



Rep. Brandon W. Phelps

**Filed: 2/25/2013**

09800HB1155ham027

LRB098 08475 JWD 41693 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 250-10. Definitions. As used in this Act:

5 "Concealed firearm" means a loaded or unloaded handgun  
6 carried on or about a person completely or mostly concealed  
7 from view of the public, or carried in a vehicle in such a way  
8 as it is concealed from view of the public.

9 "Department" means the Department of State Police.

10 "Director" means the Director of State Police.

11 "Fund" means the Citizen Safety and Self-Defense Trust  
12 Fund.

13 "Handgun" means any device which is designed to expel a  
14 projectile or projectiles by the action of an explosion,  
15 expansion of gas, or escape of gas that is designed to be held  
16 and fired by the use of a single hand, and includes a  
17 combination of parts from which that firearm can be assembled.

1 "Handgun" includes, but is not limited, to magazines,  
2 ammunition, laser sighting devices and other accessories  
3 intrinsic to a handgun carried for defensive purposes.  
4 "Handgun" does not include a stun gun or taser.

5 "License" means a license issued by the Department of State  
6 Police to carry a loaded or unloaded handgun.

7 "Licensee" means a person issued a license to carry a  
8 concealed firearm.

9 "Peace officer" means (i) any person who by virtue of his  
10 or her office or public employment is vested by law with a duty  
11 to maintain public order and to make arrests for offenses,  
12 whether that duty extends to all offenses or is limited to  
13 specific offenses, or (ii) any person who, by statute, is  
14 granted and authorized to exercise powers similar to those  
15 conferred upon any peace officer employed by a law enforcement  
16 agency of this State. The term "peace officer" does not apply  
17 to an alderman acting as a conservator of the peace under  
18 Section 3.1-15-25 of the Illinois Municipal Code.

19 Section 250-15. Citizen Safety and Self-Defense Trust  
20 Fund. Fees from applications for licenses shall be deposited  
21 into the Citizen Safety and Self-Defense Trust Fund, a special  
22 fund that is created in the State treasury. Moneys in the Fund  
23 may be invested and any income from investments shall be  
24 deposited into the Fund. Subject to appropriation, moneys in  
25 the Fund shall exclusively be used to assist the Department

1 with the administrative costs associated with this Act.

2 Section 250-20. Issuance of licenses to carry a concealed  
3 firearm.

4 (a) The Department shall issue a license to an applicant  
5 who (i) meets the qualifications of Section 250-25 or Section  
6 250-65; (ii) has provided the application and documentation  
7 required in Section 250-30; and (iii) has submitted the  
8 requisite fees. The Department shall issue a renewal,  
9 corrected, or duplicate license in accordance with this Act.

10 (a-5) The Department is authorized to issue licenses to  
11 carry a handgun under this Act. A license shall permit the  
12 licensee to:

13 (1) carry a loaded or unloaded handgun on or about his  
14 or her person, concealed or otherwise;

15 (2) keep or carry a loaded or unloaded handgun on or  
16 about his or her person when in a vehicle; and

17 (3) keep a loaded or unloaded handgun openly or  
18 concealed in a vehicle.

19 (a-10) A licensee shall possess a license at all times the  
20 licensee carries a concealed firearm except (i) if the person  
21 is carrying or possessing a concealed firearm and the person is  
22 on his or her land, or in his or her abode or legal dwelling, or  
23 in the abode or legal dwelling of another person as an invitee  
24 with that person's permission; (ii) if the person is authorized  
25 to carry a firearm under Section 24-2 of the Criminal Code of

1 2012; or (iii) the handgun is broken down in a non-functioning  
2 state, or is not immediately accessible, or is enclosed in a  
3 case, firearm carrying box, shipping box or any other  
4 container.

5 (a-15) A licensee shall display the license upon the  
6 request of a peace officer or person designated to enforce the  
7 provisions of Section 250-70 when carrying a handgun under the  
8 provisions of this Act.

9 (b) The Department shall make applications for a license  
10 available upon the effective date of this Act. Applications  
11 shall be available at Department locations, on the Department's  
12 official website, and any other location designated by the  
13 Department.

14 (c) A completed application for a license shall be  
15 submitted to the Department with all accompanying materials and  
16 fees. The Department shall promptly return an incomplete  
17 application to the applicant. Each applicant for a license  
18 shall submit an \$80 application fee to the Department, \$75 of  
19 which shall be deposited into State Police Firearm Services  
20 Fund for use in administering the Firearm Owners Identification  
21 Act and this Act, and \$5 of which shall be used to ensure the  
22 reporting of individuals prohibited from owning or possessing  
23 firearms due to mental health disqualifiers to the Department  
24 by the Department of Human Services.

25 (d) The Department may consider an objection to an  
26 application, provided the objection is in writing, includes

1 specific reasons for the objection, and is submitted with the  
2 application by a municipal law enforcement agency or sheriff.  
3 Any objection submitted by a sheriff or a municipal law  
4 enforcement agency including reports submitted to the  
5 Department must be disclosed to the applicant unless disclosure  
6 would interfere with a criminal investigation. The Department  
7 shall maintain a database of applicants searchable by county  
8 that may be accessible by sheriffs for use in filing an  
9 objection under this subsection.

10 (e) Notwithstanding subsection (a), the Department may  
11 consider any objection or recommendation made by the sheriff or  
12 a municipal law enforcement agency that demonstrates the  
13 applicant is a danger to himself, herself, or others. Based  
14 upon those objections, if the applicant is found by the  
15 Department to be a danger to himself, herself, or others, the  
16 Department shall deny the application and notify the applicant  
17 and the sheriff or the municipal law enforcement agency in  
18 writing, stating the grounds for denial. The notice of denial  
19 must inform the applicant that he or she may, within 90 days  
20 for the first year after this Act takes effect and within 45  
21 days thereafter, appeal the denial and submit additional  
22 materials relevant to the grounds for denial. Upon receiving  
23 the additional documentation, the Department shall reconsider  
24 its decision and inform the applicant within 30 days of the  
25 result of the reconsideration. If upon reconsideration the  
26 Department denies the application, the applicant must be

1 informed of the right to administrative review.

2 (f) During an administrative or judicial review of a denial  
3 based on subsection (d) or (e) of this Section, the Department  
4 shall have the burden of proving by clear and convincing  
5 evidence that the applicant would pose a danger to the  
6 applicant's self, another, or public safety, or would use a  
7 firearm unlawfully, if granted a license to carry a concealed  
8 firearm under this Act.

9 (g) The license shall be issued by the Department within 30  
10 days of receipt of a completed application. A license shall be  
11 valid throughout the State for a period of 5 years. If the  
12 Department does not act on the application within the time  
13 period provided in subsection (e), the applicant may file, in  
14 the circuit court of the judicial circuit in which the  
15 applicant resides, a complaint for mandamus to compel a  
16 decision on the application. If the applicant prevails, he or  
17 she shall be entitled to all costs, fees, and damages. If the  
18 court decides that the reason for the denial was arbitrary,  
19 capricious, malicious, or without merit, the court shall award  
20 punitive damages.

21 (h) Any Illinois resident who has a license or permit to  
22 carry a handgun issued by another state shall be able to carry  
23 a handgun in accordance with this Act using that license for  
24 365 days following the effective date of this Act.

25 (i) The Department shall adopt rules to implement the  
26 provisions of this Section.

1           Section 250-25. Qualifications of an applicant for a  
2 license. The Department shall issue a license to an applicant  
3 completing an application in accordance with Section 250-30 of  
4 this Act if the person:

5           (a) is at least 21 years of age;

6           (b) has a valid Firearm Owner's Identification Card or,  
7 if applying for a non-resident license, has a notarized  
8 document stating that the applicant is eligible under  
9 federal law and the laws of his or her home state to  
10 possess a firearm;

11           (c) is not prohibited under the Firearm Owners  
12 Identification Card Act or federal law from possessing or  
13 receiving a firearm;

14           (d) is not the subject of a pending arrest warrant,  
15 prosecution, or proceeding for an offense or action that  
16 could lead to disqualification under subsection (c);

17           (e) does not chronically or habitually abuse alcoholic  
18 beverages, as evidenced by either of the following within  
19 the 3 years immediately preceding the application:

20           (1) residential or court-ordered treatment for  
21 alcoholism or alcohol detoxification; or

22           (2) 2 or more convictions for driving while under  
23 the influence or driving while intoxicated; and

24           (f) has completed firearms training and any  
25 educational component required in Section 250-85 of this

1 Act.

2 Section 250-30. Contents of application.

3 (a) The application shall be in writing, under oath and  
4 penalty of perjury, on a standard form adopted by the  
5 Department and shall be accompanied by the documentation  
6 required in this Section and all applicable fees.

7 (b) The application shall contain the following  
8 information:

9 (1) the applicant's name, current address, gender,  
10 date and year of birth, place of birth, height, weight,  
11 hair color, eye color, maiden name or any other name the  
12 applicant has used or identified with, and any address at  
13 which the applicant resided for more than 30 days within  
14 the 5 years preceding the date of the application;

15 (2) the applicant's drivers license or state  
16 identification card number and the last 4 digits of the  
17 applicant's social security number;

18 (3) questions to certify or demonstrate the applicant  
19 has completed firearms training and any educational  
20 component required in Section 250-85 of this Act;

21 (4) a statement that the applicant is a resident of the  
22 State of Illinois, except persons applying under Section  
23 250-65 shall be instructed to submit the information  
24 required in that Section;

25 (5) a waiver of privacy and confidentiality rights and



1 privileges enjoyed by the applicant under State and federal  
2 law sufficient to obtain access to juvenile court, criminal  
3 justice, psychological, or psychiatric records, or records  
4 relating to the applicant's history, if any, of  
5 institutionalization or inpatient treatment for alcoholism  
6 or alcohol detoxification, as well as an affirmative  
7 request that any person having custody of those records  
8 provide copies of them or information concerning them to  
9 the Department for the sole purpose of making a  
10 determination of an applicant's eligibility under Section  
11 250-25;

12 (6) a conspicuous warning that false statements made by  
13 the applicant will result in prosecution for perjury in  
14 accordance with Section 32-2 of the Criminal Code of 2012;

15 (7) an affirmation that the applicant either possesses  
16 a currently valid Illinois Firearm Owner's Identification  
17 Card, in which case the application shall include the card  
18 number, or is applying for the card in conjunction with the  
19 application for a license, except persons applying under  
20 Section 250-65 shall be instructed to submit a copy of a  
21 valid license to carry a handgun issued by their home  
22 state, if applicable, or submit a notarized document  
23 stating the applicant is eligible under the laws of his or  
24 her home state to possess a handgun;

25 (8) an affirmation that the applicant meets the  
26 requirements of Section 250-25 and is not prohibited under

1 the Firearm Owners Identification Card Act or federal law  
2 from possessing a firearm; and

3 (9) an affirmation that the applicant has read and  
4 understands Article 7 of the Criminal Code of 2012  
5 (Justifiable Use of Force; Exoneration).

6 (c) A person applying for a license shall provide a head  
7 and shoulder color photograph in a size specified by the  
8 Department that was taken within the 30 days preceding the date  
9 of the application. The applicant shall consent to the  
10 Department reviewing and using the applicant's digital  
11 driver's license or Illinois Identification Card photograph  
12 and signature, if available. The Secretary of State shall allow  
13 the Department access to the photograph and signature for the  
14 purpose of identifying the applicant and issuing the applicant  
15 a license.

16 (d) The Department may request a person applying for a  
17 license to submit a full set of legible fingerprints if  
18 necessary to determine the person's identity. Fingerprinting  
19 may be administered by the Department or any other federal,  
20 State, county, or municipal law enforcement agency or private  
21 vendor or company. The cost of fingerprinting shall be paid by  
22 the applicant, provided that the Department or law enforcement  
23 agency may charge no more than \$15 for a single set of  
24 fingerprints. Each applicant for a license that the Department  
25 requests to have his or her fingerprints submitted to the  
26 Department shall submit them in an electronic format that

1 complies with the form and manner for requesting and furnishing  
2 criminal history record information as prescribed by the  
3 Department. These fingerprints shall be checked against the  
4 Department and the Federal Bureau of Investigation criminal  
5 history record databases. The Department of shall charge  
6 applicants a fee for conducting the criminal history records  
7 check, which shall be deposited in the State Police Services  
8 Fund and shall not exceed the actual cost of the criminal  
9 history records check.

10 (e) A person applying for a license shall submit a  
11 photocopy of a certificate or other evidence of completion of a  
12 course to show compliance with Section 250-85 of this Act.

13 (f) The Department is authorized to establish a system for  
14 electronically submitting applications, including applications  
15 for renewal or a replacement license.

16 Section 250-35. Database of applicants and licensees. Not  
17 more than one year after the effective date of this Act:

18 (a) The Department shall maintain a database of applicants  
19 for a license and licenses. The database shall be available to  
20 all Illinois law enforcement agencies, State's Attorneys, and  
21 the Attorney General. Members and staff of the judiciary may  
22 access the database for the purpose of determining whether to  
23 confiscate a license or to ensure compliance with this Act or  
24 any other law. The database shall be searchable and provide all  
25 information included in the application, a photo of the

1 applicant or licensee, and any information related to  
2 violations of this Act.

3 (a-5) Individual law enforcement agencies or any other  
4 entity of local government shall not maintain any separate  
5 records, lists, or searchable databases of applicants and  
6 licensees containing information included in the Department's  
7 database. Any law enforcement agency or other entity that  
8 violates this Section shall be liable for all costs, fees, and  
9 damages of not less than \$5,000 per record or name kept in  
10 violation of this Section.

11 (b) The Department shall make available on its website and  
12 upon request under the Freedom of Information Act statistical  
13 information about the number of licenses issued by county, age,  
14 race, or gender. The report shall be updated monthly. Except as  
15 provided in this subsection, applications and information in  
16 the database shall be confidential and exempt from disclosure  
17 under the Freedom of Information Act. The Department may answer  
18 requests to confirm or deny whether a person has been issued a  
19 license as part of inquiries dealing with a criminal  
20 investigation. Individual law enforcement agencies, State's  
21 Attorneys, the Attorney General, members of the judiciary, and  
22 judicial staff shall sign a confidentiality agreement,  
23 prepared by the Department, prior to receiving access to the  
24 database. No law enforcement agency, State's Attorney, the  
25 Attorney General, or member or staff of the judiciary, other  
26 than the Department, shall provide any information to a

1 requester not entitled to it by law, except as required or  
2 necessary for the conduct of a criminal investigation.

3 Section 250-40. Suspension or revocation of a license.

4 (a) A license issued or renewed under this Act shall be  
5 revoked if, at any time, the licensee is found ineligible for a  
6 license based on the criteria set forth in Section 250-25 of  
7 this Act or the licensee no longer possesses a Firearm Owner's  
8 Identification Card or a non-resident licensee if his or her  
9 home state has revoked a license to carry a firearm. A license  
10 shall not be revoked unless the revocation is for reasons  
11 specifically authorized by this Act. This subsection shall not  
12 apply to a person who has filed an application with the State  
13 Police for renewal of a Firearm Owner's Identification Card and  
14 who is not otherwise ineligible to obtain a Firearm Owner's  
15 Identification Card.

16 (b) A license shall be suspended if an order of protection  
17 under Section 112A-14 of the Code of Criminal Procedure of 1963  
18 or under Section 214 of the Illinois Domestic Violence Act of  
19 1986 is issued against a licensee. The license shall be  
20 suspended for the duration of the order or until the order is  
21 terminated by a court and the Department shall not reissue or  
22 renew a license for the duration of the order or until the  
23 order is terminated. If an order of protection is issued  
24 against a licensee, the licensee shall surrender the license,  
25 as applicable, to the court at the time the order is entered or

1 to the law enforcement agency or entity designated to serve  
2 process at the time the licensee is served the order. The  
3 court, law enforcement agency, or entity responsible for  
4 serving the order shall transmit the license to the Department.

5 (c) The Department may suspend a license for a violation of  
6 Section 250-70 of this Act in accordance with subsection (i) of  
7 Section 250-70.

8 (d) A license shall be invalid upon expiration of the  
9 license, unless the licensee has submitted an application to  
10 renew the license. A person who fails to renew his or her  
11 license within 6 months after its expiration must reapply for a  
12 new license and pay the fee for a new application.

13 (e) The Department may suspend a license for up to 90 days  
14 if a licensee fails to submit a change of address or name or  
15 fails to report a lost or destroyed license to the Department  
16 within 60 days of the discovery of the loss or destruction of  
17 the license.

18 Section 250-45. Renewal of license.

19 (a) Not later than 120 days before the expiration of any  
20 license issued under this Act, the Department shall notify the  
21 licensee in writing of the expiration and furnish an  
22 application for renewal of the license or make the application  
23 available on-line.

24 (b) Applications for renewal of a license shall be made to  
25 the Department. A license shall be renewed for a period of 5

1 years upon receipt of a completed renewal application and a \$25  
2 renewal fee. An applicant for a renewal shall submit, on a form  
3 prescribed by the Department, proof that the applicant has: (i)  
4 participated in at least one shooting competition with a  
5 handgun within 6 months of the application for renewal and  
6 attested to by any instructor qualified under this Act; or (ii)  
7 completed an equivalent range exercise as prescribed in Section  
8 250-85 and attested to by any instructor qualified under this  
9 Act. The Department shall make the range recertification form  
10 available on its website or as part of a renewal application.

11 Section 250-50. Change of address, change of name, or lost  
12 or destroyed licenses.

13 (a) The licensee shall notify the Department within 60 days  
14 of: (i) moving or changing a residence or any change of name;  
15 or (ii) the discovery of the loss or destruction of a license.

16 (b) If a licensee changes residence within this State or  
17 changes his or her name, the licensee shall request a new  
18 license. The licensee shall submit a \$25 fee, a notarized  
19 statement that the licensee has changed residence or his or her  
20 name, and a photograph as required in Section 250-30 of this  
21 Act. The statement must include the prior and current address  
22 or name and the date the applicant moved or changed his or her  
23 name.

24 (c) A lost or destroyed license shall be invalid. To  
25 request a new license, the licensee shall submit (i) a \$25 fee,

1 (ii) a notarized statement that the licensee no longer  
2 possesses the license and that it was lost or destroyed, or  
3 (iii) a copy of a police report stating that the license was  
4 lost, destroyed, or stolen, and (iv) a photograph as required  
5 in Section 250-30 of this Act.

6 Section 250-65. Non-resident applications and reciprocity.

7 (a) A person from another state or territory of the United  
8 States may apply for a non-resident license. The applicant  
9 shall apply to the Department and must meet the qualifications  
10 established in Section 250-25. The applicant shall submit:

11 (1) the application and documentation required in  
12 Section 250-30;

13 (2) a notarized document stating the applicant:

14 (A) is eligible under federal law and the laws of  
15 his or her home state to possess a firearm;

16 (B) if applicable, has a license or permit to carry  
17 a firearm or concealed firearm issued by his or her  
18 home state and that a copy is attached to the  
19 application;

20 (C) is familiar with Illinois laws pertaining to  
21 the possession and transport of firearms; and

22 (D) acknowledges that the applicant is subject to  
23 the jurisdiction of the Department and Illinois courts  
24 for any violation of this Act; and

25 (3) a \$25 application fee.



1           In lieu of an Illinois State driver's license or  
2           identification card, the person shall provide similar  
3           documentation from his or her state or territory; a  
4           non-resident shall not be required to have a Firearm Owner's  
5           Identification Card.

6           (b) (1) Notwithstanding subsection (a) a nonresident of  
7           Illinois may carry a handgun in accordance with this Act if the  
8           nonresident:

9                   (A) is 21 years of age or older;

10                   (B) has in his or her immediate possession a valid  
11                   license that authorizes the individual to carry a concealed  
12                   firearm issued to him or her by his or her home state; and

13                   (C) is a legal resident of the United States.

14           The Department shall recognize any other state's license or  
15           permit whose requirements to obtain a license or permit is  
16           substantially similar to those requirements contained in  
17           Section 250-85. When required by another state, the Department  
18           shall enter into a reciprocal agreement with that state. Those  
19           states with substantially similar laws include, but are not  
20           limited to: Arizona, California, Florida, Iowa, Kentucky,  
21           Michigan, Minnesota, Missouri, New Mexico, Ohio, Tennessee,  
22           Texas, and Wisconsin.

23           (2) A nonresident is subject to the same laws and  
24           restrictions with respect to carrying a handgun as a resident  
25           of Illinois who is licensed under this Act.

26           (3) If the resident of another state who is the holder of a

1 valid license to carry a concealed weapon or concealed firearm  
2 issued in another state establishes legal residence in this  
3 State the license shall remain in effect for 90 days following  
4 the date on which the holder of the license establishes legal  
5 residence in this State. For the purposes of this paragraph,  
6 the person may establish legal residence in this State by: (A)  
7 registering to vote; or (B) obtaining an Illinois driver's  
8 license or state identification card; or (C) filing for  
9 homestead tax exemption on property in this State.

10 Section 250-70. Restrictions.

11 (a) No license issued under this Act shall authorize any  
12 person to knowingly carry a concealed firearm into:

13 (1) Any building under control of the General Assembly  
14 or any of its support service agencies, including the  
15 portion of a building in which a committee of the General  
16 Assembly convenes for the purpose of conducting meetings of  
17 committees, joint committees, or legislative commissions;  
18 except that nothing in this Section shall prevent a member  
19 of the General Assembly from allowing licensees to carry a  
20 firearm into his or her district office.

21 (2) Any courthouse or part of that building that is  
22 occupied by the Circuit, Appellate, or Supreme Court, or a  
23 room designated for court proceedings by any of these  
24 courts, except as provided in subsection (a-5).

25 (3) Any meeting of the governing body of a unit of

1 local government or special district.

2 (4) Any establishment licensed to dispense alcoholic  
3 beverages for consumption on the premises if less than 50%  
4 of its annual gross income comes from the sale of food.

5 (5) Any secure area of an airport to which access is  
6 controlled by the inspection of persons and property.

7 (6) Any place where the carrying of a firearm is  
8 prohibited by federal law.

9 (7) Any elementary or secondary school building  
10 without the consent of school authorities. School  
11 authorities shall inform the appropriate law enforcement  
12 agency and any law enforcement personnel on site of that  
13 consent.

14 (8) Any portion of a building used as a child care  
15 facility without the consent of the owner or manager.  
16 Nothing in this Section shall prevent the operator of a  
17 child care facility in a family home from owning or  
18 possessing a firearm or license.

19 (9) Any casino licensed under the Riverboat Gambling  
20 Act. This shall not apply to any place of business that is  
21 not a casino licensed for video gaming.

22 (10) Any gated area of an amusement park.

23 (11) Any stadium, arena, or collegiate or professional  
24 sporting event.

25 (12) A residential mental health facility.

26 (13) Any community college, college, or university

1 building without consent of the school authorities. School  
2 authorities shall inform the appropriate law enforcement  
3 agency and any law enforcement personnel on site of that  
4 consent. A community college, college, or university may  
5 prohibit the carrying of a firearm on its campus.

6 (14) A public library building without the written  
7 consent of the library's governing body. The governing body  
8 shall inform the appropriate law enforcement agency of that  
9 consent.

10 (15) Any police, sheriff, or State Police office or  
11 station without the consent of the chief law enforcement  
12 officer in charge of that office or station.

13 (16) Any adult or juvenile detention or correctional  
14 institution, prison, or jail.

15 (a-5) Judges, State's Attorneys and assistant State's  
16 Attorneys with the permission of the State's Attorney, who  
17 possess a valid license under this Act may possess a firearm in  
18 any courthouse in which they are employed, but shall be  
19 required to follow any rules applicable to sworn peace officers  
20 to maintain facility security.

21 (b) A municipality, county, or school district may prohibit  
22 or limit licensees from carrying a firearm into or within any  
23 building or portion of any building owned, leased, or  
24 controlled by the municipality, county, or school district by a  
25 majority vote of the members of its legislative body or  
26 governing board. The resolution, ordinance, or policy shall not

1 prohibit a licensee from carrying a concealed firearm into or  
2 within any building used for public housing; into or within any  
3 publicly-accessible restroom or rest stop; into, within, or on  
4 any bridge, tunnel, overpass, underpass, elevated walkway, or  
5 other structure used as a public right of way; or into or  
6 within any publicly-accessible parking facility. The  
7 resolution, ordinance, or policy shall not prohibit a licensee  
8 from carrying a concealed firearm in a public transportation  
9 facility or while accessing the services of a public  
10 transportation agency, including while traveling via public  
11 transportation. For purposes of this Section, "public  
12 transportation agency" means a public or private agency, or any  
13 combination thereof, that provides for the transportation or  
14 conveyance of persons by means available to the general public,  
15 except taxicabs, livery cabs, or limousines. Violators of the  
16 resolution or ordinance may be removed from the premises and  
17 assessed a civil fine of up to \$100.

18 (c) The owner of a business or commercial lessee, or a  
19 private business enterprise, or any other private  
20 organization, entity, or person, may prohibit licensees from  
21 carrying a concealed firearm on the premises under its control.  
22 However, a private landlord of a residential or commercial  
23 property shall not prohibit any lessee from possessing or  
24 carrying a firearm in accordance with this Act in or on the  
25 leased premises or during ingress or egress of the leased  
26 premises. The owner, business or commercial lessee, or manager

1 of a private business enterprise or any other private  
2 organization, entity, or person who allows the carrying of a  
3 firearm by a licensee shall not be liable for any act of the  
4 licensee that arises out of the licensee carrying a firearm.

5 (c-1) The Governor, Lieutenant Governor, Attorney General,  
6 Secretary of State, Comptroller, or Treasurer may prohibit  
7 licensees from carrying a handgun in buildings under their  
8 control.

9 (d) Any person licensed under this Act who is prohibited  
10 from carrying a concealed firearm into a building by the  
11 provisions of subsection (a) or under an ordinance, resolution,  
12 or policy adopted in accordance with subsection (b) or (c)  
13 shall be permitted to store that firearm or ammunition out of  
14 plain sight in his or her locked vehicle or in a locked  
15 compartment or container within or securely affixed to the  
16 outside of the vehicle. A licensee shall not be in violation of  
17 this Section while he or she is traversing a public right of  
18 way that touches or crosses any of the premises specified in  
19 subsection (a) or from which firearms are prohibited under the  
20 provisions of subsection (b) or (c), provided that the firearm  
21 is carried on his or her person or in a vehicle in accordance  
22 with this Act or is being transported in a case or container in  
23 accordance with applicable law. A licensee shall not be in  
24 violation of subsection (b) or (c) if the responsible party for  
25 the premises fails to conspicuously post notice of the  
26 prohibition at all public entrances to the building in

1 accordance with subsection (g).

2 (e) If a law enforcement officer initiates an investigative  
3 stop, including but not limited to a traffic stop, of a  
4 licensee who is carrying a concealed firearm under the  
5 provisions of this Act, the licensee shall disclose as soon as  
6 reasonably possible to the officer that he or she is in  
7 possession of a concealed firearm under this Act. Disclosure  
8 may be accomplished by oral notification or by providing or  
9 displaying the license to carry a concealed firearm to the  
10 officer. Any firearm that is removed from a licensee during an  
11 investigative stop shall be returned immediately to the  
12 licensee in its original condition upon conclusion of the stop  
13 unless the licensee is placed under arrest.

14 (f) A licensee shall not carry a handgun under the  
15 provisions of this Act while under the influence of illegal  
16 drugs or hallucinogenic drugs or alcohol. For the purposes of  
17 this subsection (f), under the influence of alcohol means a  
18 blood alcohol content of .08 or greater.

19 (g) Signs stating that the carrying of a firearm is  
20 prohibited shall be clearly and conspicuously posted at every  
21 entrance of a building or premises specified in subsection (a)  
22 or designated in accordance with subsection (b) or (c). Signs  
23 shall be of a uniform size and design, not smaller than 8  
24 inches by 10 inches as prescribed by the Department. The  
25 Department shall adopt rules for standardized signs to be used  
26 under this subsection.

1 (h) A violation of subsection (a), (b), (c), (d), or (f),  
2 shall not be a criminal offense, but the licensee may be denied  
3 access to or removed from the premises by management,  
4 administration, or an authorized agent of the facility. If the  
5 licensee refuses to obey these requests, law enforcement may be  
6 summoned and the licensee may be cited for a petty offense and  
7 fined not more than \$100 plus costs for the first offense. If a  
8 second violation occurs within 6 months of the first, the fine  
9 may be up to \$200 plus costs and the license to carry a handgun  
10 may be suspended for 30 days. If a third violation occurs  
11 within a year of the first offense, the fine may be up to \$500  
12 plus costs and the license may be suspended for 6 months. If a  
13 licensee has more than 5 violations in 2 years for the above  
14 offenses, the Department may revoke the license to carry a  
15 handgun and the licensee shall not be eligible to receive  
16 another license for a period of 3 years after the last  
17 violation. After the revocation period expires, the licensee  
18 shall file a new application with new documentation as  
19 prescribed in Section 250-30 or Section 250-65 in order to  
20 receive a new license.

21 (i) A violation of subsection (e) is a petty offense; the  
22 licensee may be fined up to \$200 plus costs plus a \$50 fee to be  
23 deposited in the Citizen Safety and Self-Defense Fund. A second  
24 violation of subsection (e) may carry a fine of up to \$500 plus  
25 costs and \$50 fee and suspension of the license for up to 6  
26 months. A licensee with 3 or more violations of subsection (e)



1 within 2 years may have his or her license revoked for up to 3  
2 years. After the revocation period expires, the licensee shall  
3 file a new application with new documentation as prescribed in  
4 Section 250-30 or Section 250-65 in order to receive a new  
5 license.

6 Section 250-75. Immunity, employees, and agents. The  
7 office of the county sheriff, or any employee or agent of the  
8 county sheriff, or the Department of State Police shall not be  
9 liable for damages in any civil action arising from alleged  
10 wrongful or improper granting, renewing, or failure to revoke  
11 licenses issued under this Act, except for willful or wanton  
12 misconduct. The office of the county sheriff and any employees  
13 or agents shall not be liable for submitting specific or  
14 articulable reasons why an applicant should be denied a  
15 license, unless the objection contains false, malicious, or  
16 inaccurate information and the objection constituted willful  
17 and wanton misconduct. Any owner, business or commercial  
18 lessee, landlord, manager of a private business enterprise,  
19 employer, or any other organization, entity, person, public or  
20 private college, university, or post-secondary educational  
21 institution that does not prohibit licensees from carrying  
22 firearms on property it owns or occupies is immune from any  
23 liability arising from its decision.

24 Section 250-80. Fees.

1 (a) Fees collected under this Act by the Department and  
2 deposited into the Citizen Safety and Self-Defense Trust Fund  
3 shall be appropriated for administration of this Act.

4 (b) Fees shall be:

5 New license: \$80.

6 Renewal of license: \$25.

7 Duplicate license due to lost or destroyed: \$15.

8 Corrected license due to change of address or name: \$15.

9 (c) By March 1 of each year, the Department shall submit a  
10 statistical report to the Governor, the President of the  
11 Senate, and the Speaker of the House of Representatives  
12 indicating the number of licenses issued, revoked, suspended,  
13 denied, and issued after appeal since the last report and in  
14 total and also the number of licenses currently valid. The  
15 report shall also include the number of arrests and convictions  
16 and the types of crimes committed by licensees since the last  
17 report.

18 (d) The Secretary of State shall conduct a study to  
19 determine the cost and feasibility of creating a method of  
20 adding an identifiable code, background, or other means to show  
21 that an individual has been issued a license by the Department  
22 on the person's driver's license or State-issued  
23 identification card.

24 Section 250-85. Applicant training.

25 (a) Applicants shall provide proof of completion of at

1 least one of the following courses:

2 (1) National Rifle Association Basic Personal  
3 Protection In The Home Course.

4 (2) National Rifle Association Basics of Personal  
5 Protection Outside The Home Course.

6 (3) National Rifle Association Basic Pistol Shooting  
7 Course.

8 (4) Any other firearms training course of at least 6  
9 hours that covers the following:

10 (A) handgun safety in the classroom, at home, on  
11 the firing range, and while carrying the firearm;

12 (B) the basic principles of marksmanship;

13 (C) care and cleaning of handguns;

14 (D) laws relating to the justifiable use of force.

15 (b) Applicants shall provide proof of certification by a  
16 certified instructor that the applicant passed a live fire  
17 exercise with a handgun consisting of:

18 (1) a minimum of 30 rounds; and

19 (2) 10 rounds from a distance of 5 yards, 10 rounds  
20 from a distance of 7 yards, and 10 rounds from a distance  
21 of 10 yards at a B-27 silhouette or equivalent target as  
22 approved by the Department.

23 (b-5) Students may provide their own safe, functional  
24 handgun. The qualification shall be performed with  
25 factory-loaded ammunition.

26 (b-6) Grades of "passing" shall not be given on range work

1 to an applicant who:

2 (1) does not follow the orders of the certified  
3 firearms instructor;

4 (2) in the judgment of the certified firearms  
5 instructor, handles a firearm in a manner that poses a  
6 danger to the applicant or to others; or

7 (3) during the testing portion of the range work fails  
8 to hit the silhouette portion of the target with 70% of the  
9 30 rounds fired.

10 (c) The classroom portion of the course may, at the  
11 qualified firearms instructor's discretion, be divided into  
12 segments of not less than 2 hours each.

13 (d) Instructors shall maintain all records for students'  
14 performance for not less than 5 years.

15 (e) Certified firearms instructors shall:

16 (1) allow monitoring of their classes by officials of  
17 any certifying agency;

18 (2) make all course records available upon demand to  
19 authorized personnel of the Department; and

20 (3) not divulge course records except as authorized by  
21 the certifying agency.

22 (f) Fees for applicant training courses shall be set by the  
23 instructor.

24 (g) An applicant training course shall not have more than  
25 40 students in the classroom portion nor more than 5 students  
26 per range officer engaged in range firing.

1 (h) Persons with the following training or certifications  
2 are exempt from the requirements of subsection (a) of this  
3 Section:

4 (1) An National Rifle Association certified  
5 instructor.

6 (2) An individual who has qualified to carry a firearm  
7 as a retired law enforcement officer.

8 (3) Any active, retired, or honorably discharged  
9 member of the armed forces.

10 (4) An individual certified as a law enforcement  
11 instructor by the Illinois Law Enforcement Training  
12 Standards Board or other equivalent agency.

13 Section 250-90. Firearms instructors training.

14 (a) Not later than 30 days after the effective date of this  
15 Act, the Department shall establish a registry of instructors  
16 who are eligible to teach courses or sign off on range  
17 qualifications, or both, to meet the requirements of Section  
18 250-85 of this Act.

19 (b) Instructors who are eligible to teach courses and  
20 certify range qualifications shall have one of the following  
21 valid firearms instructor certifications:

22 (1) National Rifle Association Personal Protection  
23 Instructor;

24 (2) National Rifle Association Basic Pistol  
25 Instructor;

1           (3) National Rifle Association Law Enforcement Firearm  
2 Instructor with a certification for handguns;

3           (4) Certification from a firearms instructor's course  
4 offered by a State or federal governmental agency; or

5           (5) A similar firearms instructor qualifying course  
6 approved by the Illinois Law Enforcement Training  
7 Standards Board.

8           (c) Instructors who are eligible to teach courses and  
9 certify range qualifications shall be at least 21 years of age  
10 and possess at least a high school diploma or GED certificate.

11           (d) An applicant may have his or her instructor  
12 qualification revoked if the applicant:

13           (1) does not meet the requirements of this Act to  
14 possess a concealed firearms permit;

15           (2) provides false or misleading information to the  
16 Board; or

17           (3) has had a prior instructor qualification revoked by  
18 the Board or other certifying organization.

19           Section 250-95. Home Rule Preemption. The regulation and  
20 licensing of firearms, including their possession, carrying,  
21 transportation, or the issuance of licenses to carry concealed  
22 firearms, is an exclusive power and function of the State.  
23 Except as provided in subsection (b) of Section 250-70, a home  
24 rule unit shall not regulate the possession, carrying, or  
25 transportation of firearms, their components or accessories,

1 or ammunition. A home rule unit shall not require registration  
2 of firearms, regulate the number of firearms, or make any other  
3 requirements or regulations of a person licensed under this  
4 Act. This Section is a limitation under subsection (i) of  
5 Section 6 of Article VII of the Illinois Constitution on the  
6 exercise by home rule units of powers and functions exercised  
7 by the State. Any unit of local government that violates this  
8 Section shall be liable for all costs, fees, and damages to  
9 anyone impacted by any rule or ordinance.

10 Section 250-100. Expedited appeal. A judgment of a circuit  
11 court declaring this Act or any part of this Act  
12 unconstitutional or unenforceable is appealable directly to  
13 the Supreme Court. The notice of appeal shall be filed within  
14 30 days after the judgment of the circuit court declaring this  
15 Act or any part of this Act unconstitutional or unenforceable.  
16 The manner of appeal shall be as provided in Supreme Court  
17 Rules.

18 Section 250-105. Severability. The provisions of this Act  
19 are severable under Section 1.31 of the Statute on Statutes.

20 Section 255-5. The Freedom of Information Act is amended by  
21 changing Section 7.5 as follows:

22 (5 ILCS 140/7.5)

1           Sec. 7.5. Statutory Exemptions. To the extent provided for  
2 by the statutes referenced below, the following shall be exempt  
3 from inspection and copying:

4           (a) All information determined to be confidential under  
5 Section 4002 of the Technology Advancement and Development Act.

6           (b) Library circulation and order records identifying  
7 library users with specific materials under the Library Records  
8 Confidentiality Act.

9           (c) Applications, related documents, and medical records  
10 received by the Experimental Organ Transplantation Procedures  
11 Board and any and all documents or other records prepared by  
12 the Experimental Organ Transplantation Procedures Board or its  
13 staff relating to applications it has received.

14           (d) Information and records held by the Department of  
15 Public Health and its authorized representatives relating to  
16 known or suspected cases of sexually transmissible disease or  
17 any information the disclosure of which is restricted under the  
18 Illinois Sexually Transmissible Disease Control Act.

19           (e) Information the disclosure of which is exempted under  
20 Section 30 of the Radon Industry Licensing Act.

21           (f) Firm performance evaluations under Section 55 of the  
22 Architectural, Engineering, and Land Surveying Qualifications  
23 Based Selection Act.

24           (g) Information the disclosure of which is restricted and  
25 exempted under Section 50 of the Illinois Prepaid Tuition Act.

26           (h) Information the disclosure of which is exempted under



1 the State Officials and Employees Ethics Act, and records of  
2 any lawfully created State or local inspector general's office  
3 that would be exempt if created or obtained by an Executive  
4 Inspector General's office under that Act.

5 (i) Information contained in a local emergency energy plan  
6 submitted to a municipality in accordance with a local  
7 emergency energy plan ordinance that is adopted under Section  
8 11-21.5-5 of the Illinois Municipal Code.

9 (j) Information and data concerning the distribution of  
10 surcharge moneys collected and remitted by wireless carriers  
11 under the Wireless Emergency Telephone Safety Act.

12 (k) Law enforcement officer identification information or  
13 driver identification information compiled by a law  
14 enforcement agency or the Department of Transportation under  
15 Section 11-212 of the Illinois Vehicle Code.

16 (l) Records and information provided to a residential  
17 health care facility resident sexual assault and death review  
18 team or the Executive Council under the Abuse Prevention Review  
19 Team Act.

20 (m) Information provided to the predatory lending database  
21 created pursuant to Article 3 of the Residential Real Property  
22 Disclosure Act, except to the extent authorized under that  
23 Article.

24 (n) Defense budgets and petitions for certification of  
25 compensation and expenses for court appointed trial counsel as  
26 provided under Sections 10 and 15 of the Capital Crimes

1 Litigation Act. This subsection (n) shall apply until the  
2 conclusion of the trial of the case, even if the prosecution  
3 chooses not to pursue the death penalty prior to trial or  
4 sentencing.

5 (o) Information that is prohibited from being disclosed  
6 under Section 4 of the Illinois Health and Hazardous Substances  
7 Registry Act.

8 (p) Security portions of system safety program plans,  
9 investigation reports, surveys, schedules, lists, data, or  
10 information compiled, collected, or prepared by or for the  
11 Regional Transportation Authority under Section 2.11 of the  
12 Regional Transportation Authority Act or the St. Clair County  
13 Transit District under the Bi-State Transit Safety Act.

14 (q) Information prohibited from being disclosed by the  
15 Personnel Records Review Act.

16 (r) Information prohibited from being disclosed by the  
17 Illinois School Student Records Act.

18 (s) Information the disclosure of which is restricted under  
19 Section 5-108 of the Public Utilities Act.

20 (t) All identified or deidentified health information in  
21 the form of health data or medical records contained in, stored  
22 in, submitted to, transferred by, or released from the Illinois  
23 Health Information Exchange, and identified or deidentified  
24 health information in the form of health data and medical  
25 records of the Illinois Health Information Exchange in the  
26 possession of the Illinois Health Information Exchange

1 Authority due to its administration of the Illinois Health  
2 Information Exchange. The terms "identified" and  
3 "deidentified" shall be given the same meaning as in the Health  
4 Insurance Accountability and Portability Act of 1996, Public  
5 Law 104-191, or any subsequent amendments thereto, and any  
6 regulations promulgated thereunder.

7 (u) Records and information provided to an independent team  
8 of experts under Brian's Law.

9 (v) Names and information of people who have applied for or  
10 received Firearm Owner's Identification Cards under the  
11 Firearm Owners Identification Card Act.

12 (w) Personally identifiable information which is exempted  
13 from disclosure under subsection (g) of Section 19.1 of the  
14 Toll Highway Act.

15 (x) Information which is exempted from disclosure under  
16 Section 5-1014.3 of the Counties Code or Section 8-11-21 of the  
17 Illinois Municipal Code.

18 (y) Information maintained by the Department of State  
19 Police in accordance with subsection (a) of Section 250-35 of  
20 the Family and Personal Protection Act, except as authorized by  
21 that Act.

22 (Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11;  
23 96-1331, eff. 7-27-10; 97-80, eff. 7-5-11; 97-333, eff.  
24 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976,  
25 eff. 1-1-13.)

1           Section 255-10. The Department of State Police Law of the  
2 Civil Administrative Code of Illinois is amended changing  
3 Sections 2605-45 and 2605-300 and by adding Section 2605-595 as  
4 follows:

5           (20 ILCS 2605/2605-45) (was 20 ILCS 2605/55a-5)

6           Sec. 2605-45. Division of Administration. The Division of  
7 Administration shall exercise the following functions:

8           (1) Exercise the rights, powers, and duties vested in  
9 the Department by the Governor's Office of Management and  
10 Budget Act.

11           (2) Pursue research and the publication of studies  
12 pertaining to local law enforcement activities.

13           (3) Exercise the rights, powers, and duties vested in  
14 the Department by the Personnel Code.

15           (4) Operate an electronic data processing and computer  
16 center for the storage and retrieval of data pertaining to  
17 criminal activity.

18           (5) Exercise the rights, powers, and duties vested in  
19 the former Division of State Troopers by Section 17 of the  
20 State Police Act.

21           (6) Exercise the rights, powers, and duties vested in  
22 the Department by "An Act relating to internal auditing in  
23 State government", approved August 11, 1967 (repealed; now  
24 the Fiscal Control and Internal Auditing Act, 30 ILCS 10/).

25           (6.5) Exercise the rights, powers, and duties vested in

1 the Department by the Firearm Owners Identification Card  
2 Act.

3 (6.10) Exercise the rights, powers, and duties vested  
4 in the Department by the Family and Personal Protection  
5 Act.

6 (7) Exercise other duties that may be assigned by the  
7 Director to fulfill the responsibilities and achieve the  
8 purposes of the Department.

9 (Source: P.A. 94-793, eff. 5-19-06.)

10 (20 ILCS 2605/2605-300) (was 20 ILCS 2605/55a in part)  
11 Sec. 2605-300. Records; crime laboratories; personnel. To  
12 do the following:

13 (1) Be a central repository and custodian of criminal  
14 statistics for the State.

15 (2) Be a central repository for criminal history record  
16 information.

17 (3) Procure and file for record information that is  
18 necessary and helpful to plan programs of crime prevention,  
19 law enforcement, and criminal justice.

20 (4) Procure and file for record copies of fingerprints  
21 that may be required by law.

22 (5) Establish general and field crime laboratories.

23 (6) Register and file for record information that may  
24 be required by law for the issuance of firearm owner's  
25 identification cards under the Firearm Owners

1       Identification Card Act and concealed carry licenses under  
2       the Family and Personal Protection Act.

3           (7)     Employ     polygraph     operators,     laboratory  
4     technicians, and other specially qualified persons to aid  
5     in the identification of criminal activity.

6           (8)     Undertake   other   identification,   information,  
7     laboratory, statistical, or registration activities that  
8     may be required by law.

9     (Source: P.A. 90-18, eff. 7-1-97; 90-130, eff. 1-1-98; 90-372,  
10    eff. 7-1-98; 90-590, eff. 1-1-00; 90-655, eff. 7-30-98; 90-793,  
11    eff. 8-14-98; 91-239, eff. 1-1-00.)

12           (20 ILCS 2605/2605-595 new)

13       Sec. 2605-595. State Police Firearm Services Fund.

14       (a) There is created in the State treasury a special fund  
15       known as the State Police Firearm Services Fund. The Fund shall  
16       receive revenue as provided under Section 5 of the Firearm  
17       Owners Identification Card Act, and under the Family and  
18       Personal Protection Act. The Fund may also receive revenue from  
19       grants, pass-through grants, donations, appropriations, and  
20       any other legal source.

21       (b) The Department of State Police may use moneys in the  
22       Fund to finance any of its lawful purposes, mandates,  
23       functions, and duties under the Firearm Owners Identification  
24       Card Act or the Family and Personal Protection Act, including  
25       the cost of sending notices of expiration of Firearm Owner's

1 Identification Cards and concealed carry licenses, the prompt  
2 and efficient processing of applications under the Firearm  
3 Owners Identification Card Act and the Family and Personal  
4 Protection Act, and support for investigations required under  
5 these Acts.

6 (c) Investment income that is attributable to the  
7 investment of moneys in the Fund shall be retained in the Fund  
8 for the uses specified in this Section.

9 (d) The State Police Firearm Services Fund shall not be  
10 subject to fund sweeps or administrative chargebacks.

11 Section 255-15. The State Police Act is amended by adding  
12 Section 25 as follows:

13 (20 ILCS 2610/25 new)

14 Sec. 25. Emergency procurement authorized. In order to  
15 comply with recent court rulings regarding concealed carry in  
16 Illinois, the provisions of this amendatory Act of the 98th  
17 General Assembly, together with any procurements necessary for  
18 the implementation of the Family and Personal Protection Act,  
19 shall be eligible for emergency procurement for a period not  
20 more than 180 days after the effective date of this amendatory  
21 Act.

22 Section 255-20. The State Finance Act is amended by adding  
23 Sections 5.826 and 5.827 as follows:

1 (30 ILCS 105/5.826 new)

2 Sec. 5.826. The Citizen Safety and Self-Defense Trust Fund.

3 (30 ILCS 105/5.827 new)

4 Sec. 5.827. The State Police Firearm Services Fund.

5 (30 ILCS 105/5.206 rep.)

6 Section 255-25. The State Finance Act is amended by  
7 repealing Section 5.206.

8 Section 255-30. The Firearm Owners Identification Card Act  
9 is amended by changing Section 5 and by adding Section 5.1 as  
10 follows:

11 (430 ILCS 65/5) (from Ch. 38, par. 83-5)

12 Sec. 5. The Department of State Police shall either approve  
13 or deny all applications within 30 days from the date they are  
14 received, and every applicant found qualified pursuant to  
15 Section 8 of this Act by the Department shall be entitled to a  
16 Firearm Owner's Identification Card upon the payment of a \$10  
17 fee. Any applicant who is an active duty member of the Armed  
18 Forces of the United States, a member of the Illinois National  
19 Guard, or a member of the Reserve Forces of the United States  
20 is exempt from the application fee. \$6 of each fee derived from  
21 the issuance of Firearm Owner's Identification Cards, or



1 renewals thereof, shall be deposited in the Wildlife and Fish  
2 Fund in the State Treasury; \$1 of such fee shall be deposited  
3 in the State Police Services Fund and \$3 of such fee shall be  
4 deposited in the State Police Firearm Services Fund ~~Firearm~~  
5 ~~Owner's Notification Fund~~. Monies in the State Police Firearm  
6 Services Fund ~~Firearm Owner's Notification Fund~~ shall be used  
7 ~~exclusively~~ to pay for the cost of sending notices of  
8 expiration of Firearm Owner's Identification Cards under  
9 Section 13.2 of this Act, and the purposes specified in Section  
10 2605-595 of the Department of State Police Law of the Civil  
11 Administrative Code of Illinois. ~~Excess monies in the Firearm~~  
12 ~~Owner's Notification Fund shall be used to ensure the prompt~~  
13 ~~and efficient processing of applications received under~~  
14 ~~Section 4 of this Act.~~

15 (Source: P.A. 95-581, eff. 6-1-08; 96-91, eff. 7-27-09.)

16 (430 ILCS 65/5.1 new)

17 Sec. 5.1. State Police Firearm Services Fund. All moneys  
18 remaining in the Firearm Owner's Notification Fund on the  
19 effective date of this amendatory Act of the 98th General  
20 Assembly shall be transferred into the State Police Firearm  
21 Services Fund, a special fund created in the State treasury, to  
22 be expended by the Department of State Police, for the purposes  
23 specified in Section 5.

24 Section 255-35. The Criminal Code of 2012 is amended by

1 changing Sections 21-6, 24-1, 24-1.6, and 24-2 as follows:

2 (720 ILCS 5/21-6) (from Ch. 38, par. 21-6)

3 Sec. 21-6. Unauthorized Possession or Storage of Weapons.

4 (a) Whoever possesses or stores any weapon enumerated in  
5 Section 33A-1 in any building ~~or on land~~ supported in whole or  
6 in part with public funds ~~or in any building on such land~~  
7 without prior written permission from the chief security  
8 officer for that ~~such land or~~ building commits a Class A  
9 misdemeanor.

10 (b) The chief security officer must grant any reasonable  
11 request for permission under paragraph (a).

12 (c) This Section shall not apply to a person acting  
13 lawfully under the Family and Personal Protection Act.

14 (d) Subsection (a) shall not apply to any tenant or  
15 resident of any public housing.

16 (Source: P.A. 89-685, eff. 6-1-97.)

17 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

18 Sec. 24-1. Unlawful Use of Weapons.

19 (a) A person commits the offense of unlawful use of weapons  
20 when he knowingly:

21 (1) Sells, manufactures, purchases, possesses or  
22 carries any bludgeon, black-jack, slung-shot, sand-club,  
23 sand-bag, metal knuckles or other knuckle weapon  
24 regardless of its composition, throwing star, or any knife,

1 commonly referred to as a switchblade knife, which has a  
2 blade that opens automatically by hand pressure applied to  
3 a button, spring or other device in the handle of the  
4 knife, or a ballistic knife, which is a device that propels  
5 a knifelike blade as a projectile by means of a coil  
6 spring, elastic material or compressed gas; or

7 (2) Carries or possesses with intent to use the same  
8 unlawfully against another, a dagger, dirk, billy,  
9 dangerous knife, razor, stiletto, broken bottle or other  
10 piece of glass, stun gun or taser or any other dangerous or  
11 deadly weapon or instrument of like character; or

12 (3) Carries on or about his person or in any vehicle, a  
13 tear gas gun projector or bomb or any object containing  
14 noxious liquid gas or substance, other than an object  
15 containing a non-lethal noxious liquid gas or substance  
16 designed solely for personal defense carried by a person 18  
17 years of age or older; or

18 (4) Carries or possesses in any vehicle or concealed on  
19 or about his person except when on his land or in his own  
20 abode, legal dwelling, or fixed place of business, or on  
21 the land or in the legal dwelling of another person as an  
22 invitee with that person's permission, any pistol,  
23 revolver, stun gun or taser or other firearm, except that  
24 this subsection (a) (4) does not apply to or affect  
25 transportation of weapons that meet one of the following  
26 conditions:

1 (i) are broken down in a non-functioning state; or

2 (ii) are not immediately accessible; or

3 (iii) are unloaded and enclosed in a case, firearm  
4 carrying box, shipping box, or other container by a  
5 person who is not otherwise prohibited from owning or  
6 possessing a firearm under State or federal law ~~has~~  
7 ~~been issued a currently valid Firearm Owner's~~  
8 ~~Identification Card; or~~

9 (5) Sets a spring gun; or

10 (6) Possesses any device or attachment of any kind  
11 designed, used or intended for use in silencing the report  
12 of any firearm; or

13 (7) Sells, manufactures, purchases, possesses or  
14 carries:

15 (i) a machine gun, which shall be defined for the  
16 purposes of this subsection as any weapon, which  
17 shoots, is designed to shoot, or can be readily  
18 restored to shoot, automatically more than one shot  
19 without manually reloading by a single function of the  
20 trigger, including the frame or receiver of any such  
21 weapon, or sells, manufactures, purchases, possesses,  
22 or carries any combination of parts designed or  
23 intended for use in converting any weapon into a  
24 machine gun, or any combination or parts from which a  
25 machine gun can be assembled if such parts are in the  
26 possession or under the control of a person;

1           (ii) any rifle having one or more barrels less than  
2           16 inches in length or a shotgun having one or more  
3           barrels less than 18 inches in length or any weapon  
4           made from a rifle or shotgun, whether by alteration,  
5           modification, or otherwise, if such a weapon as  
6           modified has an overall length of less than 26 inches;  
7           or

8           (iii) any bomb, bomb-shell, grenade, bottle or  
9           other container containing an explosive substance of  
10          over one-quarter ounce for like purposes, such as, but  
11          not limited to, black powder bombs and Molotov  
12          cocktails or artillery projectiles; or

13          (8) Carries or possesses any firearm, stun gun or taser  
14          or other deadly weapon in any place which is licensed to  
15          sell intoxicating beverages for consumption on the  
16          premises, ~~or at any public gathering held pursuant to a~~  
17          ~~license issued by any governmental body or any public~~  
18          ~~gathering at which an admission is charged, excluding a~~  
19          ~~place where a showing, demonstration or lecture involving~~  
20          ~~the exhibition of unloaded firearms is conducted.~~

21          This subsection (a) (8) does not apply to any auction or  
22          raffle of a firearm held pursuant to a license or permit  
23          issued by a governmental body, nor does it apply to persons  
24          engaged in firearm safety training courses or acting in  
25          accordance with the Family and Personal Protection Act; or

26          (9) Carries or possesses in a vehicle or on or about

1 his person any pistol, revolver, stun gun or taser or  
2 firearm or ballistic knife, when he is hooded, robed or  
3 masked in such manner as to conceal his identity; or

4 (10) Carries or possesses on or about his person, upon  
5 any public street, alley, or other public lands within the  
6 corporate limits of a city, village or incorporated town,  
7 except when an invitee thereon or therein, for the purpose  
8 of the display of such weapon or the lawful commerce in  
9 weapons, or except when on his land or in his own abode,  
10 legal dwelling, or fixed place of business, or on the land  
11 or in the legal dwelling of another person as an invitee  
12 with that person's permission, any pistol, revolver, stun  
13 gun or taser or other firearm, except that this subsection  
14 (a) (10) does not apply to or affect transportation of  
15 weapons that meet one of the following conditions:

16 (i) are broken down in a non-functioning state; or

17 (ii) are not immediately accessible; or

18 (iii) are unloaded and enclosed in a case, firearm  
19 carrying box, shipping box, or other container by a  
20 person who is not otherwise prohibited from owning or  
21 possessing a firearm under State or federal law ~~has~~  
22 ~~been issued a currently valid Firearm Owner's~~  
23 ~~Identification Card.~~

24 A "stun gun or taser", as used in this paragraph (a)  
25 means (i) any device which is powered by electrical  
26 charging units, such as, batteries, and which fires one or

1 several barbs attached to a length of wire and which, upon  
2 hitting a human, can send out a current capable of  
3 disrupting the person's nervous system in such a manner as  
4 to render him incapable of normal functioning or (ii) any  
5 device which is powered by electrical charging units, such  
6 as batteries, and which, upon contact with a human or  
7 clothing worn by a human, can send out current capable of  
8 disrupting the person's nervous system in such a manner as  
9 to render him incapable of normal functioning; or

10 (11) Sells, manufactures or purchases any explosive  
11 bullet. For purposes of this paragraph (a) "explosive  
12 bullet" means the projectile portion of an ammunition  
13 cartridge which contains or carries an explosive charge  
14 which will explode upon contact with the flesh of a human  
15 or an animal. "Cartridge" means a tubular metal case having  
16 a projectile affixed at the front thereof and a cap or  
17 primer at the rear end thereof, with the propellant  
18 contained in such tube between the projectile and the cap;  
19 or

20 (12) (Blank); or

21 (13) Carries or possesses on or about his or her person  
22 while in a building occupied by a unit of government, a  
23 billy club, other weapon of like character, or other  
24 instrument of like character intended for use as a weapon.  
25 For the purposes of this Section, "billy club" means a  
26 short stick or club commonly carried by police officers

1           which is either telescopic or constructed of a solid piece  
2           of wood or other man-made material.

3           (b) Sentence. A person convicted of a violation of  
4           subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),  
5           subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a  
6           Class A misdemeanor. A person convicted of a violation  
7           subsection 24-1(a)(4) or 24-1(a)(10) who is otherwise eligible  
8           to obtain a license under the Family and Personal Protection  
9           Act except for the completion of Section 250-85 of the Act is  
10          guilty of a Class C misdemeanor. A person convicted of a  
11          violation of subsection 24-1(a)(8) or 24-1(a)(9) commits a  
12          Class 4 felony; a person convicted of a violation of subsection  
13          24-1(a)(6) or 24-1(a)(7)(ii) or (iii) commits a Class 3 felony.  
14          A person convicted of a violation of subsection 24-1(a)(7)(i)  
15          commits a Class 2 felony and shall be sentenced to a term of  
16          imprisonment of not less than 3 years and not more than 7  
17          years, unless the weapon is possessed in the passenger  
18          compartment of a motor vehicle as defined in Section 1-146 of  
19          the Illinois Vehicle Code, or on the person, while the weapon  
20          is loaded, in which case it shall be a Class X felony. A person  
21          convicted of a second or subsequent violation of subsection  
22          24-1(a)(4), 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a  
23          Class 3 felony. The possession of each weapon in violation of  
24          this Section constitutes a single and separate violation.

25          (c) Violations in specific places.

26                 (1) A person who violates subsection 24-1(a)(6) or



1 24-1(a)(7) in any school, regardless of the time of day or  
2 the time of year, in residential property owned, operated  
3 or managed by a public housing agency or leased by a public  
4 housing agency as part of a scattered site or mixed-income  
5 development, in a public park, in a courthouse, on the real  
6 property comprising any school, regardless of the time of  
7 day or the time of year, on residential property owned,  
8 operated or managed by a public housing agency or leased by  
9 a public housing agency as part of a scattered site or  
10 mixed-income development, on the real property comprising  
11 any public park, on the real property comprising any  
12 courthouse, in any conveyance owned, leased or contracted  
13 by a school to transport students to or from school or a  
14 school related activity, in any conveyance owned, leased,  
15 or contracted by a public transportation agency, or on any  
16 public way within 1,000 feet of the real property  
17 comprising any school, public park, courthouse, public  
18 transportation facility, or residential property owned,  
19 operated, or managed by a public housing agency or leased  
20 by a public housing agency as part of a scattered site or  
21 mixed-income development commits a Class 2 felony and shall  
22 be sentenced to a term of imprisonment of not less than 3  
23 years and not more than 7 years.

24 (1.5) A person who violates subsection 24-1(a)(4),  
25 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the  
26 time of day or the time of year, in residential property

1 owned, operated, or managed by a public housing agency or  
2 leased by a public housing agency as part of a scattered  
3 site or mixed-income development, in a public park, in a  
4 courthouse, on the real property comprising any school,  
5 regardless of the time of day or the time of year, on  
6 residential property owned, operated, or managed by a  
7 public housing agency or leased by a public housing agency  
8 as part of a scattered site or mixed-income development, on  
9 the real property comprising any public park, on the real  
10 property comprising any courthouse, in any conveyance  
11 owned, leased, or contracted by a school to transport  
12 students to or from school or a school related activity, in  
13 any conveyance owned, leased, or contracted by a public  
14 transportation agency, or on any public way within 1,000  
15 feet of the real property comprising any school, public  
16 park, courthouse, public transportation facility, or  
17 residential property owned, operated, or managed by a  
18 public housing agency or leased by a public housing agency  
19 as part of a scattered site or mixed-income development  
20 commits a Class 3 felony.

21 (2) A person who violates subsection 24-1(a)(1),  
22 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the  
23 time of day or the time of year, in residential property  
24 owned, operated or managed by a public housing agency or  
25 leased by a public housing agency as part of a scattered  
26 site or mixed-income development, in a public park, in a

1 courthouse, on the real property comprising any school,  
2 regardless of the time of day or the time of year, on  
3 residential property owned, operated or managed by a public  
4 housing agency or leased by a public housing agency as part  
5 of a scattered site or mixed-income development, on the  
6 real property comprising any public park, on the real  
7 property comprising any courthouse, in any conveyance  
8 owned, leased or contracted by a school to transport  
9 students to or from school or a school related activity, in  
10 any conveyance owned, leased, or contracted by a public  
11 transportation agency, or on any public way within 1,000  
12 feet of the real property comprising any school, public  
13 park, courthouse, public transportation facility, or  
14 residential property owned, operated, or managed by a  
15 public housing agency or leased by a public housing agency  
16 as part of a scattered site or mixed-income development  
17 commits a Class 4 felony. "Courthouse" means any building  
18 that is used by the Circuit, Appellate, or Supreme Court of  
19 this State for the conduct of official business.

20 (3) Paragraphs (1), (1.5), and (2) of this subsection  
21 (c) shall not apply to law enforcement officers or security  
22 officers of such school, college, or university or to  
23 students carrying or possessing firearms for use in  
24 training courses, parades, hunting, target shooting on  
25 school ranges, or otherwise with the consent of school  
26 authorities and which firearms are transported unloaded

1 enclosed in a suitable case, box, or transportation  
2 package.

3 (4) For the purposes of this subsection (c), "school"  
4 means any public or private elementary or secondary school,  
5 community college, college, or university.

6 (5) For the purposes of this subsection (c), "public  
7 transportation agency" means a public or private agency  
8 that provides for the transportation or conveyance of  
9 persons by means available to the general public, except  
10 for transportation by automobiles not used for conveyance  
11 of the general public as passengers; and "public  
12 transportation facility" means a terminal or other place  
13 where one may obtain public transportation.

14 (d) The presence in an automobile other than a public  
15 omnibus of any weapon, instrument or substance referred to in  
16 subsection (a)(7) is prima facie evidence that it is in the  
17 possession of, and is being carried by, all persons occupying  
18 such automobile at the time such weapon, instrument or  
19 substance is found, except under the following circumstances:  
20 (i) if such weapon, instrument or instrumentality is found upon  
21 the person of one of the occupants therein; or (ii) if such  
22 weapon, instrument or substance is found in an automobile  
23 operated for hire by a duly licensed driver in the due, lawful  
24 and proper pursuit of his trade, then such presumption shall  
25 not apply to the driver.

26 (e) Exemptions. Crossbows, Common or Compound bows and

1 Underwater Spearguns are exempted from the definition of  
2 ballistic knife as defined in paragraph (1) of subsection (a)  
3 of this Section.

4 (Source: P.A. 95-331, eff. 8-21-07; 95-809, eff. 1-1-09;  
5 95-885, eff. 1-1-09; 96-41, eff. 1-1-10; 96-328, eff. 8-11-09;  
6 96-742, eff. 8-25-09; 96-1000, eff. 7-2-10.)

7 (720 ILCS 5/24-1.6)

8 Sec. 24-1.6. Aggravated unlawful use of a weapon.

9 (a) A person commits the offense of aggravated unlawful use  
10 of a weapon when he or she knowingly:

11 (1) Carries on or about his or her person or in any  
12 vehicle or concealed on or about his or her person except  
13 when on his or her land or in his or her abode, legal  
14 dwelling, or fixed place of business, or on the land or in  
15 the legal dwelling of another person as an invitee with  
16 that person's permission, any pistol, revolver, stun gun or  
17 taser or other firearm; or

18 (2) Carries or possesses on or about his or her person,  
19 upon any public street, alley, or other public lands within  
20 the corporate limits of a city, village or incorporated  
21 town, except when an invitee thereon or therein, for the  
22 purpose of the display of such weapon or the lawful  
23 commerce in weapons, or except when on his or her own land  
24 or in his or her own abode, legal dwelling, or fixed place  
25 of business, or on the land or in the legal dwelling of

1 another person as an invitee with that person's permission,  
2 any pistol, revolver, stun gun or taser or other firearm;  
3 and

4 (3) One of the following factors is present:

5 (A) the firearm possessed was uncased, loaded and  
6 immediately accessible at the time of the offense; or

7 (B) the firearm possessed was uncased, unloaded  
8 and the ammunition for the weapon was immediately  
9 accessible at the time of the offense; or

10 (C) the person possessing the firearm has not been  
11 issued a currently valid Firearm Owner's  
12 Identification Card; or

13 (D) the person possessing the weapon was  
14 previously adjudicated a delinquent minor under the  
15 Juvenile Court Act of 1987 for an act that if committed  
16 by an adult would be a felony; or

17 (E) the person possessing the weapon was engaged in  
18 a misdemeanor violation of the Cannabis Control Act, in  
19 a misdemeanor violation of the Illinois Controlled  
20 Substances Act, or in a misdemeanor violation of the  
21 Methamphetamine Control and Community Protection Act;  
22 or

23 (F) (blank); or

24 (G) the person possessing the weapon had a order of  
25 protection issued against him or her within the  
26 previous 2 years; or

1 (H) the person possessing the weapon was engaged in  
2 the commission or attempted commission of a  
3 misdemeanor involving the use or threat of violence  
4 against the person or property of another; or

5 (I) the person possessing the weapon was under 21  
6 years of age and in possession of a handgun as defined  
7 in Section 24-3, unless the person under 21 is engaged  
8 in lawful activities under the Wildlife Code or  
9 described in subsection 24-2(b)(1), (b)(3), or  
10 24-2(f).

11 (b) "Stun gun or taser" as used in this Section has the  
12 same definition given to it in Section 24-1 of this Code.

13 (c) This Section does not apply to or affect the  
14 transportation or possession of weapons that:

15 (i) are broken down in a non-functioning state; or

16 (ii) are not immediately accessible; or

17 (iii) are unloaded and enclosed in a case, firearm  
18 carrying box, shipping box, or other container by a  
19 person who is not prohibited from owning or possessing  
20 a firearm under State or federal law ~~by a person who~~  
21 ~~has been issued a currently valid Firearm Owner's~~  
22 ~~Identification Card.~~

23 (d) Sentence.

24 (1) Aggravated unlawful use of a weapon is a Class 4  
25 felony; a second or subsequent offense is a Class 2 felony  
26 for which the person shall be sentenced to a term of

1 imprisonment of not less than 3 years and not more than 7  
2 years.

3 (2) Except as otherwise provided in paragraphs (3) and  
4 (4) of this subsection (d), a first offense of aggravated  
5 unlawful use of a weapon committed with a firearm by a  
6 person 18 years of age or older where the factors listed in  
7 both items (A) and (C) of paragraph (3) of subsection (a)  
8 are present is a Class 4 felony, for which the person shall  
9 be sentenced to a term of imprisonment of not less than one  
10 year and not more than 3 years.

11 (3) Aggravated unlawful use of a weapon by a person who  
12 has been previously convicted of a felony in this State or  
13 another jurisdiction is a Class 2 felony for which the  
14 person shall be sentenced to a term of imprisonment of not  
15 less than 3 years and not more than 7 years.

16 (4) Aggravated unlawful use of a weapon while wearing  
17 or in possession of body armor as defined in Section 33F-1  
18 by a person who has not been issued a valid Firearms  
19 Owner's Identification Card in accordance with Section 5 of  
20 the Firearm Owners Identification Card Act is a Class X  
21 felony.

22 (e) The possession of each firearm in violation of this  
23 Section constitutes a single and separate violation.

24 (Source: P.A. 95-331, eff. 8-21-07; 96-742, eff. 8-25-09;  
25 96-829, eff. 12-3-09; 96-1107, eff. 1-1-11.)



1 (720 ILCS 5/24-2)

2 Sec. 24-2. Exemptions.

3 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and  
4 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of  
5 the following:

6 (1) Peace officers, and any person summoned by a peace  
7 officer to assist in making arrests or preserving the  
8 peace, while actually engaged in assisting such officer.

9 (2) Wardens, superintendents and keepers of prisons,  
10 penitentiaries, jails and other institutions for the  
11 detention of persons accused or convicted of an offense,  
12 while in the performance of their official duty, or while  
13 commuting between their homes and places of employment.

14 (3) Members of the Armed Services or Reserve Forces of  
15 the United States or the Illinois National Guard or the  
16 Reserve Officers Training Corps, while in the performance  
17 of their official duty.

18 (4) Special agents employed by a railroad or a public  
19 utility to perform police functions, and guards of armored  
20 car companies, while actually engaged in the performance of  
21 the duties of their employment or commuting between their  
22 homes and places of employment; and watchmen while actually  
23 engaged in the performance of the duties of their  
24 employment.

25 (5) Persons licensed as private security contractors,  
26 private detectives, or private alarm contractors, or

1 employed by an agency certified by the Department of  
2 Financial and Professional Regulation, if their duties  
3 include the carrying of a weapon under the provisions of  
4 the Private Detective, Private Alarm, Private Security,  
5 Fingerprint Vendor, and Locksmith Act of 2004, while  
6 actually engaged in the performance of the duties of their  
7 employment or commuting between their homes and places of  
8 employment, provided that such commuting is accomplished  
9 within one hour from departure from home or place of  
10 employment, as the case may be. A person shall be  
11 considered eligible for this exemption if he or she has  
12 completed the required 20 hours of training for a private  
13 security contractor, private detective, or private alarm  
14 contractor, or employee of a licensed agency and 20 hours  
15 of required firearm training, and has been issued a firearm  
16 control card by the Department of Financial and  
17 Professional Regulation. Conditions for the renewal of  
18 firearm control cards issued under the provisions of this  
19 Section shall be the same as for those cards issued under  
20 the provisions of the Private Detective, Private Alarm,  
21 Private Security, Fingerprint Vendor, and Locksmith Act of  
22 2004. The firearm control card shall be carried by the  
23 private security contractor, private detective, or private  
24 alarm contractor, or employee of the licensed agency at all  
25 times when he or she is in possession of a concealable  
26 weapon.

1           (6) Any person regularly employed in a commercial or  
2 industrial operation as a security guard for the protection  
3 of persons employed and private property related to such  
4 commercial or industrial operation, while actually engaged  
5 in the performance of his or her duty or traveling between  
6 sites or properties belonging to the employer, and who, as  
7 a security guard, is a member of a security force of at  
8 least 5 persons registered with the Department of Financial  
9 and Professional Regulation; provided that such security  
10 guard has successfully completed a course of study,  
11 approved by and supervised by the Department of Financial  
12 and Professional Regulation, consisting of not less than 40  
13 hours of training that includes the theory of law  
14 enforcement, liability for acts, and the handling of  
15 weapons. A person shall be considered eligible for this  
16 exemption if he or she has completed the required 20 hours  
17 of training for a security officer and 20 hours of required  
18 firearm training, and has been issued a firearm control  
19 card by the Department of Financial and Professional  
20 Regulation. Conditions for the renewal of firearm control  
21 cards issued under the provisions of this Section shall be  
22 the same as for those cards issued under the provisions of  
23 the Private Detective, Private Alarm, Private Security,  
24 Fingerprint Vendor, and Locksmith Act of 2004. The firearm  
25 control card shall be carried by the security guard at all  
26 times when he or she is in possession of a concealable

1           weapon.

2           (7) Agents and investigators of the Illinois  
3 Legislative Investigating Commission authorized by the  
4 Commission to carry the weapons specified in subsections  
5 24-1(a)(3) and 24-1(a)(4), while on duty in the course of  
6 any investigation for the Commission.

7           (8) Persons employed by a financial institution for the  
8 protection of other employees and property related to such  
9 financial institution, while actually engaged in the  
10 performance of their duties, commuting between their homes  
11 and places of employment, or traveling between sites or  
12 properties owned or operated by such financial  
13 institution, provided that any person so employed has  
14 successfully completed a course of study, approved by and  
15 supervised by the Department of Financial and Professional  
16 Regulation, consisting of not less than 40 hours of  
17 training which includes theory of law enforcement,  
18 liability for acts, and the handling of weapons. A person  
19 shall be considered to be eligible for this exemption if he  
20 or she has completed the required 20 hours of training for  
21 a security officer and 20 hours of required firearm  
22 training, and has been issued a firearm control card by the  
23 Department of Financial and Professional Regulation.  
24 Conditions for renewal of firearm control cards issued  
25 under the provisions of this Section shall be the same as  
26 for those issued under the provisions of the Private

1 Detective, Private Alarm, Private Security, Fingerprint  
2 Vendor, and Locksmith Act of 2004. Such firearm control  
3 card shall be carried by the person so trained at all times  
4 when such person is in possession of a concealable weapon.  
5 For purposes of this subsection, "financial institution"  
6 means a bank, savings and loan association, credit union or  
7 company providing armored car services.

8 (9) Any person employed by an armored car company to  
9 drive an armored car, while actually engaged in the  
10 performance of his duties.

11 (10) Persons who have been classified as peace officers  
12 pursuant to the Peace Officer Fire Investigation Act.

13 (11) Investigators of the Office of the State's  
14 Attorneys Appellate Prosecutor authorized by the board of  
15 governors of the Office of the State's Attorneys Appellate  
16 Prosecutor to carry weapons pursuant to Section 7.06 of the  
17 State's Attorneys Appellate Prosecutor's Act.

18 (12) Special investigators appointed by a State's  
19 Attorney under Section 3-9005 of the Counties Code.

20 (12.5) Probation officers while in the performance of  
21 their duties, or while commuting between their homes,  
22 places of employment or specific locations that are part of  
23 their assigned duties, with the consent of the chief judge  
24 of the circuit for which they are employed.

25 (13) Court Security Officers while in the performance  
26 of their official duties, or while commuting between their

1 homes and places of employment, with the consent of the  
2 Sheriff.

3 (13.5) A person employed as an armed security guard at  
4 a nuclear energy, storage, weapons or development site or  
5 facility regulated by the Nuclear Regulatory Commission  
6 who has completed the background screening and training  
7 mandated by the rules and regulations of the Nuclear  
8 Regulatory Commission.

9 (14) Manufacture, transportation, or sale of weapons  
10 to persons authorized under subdivisions (1) through  
11 (13.5) of this subsection to possess those weapons.

12 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
13 24-1.6 do not apply to or affect any of the following:

14 (1) Members of any club or organization organized for  
15 the purpose of practicing shooting at targets upon  
16 established target ranges, whether public or private, and  
17 patrons of such ranges, while such members or patrons are  
18 using their firearms on those target ranges.

19 (2) Duly authorized military or civil organizations  
20 while parading, with the special permission of the  
21 Governor.

22 (3) Hunters, trappers or fishermen with a license or  
23 permit while engaged in hunting, trapping or fishing.

24 (4) Transportation of weapons that are broken down in a  
25 non-functioning state or are not immediately accessible.

26 (5) Carrying or possessing any pistol, revolver, stun

1 gun or taser or other firearm on the land or in the legal  
2 dwelling of another person as an invitee with that person's  
3 permission.

4 (6) A licensee under the Family and Personal Protection  
5 Act, notwithstanding Section 250-70 of that Act, if the  
6 licensee meets the requirements of the Family and Personal  
7 Protection Act.

8 (c) Subsection 24-1(a) (7) does not apply to or affect any  
9 of the following:

10 (1) Peace officers while in performance of their  
11 official duties.

12 (2) Wardens, superintendents and keepers of prisons,  
13 penitentiaries, jails and other institutions for the  
14 detention of persons accused or convicted of an offense.

15 (3) Members of the Armed Services or Reserve Forces of  
16 the United States or the Illinois National Guard, while in  
17 the performance of their official duty.

18 (4) Manufacture, transportation, or sale of machine  
19 guns to persons authorized under subdivisions (1) through  
20 (3) of this subsection to possess machine guns, if the  
21 machine guns are broken down in a non-functioning state or  
22 are not immediately accessible.

23 (5) Persons licensed under federal law to manufacture  
24 any weapon from which 8 or more shots or bullets can be  
25 discharged by a single function of the firing device, or  
26 ammunition for such weapons, and actually engaged in the

1 business of manufacturing such weapons or ammunition, but  
2 only with respect to activities which are within the lawful  
3 scope of such business, such as the manufacture,  
4 transportation, or testing of such weapons or ammunition.  
5 This exemption does not authorize the general private  
6 possession of any weapon from which 8 or more shots or  
7 bullets can be discharged by a single function of the  
8 firing device, but only such possession and activities as  
9 are within the lawful scope of a licensed manufacturing  
10 business described in this paragraph.

11 During transportation, such weapons shall be broken  
12 down in a non-functioning state or not immediately  
13 accessible.

14 (6) The manufacture, transport, testing, delivery,  
15 transfer or sale, and all lawful commercial or experimental  
16 activities necessary thereto, of rifles, shotguns, and  
17 weapons made from rifles or shotguns, or ammunition for  
18 such rifles, shotguns or weapons, where engaged in by a  
19 person operating as a contractor or subcontractor pursuant  
20 to a contract or subcontract for the development and supply  
21 of such rifles, shotguns, weapons or ammunition to the  
22 United States government or any branch of the Armed Forces  
23 of the United States, when such activities are necessary  
24 and incident to fulfilling the terms of such contract.

25 The exemption granted under this subdivision (c)(6)  
26 shall also apply to any authorized agent of any such



1 contractor or subcontractor who is operating within the  
2 scope of his employment, where such activities involving  
3 such weapon, weapons or ammunition are necessary and  
4 incident to fulfilling the terms of such contract.

5 During transportation, any such weapon shall be broken  
6 down in a non-functioning state, or not immediately  
7 accessible.

8 (7) A person possessing a rifle with a barrel or  
9 barrels less than 16 inches in length if: (A) the person  
10 has been issued a Curios and Relics license from the U.S.  
11 Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B)  
12 the person is an active member of a bona fide, nationally  
13 recognized military re-enacting group and the modification  
14 is required and necessary to accurately portray the weapon  
15 for historical re-enactment purposes; the re-enactor is in  
16 possession of a valid and current re-enacting group  
17 membership credential; and the overall length of the weapon  
18 as modified is not less than 26 inches.

19 During transportation, any such weapon shall be broken  
20 down in a non-functioning state, or not immediately  
21 accessible.

22 (d) Subsection 24-1(a)(1) does not apply to the purchase,  
23 possession or carrying of a black-jack or slung-shot by a peace  
24 officer.

25 (e) Subsection 24-1(a)(8) does not apply to any owner,  
26 manager or authorized employee of any place specified in that

1 subsection nor to any law enforcement officer or a licensee  
2 under the Family and Personal Protection Act, notwithstanding  
3 Section 250-70 of that Act.

4 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and  
5 Section 24-1.6 do not apply to members of any club or  
6 organization organized for the purpose of practicing shooting  
7 at targets upon established target ranges, whether public or  
8 private, while using their firearms on those target ranges.

9 (g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply  
10 to:

11 (1) Members of the Armed Services or Reserve Forces of  
12 the United States or the Illinois National Guard, while in  
13 the performance of their official duty.

14 (2) Bonafide collectors of antique or surplus military  
15 ordinance.

16 (3) Laboratories having a department of forensic  
17 ballistics, or specializing in the development of  
18 ammunition or explosive ordinance.

19 (4) Commerce, preparation, assembly or possession of  
20 explosive bullets by manufacturers of ammunition licensed  
21 by the federal government, in connection with the supply of  
22 those organizations and persons exempted by subdivision  
23 (g)(1) of this Section, or like organizations and persons  
24 outside this State, or the transportation of explosive  
25 bullets to any organization or person exempted in this  
26 Section by a common carrier or by a vehicle owned or leased

1 by an exempted manufacturer.

2 (g-5) Subsection 24-1(a)(6) does not apply to or affect  
3 persons licensed under federal law to manufacture any device or  
4 attachment of any kind designed, used, or intended for use in  
5 silencing the report of any firearm, firearms, or ammunition  
6 for those firearms equipped with those devices, and actually  
7 engaged in the business of manufacturing those devices,  
8 firearms, or ammunition, but only with respect to activities  
9 that are within the lawful scope of that business, such as the  
10 manufacture, transportation, or testing of those devices,  
11 firearms, or ammunition. This exemption does not authorize the  
12 general private possession of any device or attachment of any  
13 kind designed, used, or intended for use in silencing the  
14 report of any firearm, but only such possession and activities  
15 as are within the lawful scope of a licensed manufacturing  
16 business described in this subsection (g-5). During  
17 transportation, these devices shall be detached from any weapon  
18 or not immediately accessible.

19 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
20 24-1.6 do not apply to or affect any parole agent or parole  
21 supervisor who meets the qualifications and conditions  
22 prescribed in Section 3-14-1.5 of the Unified Code of  
23 Corrections.

24 (g-7) Subsection 24-1(a)(6) does not apply to a peace  
25 officer while serving as a member of a tactical response team  
26 or special operations team. A peace officer may not personally

1 own or apply for ownership of a device or attachment of any  
2 kind designed, used, or intended for use in silencing the  
3 report of any firearm. These devices shall be owned and  
4 maintained by lawfully recognized units of government whose  
5 duties include the investigation of criminal acts.

6 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and  
7 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an  
8 athlete's possession, transport on official Olympic and  
9 Paralympic transit systems established for athletes, or use of  
10 competition firearms sanctioned by the International Olympic  
11 Committee, the International Paralympic Committee, the  
12 International Shooting Sport Federation, or USA Shooting in  
13 connection with such athlete's training for and participation  
14 in shooting competitions at the 2016 Olympic and Paralympic  
15 Games and sanctioned test events leading up to the 2016 Olympic  
16 and Paralympic Games.

17 (h) An information or indictment based upon a violation of  
18 any subsection of this Article need not negative any exemptions  
19 contained in this Article. The defendant shall have the burden  
20 of proving such an exemption.

21 (i) Nothing in this Article shall prohibit, apply to, or  
22 affect the transportation, carrying, or possession, of any  
23 pistol or revolver, stun gun, taser, or other firearm consigned  
24 to a common carrier operating under license of the State of  
25 Illinois or the federal government, where such transportation,  
26 carrying, or possession is incident to the lawful

1 transportation in which such common carrier is engaged; and  
2 nothing in this Article shall prohibit, apply to, or affect the  
3 transportation, carrying, or possession of any pistol,  
4 revolver, stun gun, taser, or other firearm, not the subject of  
5 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of  
6 this Article, which is unloaded and enclosed in a case, firearm  
7 carrying box, shipping box, or other container, by the  
8 possessor of a valid Firearm Owners Identification Card.

9 (Source: P.A. 96-7, eff. 4-3-09; 96-230, eff. 1-1-10; 96-742,  
10 eff. 8-25-09; 96-1000, eff. 7-2-10; 97-465, eff. 8-22-11;  
11 97-676, eff. 6-1-12; 97-936, eff. 1-1-13; 97-1010, eff. 1-1-13;  
12 revised 8-23-12.)".