



Rep. Ann Williams

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LRB098 08475 MRW 41611 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 175. Firearm carry prohibition; public gathering;
5 protest; rally.

6 (a) No person may knowingly carry a firearm into any
7 organized public gathering, including street fairs, festivals,
8 farmer's markets, carnivals, concerts, protests, parades, or
9 other temporary special events, conducted primarily outdoors
10 on property open to the public, and that requires the issuance
11 of a permit from the municipality or county where it occurs,
12 unless the municipality or county specifically authorizes
13 persons to carry concealed firearms at the event. The
14 prohibitions in this Section extend to any adjacent property or
15 parking lot area used in connection with a prohibited public
16 gathering.

17 (b) No person may knowingly carry a firearm at an organized

1 protest or rally with 10 or more persons located within 500
2 feet of a governmental building.

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

6 (d) The United States Supreme Court in *District of Columbia*
7 *v. Heller*, 554 U.S. 570, 128 S.Ct. 2783 (2008) has recognized
8 that the Second Amendment to the United States Constitution
9 does not confer an unlimited right and that states may prohibit
10 the carrying of firearms in sensitive places. The Supreme Court
11 stated in the *Heller* decision: "Although we do not undertake an
12 exhaustive historical analysis today of the full scope of the
13 Second Amendment, nothing in our opinion should be taken to
14 cast doubt on longstanding prohibitions on the possession of
15 firearms by felons and the mentally ill, or laws forbidding the
16 carrying of firearms in sensitive places such as schools and
17 government buildings . . ." The Supreme Court also noted in a
18 footnote referencing this statement in the *Heller* decision
19 that: "We identify these presumptively lawful regulatory
20 measures only as examples; our list does not purport to be
21 exhaustive." This recognition was reiterated by the U. S.
22 Supreme Court in *McDonald v. the City of Chicago*, 561 U.S.
23 3025, 130 S.Ct. 3020 (2010), which incorporated the Second
24 Amendment against state action. The Supreme Court again stated:
25 "We made it clear in *Heller* that our holding did not cast doubt
26 on such longstanding regulatory measures as "prohibitions on

1 the possession of firearms by felons and the mentally ill,"
2 "laws forbidding the carrying of firearms in sensitive places
3 such as schools and government buildings . . . We repeat those
4 assurances here." Further, the federal 7th Circuit Court of
5 Appeals in *Moore v. Madigan*, 702 F.3d. 933 (7th Cir., 2012)
6 cited the "sensitive place" statement of the Supreme Court in
7 both the *Heller* and *McDonald* decisions and concluded: "That a
8 legislature can forbid the carrying of firearms in schools and
9 government buildings means that any right to possess a gun for
10 self-defense outside the home is not absolute, and it is not
11 absolute by the Supreme Court's own terms." Therefore, the
12 General Assembly finds that the places or locations set forth
13 in this Section are sensitive places and the prohibition on the
14 carrying of firearms will promote public safety in this
15 sensitive place."