155, AS AMENDED, by
3 inserting the following in its proper numeric sequence:

4 "Section 120. Firearm carry prohibition; establishments
5 that serve alcohol.

6 (a) No person may knowingly carry a firearm into any
7 establishment that dispenses alcoholic beverages for
8 consumption on the premises, or any adjacent property or
9 parking lot area under control of or owned by the establishment
10 where carry is prohibited under this Section.

11 (b) The exemptions and provisions in subsections (a), (b),
12 (f), (g-6), (g-10), (h), and (i) of Section 24-2 of the
13 Criminal Code of 2012 apply to this Section.

14 (c) The United States Supreme Court in District of Columbia
15 v. Heller, 554 U.S. 570, 128 S.Ct. 2783 (2008) has recognized
16 that the Second Amendment to the United States Constitution
17 does not confer an unlimited right and that states may prohibit

1 the carrying of firearms in sensitive places. The Supreme Court
2 stated in the Heller decision: "Although we do not undertake an
3 exhaustive historical analysis today of the full scope of the
4 Second Amendment, nothing in our opinion should be taken to
5 cast doubt on longstanding prohibitions on the possession of
6 firearms by felons and the mentally ill, or laws forbidding the
7 carrying of firearms in sensitive places such as schools and
8 government buildings . . ." The Supreme Court also noted in a
9 footnote referencing this statement in the Heller decision
10 that: "We identify these presumptively lawful regulatory
11 measures only as examples; our list does not purport to be
12 exhaustive." This recognition was reiterated by the U. S.
13 Supreme Court in McDonald v. the City of Chicago, 561 U.S.
14 3025, 130 S.Ct. 3020 (2010), which incorporated the Second
15 Amendment against state action. The Supreme Court again stated:
16 "We made it clear in Heller that our holding did not cast doubt
17 on such longstanding regulatory measures as "prohibitions on
18 the possession of firearms by felons and the mentally ill,"
19 "laws forbidding the carrying of firearms in sensitive places
20 such as schools and government buildings . . . We repeat those
21 assurances here." Further, the federal 7th Circuit Court of
22 Appeals in Moore v. Madigan, 702 F.3d. 933 (7th Cir., 2012)
23 cited the "sensitive place" statement of the Supreme Court in
24 both the Heller and McDonald decisions and concluded: "That a
25 legislature can forbid the carrying of firearms in schools and
26 government buildings means that any right to possess a gun for

1 self-defense outside the home is not absolute, and it is not
2 absolute by the Supreme Court's own terms." Therefore, the
3 General Assembly finds that the place or location set forth in
4 subsection (a) of this Section is a sensitive place and the
5 prohibition on the carrying of firearms will promote public
6 safety in this sensitive place.".