



Rep. Michael J. Zalewski

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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 260-10. 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 260-15. 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 260-20. 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 260-25 or Section
6 260-65; (ii) has provided the application and documentation
7 required in Section 260-30; 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 260-70 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 260-25. 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 260-30 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 260-85 of this

1 Act.

2 Section 260-30. 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 260-85 of this Act;

21 (4) a statement that the applicant is a resident of the
22 State of Illinois, except persons applying under Section
23 260-65 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
11 260-25;

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 260-65 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 260-25 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 260-85 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 260-35. 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 260-40. 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 260-25 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 260-70 of this Act in accordance with subsection (i) of
7 Section 260-70.

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 260-45. 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
8 260-85 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 260-50. 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 260-30 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 260-30 of this Act.

6 Section 260-65. 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 260-25. The applicant shall submit:

11 (1) the application and documentation required in
12 Section 260-30;

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 260-85. 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 260-70. Restrictions.

11 (a) No license issued under this Act shall authorize any
12 person to 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 (17) Any property (including, but not limited to, any
16 street, driveway, or parking lot), building, or facility
17 owned, leased, controlled, or used by a nuclear energy,
18 storage, weapons, or development site or facility
19 regulated by the federal Nuclear Regulatory Commission.

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

26 (b) A municipality, county, or school district may prohibit

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

23 (c) The owner of a business or commercial lessee, or a
24 private business enterprise, or any other private
25 organization, entity, or person, may prohibit licensees from
26 carrying a concealed firearm on the premises under its control.

1 However, a private landlord of a residential or commercial
2 property shall not prohibit any lessee from possessing or
3 carrying a firearm in accordance with this Act in or on the
4 leased premises or during ingress or egress of the leased
5 premises. The owner, business or commercial lessee, or manager
6 of a private business enterprise or any other private
7 organization, entity, or person who allows the carrying of a
8 firearm by a licensee shall not be liable for any act of the
9 licensee that arises out of the licensee carrying a firearm.

10 (c-1) The Governor, Lieutenant Governor, Attorney General,
11 Secretary of State, Comptroller, or Treasurer may prohibit
12 licensees from carrying a handgun in buildings under their
13 control.

14 (d) Except as otherwise provided in subsection (d-1) of
15 this Section, any person licensed under this Act who is
16 prohibited from carrying a concealed firearm into a building by
17 the provisions of subsection (a) or under an ordinance,
18 resolution, or policy adopted in accordance with subsection (b)
19 or (c) shall be permitted to store that firearm or ammunition
20 out of plain sight in his or her locked vehicle or in a locked
21 compartment or container within or securely affixed to the
22 outside of the vehicle. A licensee shall not be in violation of
23 this Section while he or she is traversing a public right of
24 way that touches or crosses any of the premises specified in
25 subsection (a) or from which firearms are prohibited under the
26 provisions of subsection (b) or (c), provided that the firearm

1 is carried on his or her person or in a vehicle in accordance
2 with this Act or is being transported in a case or container in
3 accordance with applicable law. A licensee shall not be in
4 violation of subsection (b) or (c) if the responsible party for
5 the premises fails to conspicuously post notice of the
6 prohibition at all public entrances to the building in
7 accordance with subsection (g).

8 (d-1) Any person licensed under this Act who is prohibited
9 from carrying a concealed firearm into or onto any property,
10 building, or facility owned, leased, controlled, or used by a
11 nuclear energy, storage, weapons, or development site or
12 facility regulated by the federal Nuclear Regulatory
13 Commission shall not be permitted, under any circumstances, to
14 store the firearm or ammunition in his or her vehicle or in a
15 compartment or container within or securely affixed to the
16 outside of the vehicle while the vehicle is located anywhere in
17 or on such property, building, or facility.

18 (e) If a law enforcement officer initiates an investigative
19 stop, including but not limited to a traffic stop, of a
20 licensee who is carrying a concealed firearm under the
21 provisions of this Act, the licensee shall disclose as soon as
22 reasonably possible to the officer that he or she is in
23 possession of a concealed firearm under this Act. Disclosure
24 may be accomplished by oral notification or by providing or
25 displaying the license to carry a concealed firearm to the
26 officer. Any firearm that is removed from a licensee during an

1 investigative stop shall be returned immediately to the
2 licensee in its original condition upon conclusion of the stop
3 unless the licensee is placed under arrest.

4 (f) A licensee shall not carry a handgun under the
5 provisions of this Act while under the influence of illegal
6 drugs or hallucinogenic drugs or alcohol. For the purposes of
7 this subsection (f), under the influence of alcohol means a
8 blood alcohol content of .08 or greater.

9 (g) Signs stating that the carrying of a firearm is
10 prohibited shall be clearly and conspicuously posted at every
11 entrance of a building or premises specified in subsection (a)
12 or designated in accordance with subsection (b) or (c). Signs
13 shall be of a uniform size and design, not smaller than 8
14 inches by 10 inches as prescribed by the Department. The
15 Department shall adopt rules for standardized signs to be used
16 under this subsection.

17 (h) A violation of subsection (a), (b), (c), (d), or (f),
18 shall not be a criminal offense, but the licensee may be denied
19 access to or removed from the premises by management,
20 administration, or an authorized agent of the facility. If the
21 licensee refuses to obey these requests, law enforcement may be
22 summoned and the licensee may be cited for a petty offense and
23 fined not more than \$100 plus costs for the first offense. If a
24 second violation occurs within 6 months of the first, the fine
25 may be up to \$200 plus costs and the license to carry a handgun
26 may be suspended for 30 days. If a third violation occurs

1 within a year of the first offense, the fine may be up to \$500
2 plus costs and the license may be suspended for 6 months. If a
3 licensee has more than 5 violations in 2 years for the above
4 offenses, the Department may revoke the license to carry a
5 handgun and the licensee shall not be eligible to receive
6 another license for a period of 3 years after the last
7 violation. After the revocation period expires, the licensee
8 shall file a new application with new documentation as
9 prescribed in Section 260-30 or Section 260-65 in order to
10 receive a new license.

11 (i) A violation of subsection (e) is a petty offense; the
12 licensee may be fined up to \$200 plus costs plus a \$50 fee to be
13 deposited in the Citizen Safety and Self-Defense Fund. A second
14 violation of subsection (e) may carry a fine of up to \$500 plus
15 costs and \$50 fee and suspension of the license for up to 6
16 months. A licensee with 3 or more violations of subsection (e)
17 within 2 years may have his or her license revoked for up to 3
18 years. After the revocation period expires, the licensee shall
19 file a new application with new documentation as prescribed in
20 Section 260-30 or Section 260-65 in order to receive a new
21 license.

22 Section 260-75. Immunity, employees, and agents. The
23 office of the county sheriff, or any employee or agent of the
24 county sheriff, or the Department of State Police shall not be
25 liable for damages in any civil action arising from alleged

1 wrongful or improper granting, renewing, or failure to revoke
2 licenses issued under this Act, except for willful or wanton
3 misconduct. The office of the county sheriff and any employees
4 or agents shall not be liable for submitting specific or
5 articulable reasons why an applicant should be denied a
6 license, unless the objection contains false, malicious, or
7 inaccurate information and the objection constituted willful
8 and wanton misconduct. Any owner, business or commercial
9 lessee, landlord, manager of a private business enterprise,
10 employer, or any other organization, entity, person, public or
11 private college, university, or post-secondary educational
12 institution that does not prohibit licensees from carrying
13 firearms on property it owns or occupies is immune from any
14 liability arising from its decision.

15 Section 260-80. Fees.

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

19 (b) Fees shall be:

20 New license: \$80.

21 Renewal of license: \$25.

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

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

24 (c) By March 1 of each year, the Department shall submit a
25 statistical report to the Governor, the President of the

1 Senate, and the Speaker of the House of Representatives
2 indicating the number of licenses issued, revoked, suspended,
3 denied, and issued after appeal since the last report and in
4 total and also the number of licenses currently valid. The
5 report shall also include the number of arrests and convictions
6 and the types of crimes committed by licensees since the last
7 report.

8 (d) The Secretary of State shall conduct a study to
9 determine the cost and feasibility of creating a method of
10 adding an identifiable code, background, or other means to show
11 that an individual has been issued a license by the Department
12 on the person's driver's license or State-issued
13 identification card.

14 Section 260-85. Applicant training.

15 (a) Applicants shall provide proof of completion of at
16 least one of the following courses:

17 (1) National Rifle Association Basic Personal
18 Protection In The Home Course.

19 (2) National Rifle Association Basics of Personal
20 Protection Outside The Home Course.

21 (3) National Rifle Association Basic Pistol Shooting
22 Course.

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

25 (A) handgun safety in the classroom, at home, on

1 the firing range, and while carrying the firearm;

2 (B) the basic principles of marksmanship;

3 (C) care and cleaning of handguns;

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

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

8 (1) a minimum of 30 rounds; and

9 (2) 10 rounds from a distance of 5 yards, 10 rounds
10 from a distance of 7 yards, and 10 rounds from a distance
11 of 10 yards at a B-27 silhouette or equivalent target as
12 approved by the Department.

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

16 (b-6) Grades of "passing" shall not be given on range work
17 to an applicant who:

18 (1) does not follow the orders of the certified
19 firearms instructor;

20 (2) in the judgment of the certified firearms
21 instructor, handles a firearm in a manner that poses a
22 danger to the applicant or to others; or

23 (3) during the testing portion of the range work fails
24 to hit the silhouette portion of the target with 70% of the
25 30 rounds fired.

26 (c) The classroom portion of the course may, at the

1 qualified firearms instructor's discretion, be divided into
2 segments of not less than 2 hours each.

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

5 (e) Certified firearms instructors shall:

6 (1) allow monitoring of their classes by officials of
7 any certifying agency;

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

10 (3) not divulge course records except as authorized by
11 the certifying agency.

12 (f) Fees for applicant training courses shall be set by the
13 instructor.

14 (g) An applicant training course shall not have more than
15 40 students in the classroom portion nor more than 5 students
16 per range officer engaged in range firing.

17 (h) Persons with the following training or certifications
18 are exempt from the requirements of subsection (a) of this
19 Section:

20 (1) An National Rifle Association certified
21 instructor.

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

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

26 (4) An individual certified as a law enforcement

1 instructor by the Illinois Law Enforcement Training
2 Standards Board or other equivalent agency.

3 Section 260-90. Firearms instructors training.

4 (a) Not later than 30 days after the effective date of this
5 Act, the Department shall establish a registry of instructors
6 who are eligible to teach courses or sign off on range
7 qualifications, or both, to meet the requirements of Section
8 260-85 of this Act.

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

12 (1) National Rifle Association Personal Protection
13 Instructor;

14 (2) National Rifle Association Basic Pistol
15 Instructor;

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

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

20 (5) A similar firearms instructor qualifying course
21 approved by the Illinois Law Enforcement Training
22 Standards Board.

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

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

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

5 (2) provides false or misleading information to the
6 Board; or

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

9 Section 260-95. Home Rule Preemption. The regulation and
10 licensing of firearms, including their possession, carrying,
11 transportation, or the issuance of licenses to carry concealed
12 firearms, is an exclusive power and function of the State.
13 Except as provided in subsection (b) of Section 260-70, a home
14 rule unit shall not regulate the possession, carrying, or
15 transportation of firearms, their components or accessories,
16 or ammunition. A home rule unit shall not require registration
17 of firearms, regulate the number of firearms, or make any other
18 requirements or regulations of a person licensed under this
19 Act. This Section is a limitation under subsection (i) of
20 Section 6 of Article VII of the Illinois Constitution on the
21 exercise by home rule units of powers and functions exercised
22 by the State. Any unit of local government that violates this
23 Section shall be liable for all costs, fees, and damages to
24 anyone impacted by any rule or ordinance.

1 Section 260-100. Expedited appeal. A judgment of a circuit
2 court declaring this Act or any part of this Act
3 unconstitutional or unenforceable is appealable directly to
4 the Supreme Court. The notice of appeal shall be filed within
5 30 days after the judgment of the circuit court declaring this
6 Act or any part of this Act unconstitutional or unenforceable.
7 The manner of appeal shall be as provided in Supreme Court
8 Rules.

9 Section 260-105. Severability. The provisions of this Act
10 are severable under Section 1.31 of the Statute on Statutes.

11 Section 265-5. The Freedom of Information Act is amended by
12 changing Section 7.5 as follows:

13 (5 ILCS 140/7.5)

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

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

19 (b) Library circulation and order records identifying
20 library users with specific materials under the Library Records
21 Confidentiality Act.

22 (c) Applications, related documents, and medical records
23 received by the Experimental Organ Transplantation Procedures

1 Board and any and all documents or other records prepared by
2 the Experimental Organ Transplantation Procedures Board or its
3 staff relating to applications it has received.

4 (d) Information and records held by the Department of
5 Public Health and its authorized representatives relating to
6 known or suspected cases of sexually transmissible disease or
7 any information the disclosure of which is restricted under the
8 Illinois Sexually Transmissible Disease Control Act.

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

11 (f) Firm performance evaluations under Section 55 of the
12 Architectural, Engineering, and Land Surveying Qualifications
13 Based Selection Act.

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

16 (h) Information the disclosure of which is exempted under
17 the State Officials and Employees Ethics Act, and records of
18 any lawfully created State or local inspector general's office
19 that would be exempt if created or obtained by an Executive
20 Inspector General's office under that Act.

21 (i) Information contained in a local emergency energy plan
22 submitted to a municipality in accordance with a local
23 emergency energy plan ordinance that is adopted under Section
24 11-21.5-5 of the Illinois Municipal Code.

25 (j) Information and data concerning the distribution of
26 surcharge moneys collected and remitted by wireless carriers

1 under the Wireless Emergency Telephone Safety Act.

2 (k) Law enforcement officer identification information or
3 driver identification information compiled by a law
4 enforcement agency or the Department of Transportation under
5 Section 11-212 of the Illinois Vehicle Code.

6 (l) Records and information provided to a residential
7 health care facility resident sexual assault and death review
8 team or the Executive Council under the Abuse Prevention Review
9 Team Act.

10 (m) Information provided to the predatory lending database
11 created pursuant to Article 3 of the Residential Real Property
12 Disclosure Act, except to the extent authorized under that
13 Article.

14 (n) Defense budgets and petitions for certification of
15 compensation and expenses for court appointed trial counsel as
16 provided under Sections 10 and 15 of the Capital Crimes
17 Litigation Act. This subsection (n) shall apply until the
18 conclusion of the trial of the case, even if the prosecution
19 chooses not to pursue the death penalty prior to trial or
20 sentencing.

21 (o) Information that is prohibited from being disclosed
22 under Section 4 of the Illinois Health and Hazardous Substances
23 Registry Act.

24 (p) Security portions of system safety program plans,
25 investigation reports, surveys, schedules, lists, data, or
26 information compiled, collected, or prepared by or for the

1 Regional Transportation Authority under Section 2.11 of the
2 Regional Transportation Authority Act or the St. Clair County
3 Transit District under the Bi-State Transit Safety Act.

4 (q) Information prohibited from being disclosed by the
5 Personnel Records Review Act.

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

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

10 (t) All identified or deidentified health information in
11 the form of health data or medical records contained in, stored
12 in, submitted to, transferred by, or released from the Illinois
13 Health Information Exchange, and identified or deidentified
14 health information in the form of health data and medical
15 records of the Illinois Health Information Exchange in the
16 possession of the Illinois Health Information Exchange
17 Authority due to its administration of the Illinois Health
18 Information Exchange. The terms "identified" and
19 "deidentified" shall be given the same meaning as in the Health
20 Insurance Accountability and Portability Act of 1996, Public
21 Law 104-191, or any subsequent amendments thereto, and any
22 regulations promulgated thereunder.

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

25 (v) Names and information of people who have applied for or
26 received Firearm Owner's Identification Cards under the

1 Firearm Owners Identification Card Act.

2 (w) Personally identifiable information which is exempted
3 from disclosure under subsection (g) of Section 19.1 of the
4 Toll Highway Act.

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

8 (y) Information maintained by the Department of State
9 Police in accordance with subsection (a) of Section 260-35 of
10 the Family and Personal Protection Act, except as authorized by
11 that Act.

12 (Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11;
13 96-1331, eff. 7-27-10; 97-80, eff. 7-5-11; 97-333, eff.
14 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976,
15 eff. 1-1-13.)

16 Section 265-10. The Department of State Police Law of the
17 Civil Administrative Code of Illinois is amended changing
18 Sections 2605-45 and 2605-300 and by adding Section 2605-595 as
19 follows:

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

21 Sec. 2605-45. Division of Administration. The Division of
22 Administration shall exercise the following functions:

23 (1) Exercise the rights, powers, and duties vested in
24 the Department by the Governor's Office of Management and

1 Budget Act.

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

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

6 (4) Operate an electronic data processing and computer
7 center for the storage and retrieval of data pertaining to
8 criminal activity.

9 (5) Exercise the rights, powers, and duties vested in
10 the former Division of State Troopers by Section 17 of the
11 State Police Act.

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

16 (6.5) Exercise the rights, powers, and duties vested in
17 the Department by the Firearm Owners Identification Card
18 Act.

19 (6.10) Exercise the rights, powers, and duties vested
20 in the Department by the Family and Personal Protection
21 Act.

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

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

1 (20 ILCS 2605/2605-300) (was 20 ILCS 2605/55a in part)

2 Sec. 2605-300. Records; crime laboratories; personnel. To
3 do the following:

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

6 (2) Be a central repository for criminal history record
7 information.

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

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

13 (5) Establish general and field crime laboratories.

14 (6) Register and file for record information that may
15 be required by law for the issuance of firearm owner's
16 identification cards under the Firearm Owners
17 Identification Card Act and concealed carry licenses under
18 the Family and Personal Protection Act.

19 (7) Employ polygraph operators, laboratory
20 technicians, and other specially qualified persons to aid
21 in the identification of criminal activity.

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

25 (Source: P.A. 90-18, eff. 7-1-97; 90-130, eff. 1-1-98; 90-372,
26 eff. 7-1-98; 90-590, eff. 1-1-00; 90-655, eff. 7-30-98; 90-793,

1 eff. 8-14-98; 91-239, eff. 1-1-00.)

2 (20 ILCS 2605/2605-595 new)

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

4 (a) There is created in the State treasury a special fund
5 known as the State Police Firearm Services Fund. The Fund shall
6 receive revenue as provided under Section 5 of the Firearm
7 Owners Identification Card Act, and under the Family and
8 Personal Protection Act. The Fund may also receive revenue from
9 grants, pass-through grants, donations, appropriations, and
10 any other legal source.

11 (b) The Department of State Police may use moneys in the
12 Fund to finance any of its lawful purposes, mandates,
13 functions, and duties under the Firearm Owners Identification
14 Card Act or the Family and Personal Protection Act, including
15 the cost of sending notices of expiration of Firearm Owner's
16 Identification Cards and concealed carry licenses, the prompt
17 and efficient processing of applications under the Firearm
18 Owners Identification Card Act and the Family and Personal
19 Protection Act, and support for investigations required under
20 these Acts.

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

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

1 Section 265-15. The State Police Act is amended by adding
2 Section 25 as follows:

3 (20 ILCS 2610/25 new)

4 Sec. 25. Emergency procurement authorized. In order to
5 comply with recent court rulings regarding concealed carry in
6 Illinois, the provisions of this amendatory Act of the 98th
7 General Assembly, together with any procurements necessary for
8 the implementation of the Family and Personal Protection Act,
9 shall be eligible for emergency procurement for a period not
10 more than 180 days after the effective date of this amendatory
11 Act.

12 Section 265-20. The State Finance Act is amended by adding
13 Sections 5.826 and 5.827 as follows:

14 (30 ILCS 105/5.826 new)

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

16 (30 ILCS 105/5.827 new)

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

18 (30 ILCS 105/5.206 rep.)

19 Section 265-25. The State Finance Act is amended by
20 repealing Section 5.206.

1 Section 265-30. The Firearm Owners Identification Card Act
2 is amended by changing Section 5 and by adding Section 5.1 as
3 follows:

4 (430 ILCS 65/5) (from Ch. 38, par. 83-5)

5 Sec. 5. The Department of State Police shall either approve
6 or deny all applications within 30 days from the date they are
7 received, and every applicant found qualified pursuant to
8 Section 8 of this Act by the Department shall be entitled to a
9 Firearm Owner's Identification Card upon the payment of a \$10
10 fee. Any applicant who is an active duty member of the Armed
11 Forces of the United States, a member of the Illinois National
12 Guard, or a member of the Reserve Forces of the United States
13 is exempt from the application fee. \$6 of each fee derived from
14 the issuance of Firearm Owner's Identification Cards, or
15 renewals thereof, shall be deposited in the Wildlife and Fish
16 Fund in the State Treasury; \$1 of such fee shall be deposited
17 in the State Police Services Fund and \$3 of such fee shall be
18 deposited in the State Police Firearm Services Fund ~~Firearm~~
19 ~~Owner's Notification Fund~~. Monies in the State Police Firearm
20 Services Fund ~~Firearm Owner's Notification Fund~~ shall be used
21 ~~exclusively~~ to pay for the cost of sending notices of
22 expiration of Firearm Owner's Identification Cards under
23 Section 13.2 of this Act, and the purposes specified in Section
24 2605-595 of the Department of State Police Law of the Civil

1 Administrative Code of Illinois. ~~Excess monies in the Firearm~~
2 ~~Owner's Notification Fund shall be used to ensure the prompt~~
3 ~~and efficient processing of applications received under~~
4 ~~Section 4 of this Act.~~

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

6 (430 ILCS 65/5.1 new)

7 Sec. 5.1. State Police Firearm Services Fund. All moneys
8 remaining in the Firearm Owner's Notification Fund on the
9 effective date of this amendatory Act of the 98th General
10 Assembly shall be transferred into the State Police Firearm
11 Services Fund, a special fund created in the State treasury, to
12 be expended by the Department of State Police, for the purposes
13 specified in Section 5.

14 Section 265-35. The Criminal Code of 2012 is amended by
15 changing Sections 21-6, 24-1, 24-1.6, and 24-2 as follows:

16 (720 ILCS 5/21-6) (from Ch. 38, par. 21-6)

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

18 (a) Whoever possesses or stores any weapon enumerated in
19 Section 33A-1 in any building ~~or on land~~ supported in whole or
20 in part with public funds ~~or in any building on such land~~
21 without prior written permission from the chief security
22 officer for that ~~such land or~~ building commits a Class A
23 misdemeanor.

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

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

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

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

8 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

12 (1) Sells, manufactures, purchases, possesses or
13 carries any bludgeon, black-jack, slung-shot, sand-club,
14 sand-bag, metal knuckles or other knuckle weapon
15 regardless of its composition, throwing star, or any knife,
16 commonly referred to as a switchblade knife, which has a
17 blade that opens automatically by hand pressure applied to
18 a button, spring or other device in the handle of the
19 knife, or a ballistic knife, which is a device that propels
20 a knifelike blade as a projectile by means of a coil
21 spring, elastic material or compressed gas; or

22 (2) Carries or possesses with intent to use the same
23 unlawfully against another, a dagger, dirk, billy,
24 dangerous knife, razor, stiletto, broken bottle or other
25 piece of glass, stun gun or taser or any other dangerous or

1 deadly weapon or instrument of like character; or

2 (3) Carries on or about his person or in any vehicle, a
3 tear gas gun projector or bomb or any object containing
4 noxious liquid gas or substance, other than an object
5 containing a non-lethal noxious liquid gas or substance
6 designed solely for personal defense carried by a person 18
7 years of age or older; or

8 (4) Carries or possesses in any vehicle or concealed on
9 or about his person except when on his land or in his own
10 abode, legal dwelling, or fixed place of business, or on
11 the land or in the legal dwelling of another person as an
12 invitee with that person's permission, any pistol,
13 revolver, stun gun or taser or other firearm, except that
14 this subsection (a) (4) does not apply to or affect
15 transportation of weapons that meet one of the following
16 conditions:

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

18 (ii) are not immediately accessible; or

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

25 (5) Sets a spring gun; or

26 (6) Possesses any device or attachment of any kind

1 designed, used or intended for use in silencing the report
2 of any firearm; or

3 (7) Sells, manufactures, purchases, possesses or
4 carries:

5 (i) a machine gun, which shall be defined for the
6 purposes of this subsection as any weapon, which
7 shoots, is designed to shoot, or can be readily
8 restored to shoot, automatically more than one shot
9 without manually reloading by a single function of the
10 trigger, including the frame or receiver of any such
11 weapon, or sells, manufactures, purchases, possesses,
12 or carries any combination of parts designed or
13 intended for use in converting any weapon into a
14 machine gun, or any combination or parts from which a
15 machine gun can be assembled if such parts are in the
16 possession or under the control of a person;

17 (ii) any rifle having one or more barrels less than
18 16 inches in length or a shotgun having one or more
19 barrels less than 18 inches in length or any weapon
20 made from a rifle or shotgun, whether by alteration,
21 modification, or otherwise, if such a weapon as
22 modified has an overall length of less than 26 inches;
23 or

24 (iii) any bomb, bomb-shell, grenade, bottle or
25 other container containing an explosive substance of
26 over one-quarter ounce for like purposes, such as, but

1 not limited to, black powder bombs and Molotov
2 cocktails or artillery projectiles; or

3 (8) Carries or possesses any firearm, stun gun or taser
4 or other deadly weapon in any place which is licensed to
5 sell intoxicating beverages for consumption on the
6 premises, ~~or at any public gathering held pursuant to a~~
7 ~~license issued by any governmental body or any public~~
8 ~~gathering at which an admission is charged, excluding a~~
9 ~~place where a showing, demonstration or lecture involving~~
10 ~~the exhibition of unloaded firearms is conducted.~~

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

16 (9) Carries or possesses in a vehicle or on or about
17 his person any pistol, revolver, stun gun or taser or
18 firearm or ballistic knife, when he is hooded, robed or
19 masked in such manner as to conceal his identity; or

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

1 or in the legal dwelling of another person as an invitee
2 with that person's permission, any pistol, revolver, stun
3 gun or taser or other firearm, except that this subsection
4 (a) (10) does not apply to or affect transportation of
5 weapons that meet one of the following conditions:

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

7 (ii) are not immediately accessible; or

8 (iii) are unloaded and enclosed in a case, firearm
9 carrying box, shipping box, or other container by a
10 person who is not otherwise prohibited from owning or
11 possessing a firearm under State or federal law ~~has~~
12 ~~been issued a currently valid Firearm Owner's~~
13 ~~Identification Card.~~

14 A "stun gun or taser", as used in this paragraph (a)
15 means (i) any device which is powered by electrical
16 charging units, such as, batteries, and which fires one or
17 several barbs attached to a length of wire and which, upon
18 hitting a human, can send out a current capable of
19 disrupting the person's nervous system in such a manner as
20 to render him incapable of normal functioning or (ii) any
21 device which is powered by electrical charging units, such
22 as batteries, and which, upon contact with a human or
23 clothing worn by a human, can send out current capable of
24 disrupting the person's nervous system in such a manner as
25 to render him incapable of normal functioning; or

26 (11) Sells, manufactures or purchases any explosive

1 bullet. For purposes of this paragraph (a) "explosive
2 bullet" means the projectile portion of an ammunition
3 cartridge which contains or carries an explosive charge
4 which will explode upon contact with the flesh of a human
5 or an animal. "Cartridge" means a tubular metal case having
6 a projectile affixed at the front thereof and a cap or
7 primer at the rear end thereof, with the propellant
8 contained in such tube between the projectile and the cap;
9 or

10 (12) (Blank); or

11 (13) Carries or possesses on or about his or her person
12 while in a building occupied by a unit of government, a
13 billy club, other weapon of like character, or other
14 instrument of like character intended for use as a weapon.
15 For the purposes of this Section, "billy club" means a
16 short stick or club commonly carried by police officers
17 which is either telescopic or constructed of a solid piece
18 of wood or other man-made material.

19 (b) Sentence. A person convicted of a violation of
20 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),
21 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a
22 Class A misdemeanor. A person convicted of a violation
23 subsection 24-1(a)(4) or 24-1(a)(10) who is otherwise eligible
24 to obtain a license under the Family and Personal Protection
25 Act except for the completion of Section 260-85 of the Act is
26 guilty of a Class C misdemeanor. A person convicted of a

1 violation of subsection 24-1(a)(8) or 24-1(a)(9) commits a
2 Class 4 felony; a person convicted of a violation of subsection
3 24-1(a)(6) or 24-1(a)(7)(ii) or (iii) commits a Class 3 felony.
4 A person convicted of a violation of subsection 24-1(a)(7)(i)
5 commits a Class 2 felony and shall be sentenced to a term of
6 imprisonment of not less than 3 years and not more than 7
7 years, unless the weapon is possessed in the passenger
8 compartment of a motor vehicle as defined in Section 1-146 of
9 the Illinois Vehicle Code, or on the person, while the weapon
10 is loaded, in which case it shall be a Class X felony. A person
11 convicted of a second or subsequent violation of subsection
12 24-1(a)(4), 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a
13 Class 3 felony. The possession of each weapon in violation of
14 this Section constitutes a single and separate violation.

15 (c) Violations in specific places.

16 (1) A person who violates subsection 24-1(a)(6) or
17 24-1(a)(7) in any school, regardless of the time of day or
18 the time of year, in residential property owned, operated
19 or managed by a public housing agency or leased by a public
20 housing agency as part of a scattered site or mixed-income
21 development, in a public park, in a courthouse, on the real
22 property comprising any school, regardless of the time of
23 day or the time of year, on residential property owned,
24 operated or managed by a public housing agency or leased by
25 a public housing agency as part of a scattered site or
26 mixed-income development, on the real property comprising

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

14 (1.5) A person who violates subsection 24-1(a)(4),
15 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the
16 time of day or the time of year, in residential property
17 owned, operated, or managed by a public housing agency or
18 leased by a public housing agency as part of a scattered
19 site or mixed-income development, in a public park, in a
20 courthouse, on the real property comprising any school,
21 regardless of the time of day or the time of year, on
22 residential property owned, operated, or managed by a
23 public housing agency or leased by a public housing agency
24 as part of a scattered site or mixed-income development, on
25 the real property comprising any public park, on the real
26 property comprising any courthouse, in any conveyance

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

11 (2) A person who violates subsection 24-1(a)(1),
12 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the
13 time of day or the time of year, in residential property
14 owned, operated or managed by a public housing agency or
15 leased by a public housing agency as part of a scattered
16 site or mixed-income development, in a public park, in a
17 courthouse, on the real property comprising any school,
18 regardless of the time of day or the time of year, on
19 residential property owned, operated or managed by a public
20 housing agency or leased by a public housing agency as part
21 of a scattered site or mixed-income development, on the
22 real property comprising any public park, on the real
23 property comprising any courthouse, in any conveyance
24 owned, leased or contracted by a school to transport
25 students to or from school or a school related activity, in
26 any conveyance owned, leased, or contracted by a public

1 transportation agency, or on any public way within 1,000
2 feet of the real property comprising any school, public
3 park, courthouse, public transportation facility, or
4 residential property owned, operated, or managed by a
5 public housing agency or leased by a public housing agency
6 as part of a scattered site or mixed-income development
7 commits a Class 4 felony. "Courthouse" means any building
8 that is used by the Circuit, Appellate, or Supreme Court of
9 this State for the conduct of official business.

10 (3) Paragraphs (1), (1.5), and (2) of this subsection
11 (c) shall not apply to law enforcement officers or security
12 officers of such school, college, or university or to
13 students carrying or possessing firearms for use in
14 training courses, parades, hunting, target shooting on
15 school ranges, or otherwise with the consent of school
16 authorities and which firearms are transported unloaded
17 enclosed in a suitable case, box, or transportation
18 package.

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

22 (5) For the purposes of this subsection (c), "public
23 transportation agency" means a public or private agency
24 that provides for the transportation or conveyance of
25 persons by means available to the general public, except
26 for transportation by automobiles not used for conveyance

1 of the general public as passengers; and "public
2 transportation facility" means a terminal or other place
3 where one may obtain public transportation.

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

16 (e) Exemptions. Crossbows, Common or Compound bows and
17 Underwater Spearguns are exempted from the definition of
18 ballistic knife as defined in paragraph (1) of subsection (a)
19 of this Section.

20 (Source: P.A. 95-331, eff. 8-21-07; 95-809, eff. 1-1-09;
21 95-885, eff. 1-1-09; 96-41, eff. 1-1-10; 96-328, eff. 8-11-09;
22 96-742, eff. 8-25-09; 96-1000, eff. 7-2-10.)

23 (720 ILCS 5/24-1.6)

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

25 (a) A person commits the offense of aggravated unlawful use

1 of a weapon when he or she knowingly:

2 (1) Carries on or about his or her person or in any
3 vehicle or concealed on or about his or her person except
4 when on his or her land or in his or her abode, legal
5 dwelling, or fixed place of business, or on the land or in
6 the legal dwelling of another person as an invitee with
7 that person's permission, any pistol, revolver, stun gun or
8 taser or other firearm; or

9 (2) Carries or possesses on or about his or her person,
10 upon any public street, alley, or other public lands within
11 the corporate limits of a city, village or incorporated
12 town, except when an invitee thereon or therein, for the
13 purpose of the display of such weapon or the lawful
14 commerce in weapons, or except when on his or her own land
15 or in his or her own abode, legal dwelling, or fixed place
16 of business, or on the land or in the legal dwelling of
17 another person as an invitee with that person's permission,
18 any pistol, revolver, stun gun or taser or other firearm;
19 and

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

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

23 (B) the firearm possessed was uncased, unloaded
24 and the ammunition for the weapon was immediately
25 accessible at the time of the offense; or

26 (C) the person possessing the firearm has not been

1 issued a currently valid Firearm Owner's
2 Identification Card; or

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

7 (E) the person possessing the weapon was engaged in
8 a misdemeanor violation of the Cannabis Control Act, in
9 a misdemeanor violation of the Illinois Controlled
10 Substances Act, or in a misdemeanor violation of the
11 Methamphetamine Control and Community Protection Act;
12 or

13 (F) (blank); or

14 (G) the person possessing the weapon had a order of
15 protection issued against him or her within the
16 previous 2 years; or

17 (H) the person possessing the weapon was engaged in
18 the commission or attempted commission of a
19 misdemeanor involving the use or threat of violence
20 against the person or property of another; or

21 (I) the person possessing the weapon was under 21
22 years of age and in possession of a handgun as defined
23 in Section 24-3, unless the person under 21 is engaged
24 in lawful activities under the Wildlife Code or
25 described in subsection 24-2(b)(1), (b)(3), or
26 24-2(f).

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

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

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

6 (ii) are not immediately accessible; or

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

13 (d) Sentence.

14 (1) Aggravated unlawful use of a weapon is a Class 4
15 felony; a second or subsequent offense is a Class 2 felony
16 for which the person shall be sentenced to a term of
17 imprisonment of not less than 3 years and not more than 7
18 years.

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

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

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

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

14 (Source: P.A. 95-331, eff. 8-21-07; 96-742, eff. 8-25-09;
15 96-829, eff. 12-3-09; 96-1107, eff. 1-1-11.)

16 (720 ILCS 5/24-2)

17 Sec. 24-2. Exemptions.

18 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
19 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
20 the following:

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

24 (2) Wardens, superintendents and keepers of prisons,
25 penitentiaries, jails and other institutions for the

1 detention of persons accused or convicted of an offense,
2 while in the performance of their official duty, or while
3 commuting between their homes and places of employment.

4 (3) Members of the Armed Services or Reserve Forces of
5 the United States or the Illinois National Guard or the
6 Reserve Officers Training Corps, while in the performance
7 of their official duty.

8 (4) Special agents employed by a railroad or a public
9 utility to perform police functions, and guards of armored
10 car companies, while actually engaged in the performance of
11 the duties of their employment or commuting between their
12 homes and places of employment; and watchmen while actually
13 engaged in the performance of the duties of their
14 employment.

15 (5) Persons licensed as private security contractors,
16 private detectives, or private alarm contractors, or
17 employed by an agency certified by the Department of
18 Financial and Professional Regulation, if their duties
19 include the carrying of a weapon under the provisions of
20 the Private Detective, Private Alarm, Private Security,
21 Fingerprint Vendor, and Locksmith Act of 2004, while
22 actually engaged in the performance of the duties of their
23 employment or commuting between their homes and places of
24 employment, provided that such commuting is accomplished
25 within one hour from departure from home or place of
26 employment, as the case may be. A person shall be

1 considered eligible for this exemption if he or she has
2 completed the required 20 hours of training for a private
3 security contractor, private detective, or private alarm
4 contractor, or employee of a licensed agency and 20 hours
5 of required firearm training, and has been issued a firearm
6 control card by the Department of Financial and
7 Professional Regulation. Conditions for the renewal of
8 firearm control cards issued under the provisions of this
9 Section shall be the same as for those cards issued under
10 the provisions of the Private Detective, Private Alarm,
11 Private Security, Fingerprint Vendor, and Locksmith Act of
12 2004. The firearm control card shall be carried by the
13 private security contractor, private detective, or private
14 alarm contractor, or employee of the licensed agency at all
15 times when he or she is in possession of a concealable
16 weapon.

17 (6) Any person regularly employed in a commercial or
18 industrial operation as a security guard for the protection
19 of persons employed and private property related to such
20 commercial or industrial operation, while actually engaged
21 in the performance of his or her duty or traveling between
22 sites or properties belonging to the employer, and who, as
23 a security guard, is a member of a security force of at
24 least 5 persons registered with the Department of Financial
25 and Professional Regulation; provided that such security
26 guard has successfully completed a course of study,

1 approved by and supervised by the Department of Financial
2 and Professional Regulation, consisting of not less than 40
3 hours of training that includes the theory of law
4 enforcement, liability for acts, and the handling of
5 weapons. A person shall be considered eligible for this
6 exemption if he or she has completed the required 20 hours
7 of training for a security officer and 20 hours of required
8 firearm training, and has been issued a firearm control
9 card by the Department of Financial and Professional
10 Regulation. Conditions for the renewal of firearm control
11 cards issued under the provisions of this Section shall be
12 the same as for those cards issued under the provisions of
13 the Private Detective, Private Alarm, Private Security,
14 Fingerprint Vendor, and Locksmith Act of 2004. The firearm
15 control card shall be carried by the security guard at all
16 times when he or she is in possession of a concealable
17 weapon.

18 (7) Agents and investigators of the Illinois
19 Legislative Investigating Commission authorized by the
20 Commission to carry the weapons specified in subsections
21 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
22 any investigation for the Commission.

23 (8) Persons employed by a financial institution for the
24 protection of other employees and property related to such
25 financial institution, while actually engaged in the
26 performance of their duties, commuting between their homes

1 and places of employment, or traveling between sites or
2 properties owned or operated by such financial
3 institution, provided that any person so employed has
4 successfully completed a course of study, approved by and
5 supervised by the Department of Financial and Professional
6 Regulation, consisting of not less than 40 hours of
7 training which includes theory of law enforcement,
8 liability for acts, and the handling of weapons. A person
9 shall be considered to be eligible for this exemption if he
10 or she has completed the required 20 hours of training for
11 a security officer and 20 hours of required firearm
12 training, and has been issued a firearm control card by the
13 Department of Financial and Professional Regulation.
14 Conditions for renewal of firearm control cards issued
15 under the provisions of this Section shall be the same as
16 for those issued under the provisions of the Private
17 Detective, Private Alarm, Private Security, Fingerprint
18 Vendor, and Locksmith Act of 2004. Such firearm control
19 card shall be carried by the person so trained at all times
20 when such person is in possession of a concealable weapon.
21 For purposes of this subsection, "financial institution"
22 means a bank, savings and loan association, credit union or
23 company providing armored car services.

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

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

3 (11) Investigators of the Office of the State's
4 Attorneys Appellate Prosecutor authorized by the board of
5 governors of the Office of the State's Attorneys Appellate
6 Prosecutor to carry weapons pursuant to Section 7.06 of the
7 State's Attorneys Appellate Prosecutor's Act.

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

10 (12.5) Probation officers while in the performance of
11 their duties, or while commuting between their homes,
12 places of employment or specific locations that are part of
13 their assigned duties, with the consent of the chief judge
14 of the circuit for which they are employed.

15 (13) Court Security Officers while in the performance
16 of their official duties, or while commuting between their
17 homes and places of employment, with the consent of the
18 Sheriff.

19 (13.5) A person employed as an armed security guard at
20 a nuclear energy, storage, weapons or development site or
21 facility regulated by the Nuclear Regulatory Commission
22 who has completed the background screening and training
23 mandated by the rules and regulations of the Nuclear
24 Regulatory Commission.

25 (14) Manufacture, transportation, or sale of weapons
26 to persons authorized under subdivisions (1) through

1 (13.5) of this subsection to possess those weapons.

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

4 (1) Members of any club or organization organized for
5 the purpose of practicing shooting at targets upon
6 established target ranges, whether public or private, and
7 patrons of such ranges, while such members or patrons are
8 using their firearms on those target ranges.

9 (2) Duly authorized military or civil organizations
10 while parading, with the special permission of the
11 Governor.

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

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

16 (5) Carrying or possessing any pistol, revolver, stun
17 gun or taser or other firearm on the land or in the legal
18 dwelling of another person as an invitee with that person's
19 permission.

20 (6) A licensee under the Family and Personal Protection
21 Act, notwithstanding Section 260-70 of that Act, if the
22 licensee meets the requirements of the Family and Personal
23 Protection Act.

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

26 (1) Peace officers while in performance of their

1 official duties.

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

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

8 (4) Manufacture, transportation, or sale of machine
9 guns to persons authorized under subdivisions (1) through
10 (3) of this subsection to possess machine guns, if the
11 machine guns are broken down in a non-functioning state or
12 are not immediately accessible.

13 (5) Persons licensed under federal law to manufacture
14 any weapon from which 8 or more shots or bullets can be
15 discharged by a single function of the firing device, or
16 ammunition for such weapons, and actually engaged in the
17 business of manufacturing such weapons or ammunition, but
18 only with respect to activities which are within the lawful
19 scope of such business, such as the manufacture,
20 transportation, or testing of such weapons or ammunition.
21 This exemption does not authorize the general private
22 possession of any weapon from which 8 or more shots or
23 bullets can be discharged by a single function of the
24 firing device, but only such possession and activities as
25 are within the lawful scope of a licensed manufacturing
26 business described in this paragraph.

1 During transportation, such weapons shall be broken
2 down in a non-functioning state or not immediately
3 accessible.

4 (6) The manufacture, transport, testing, delivery,
5 transfer or sale, and all lawful commercial or experimental
6 activities necessary thereto, of rifles, shotguns, and
7 weapons made from rifles or shotguns, or ammunition for
8 such rifles, shotguns or weapons, where engaged in by a
9 person operating as a contractor or subcontractor pursuant
10 to a contract or subcontract for the development and supply
11 of such rifles, shotguns, weapons or ammunition to the
12 United States government or any branch of the Armed Forces
13 of the United States, when such activities are necessary
14 and incident to fulfilling the terms of such contract.

15 The exemption granted under this subdivision (c)(6)
16 shall also apply to any authorized agent of any such
17 contractor or subcontractor who is operating within the
18 scope of his employment, where such activities involving
19 such weapon, weapons or ammunition are necessary and
20 incident to fulfilling the terms of such contract.

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

24 (7) A person possessing a rifle with a barrel or
25 barrels less than 16 inches in length if: (A) the person
26 has been issued a Curios and Relics license from the U.S.

1 Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B)
2 the person is an active member of a bona fide, nationally
3 recognized military re-enacting group and the modification
4 is required and necessary to accurately portray the weapon
5 for historical re-enactment purposes; the re-enactor is in
6 possession of a valid and current re-enacting group
7 membership credential; and the overall length of the weapon
8 as modified is not less than 26 inches.

9 During transportation, any such weapon shall be broken
10 down in a non-functioning state, or not immediately
11 accessible.

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

15 (e) Subsection 24-1(a)(8) does not apply to any owner,
16 manager or authorized employee of any place specified in that
17 subsection nor to any law enforcement officer or a licensee
18 under the Family and Personal Protection Act, notwithstanding
19 Section 260-70 of that Act.

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

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

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

4 (2) Bonafide collectors of antique or surplus military
5 ordinance.

6 (3) Laboratories having a department of forensic
7 ballistics, or specializing in the development of
8 ammunition or explosive ordinance.

9 (4) Commerce, preparation, assembly or possession of
10 explosive bullets by manufacturers of ammunition licensed
11 by the federal government, in connection with the supply of
12 those organizations and persons exempted by subdivision
13 (g)(1) of this Section, or like organizations and persons
14 outside this State, or the transportation of explosive
15 bullets to any organization or person exempted in this
16 Section by a common carrier or by a vehicle owned or leased
17 by an exempted manufacturer.

18 (g-5) Subsection 24-1(a)(6) does not apply to or affect
19 persons licensed under federal law to manufacture any device or
20 attachment of any kind designed, used, or intended for use in
21 silencing the report of any firearm, firearms, or ammunition
22 for those firearms equipped with those devices, and actually
23 engaged in the business of manufacturing those devices,
24 firearms, or ammunition, but only with respect to activities
25 that are within the lawful scope of that business, such as the
26 manufacture, transportation, or testing of those devices,

1 firearms, or ammunition. This exemption does not authorize the
2 general private possession of any device or attachment of any
3 kind designed, used, or intended for use in silencing the
4 report of any firearm, but only such possession and activities
5 as are within the lawful scope of a licensed manufacturing
6 business described in this subsection (g-5). During
7 transportation, these devices shall be detached from any weapon
8 or not immediately accessible.

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

14 (g-7) Subsection 24-1(a)(6) does not apply to a peace
15 officer while serving as a member of a tactical response team
16 or special operations team. A peace officer may not personally
17 own or apply for ownership of a device or attachment of any
18 kind designed, used, or intended for use in silencing the
19 report of any firearm. These devices shall be owned and
20 maintained by lawfully recognized units of government whose
21 duties include the investigation of criminal acts.

22 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and
23 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an
24 athlete's possession, transport on official Olympic and
25 Paralympic transit systems established for athletes, or use of
26 competition firearms sanctioned by the International Olympic

1 Committee, the International Paralympic Committee, the
2 International Shooting Sport Federation, or USA Shooting in
3 connection with such athlete's training for and participation
4 in shooting competitions at the 2016 Olympic and Paralympic
5 Games and sanctioned test events leading up to the 2016 Olympic
6 and Paralympic Games.

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

11 (i) Nothing in this Article shall prohibit, apply to, or
12 affect the transportation, carrying, or possession, of any
13 pistol or revolver, stun gun, taser, or other firearm consigned
14 to a common carrier operating under license of the State of
15 Illinois or the federal government, where such transportation,
16 carrying, or possession is incident to the lawful
17 transportation in which such common carrier is engaged; and
18 nothing in this Article shall prohibit, apply to, or affect the
19 transportation, carrying, or possession of any pistol,
20 revolver, stun gun, taser, or other firearm, not the subject of
21 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of
22 this Article, which is unloaded and enclosed in a case, firearm
23 carrying box, shipping box, or other container, by the
24 possessor of a valid Firearm Owners Identification Card.

25 (Source: P.A. 96-7, eff. 4-3-09; 96-230, eff. 1-1-10; 96-742,
26 eff. 8-25-09; 96-1000, eff. 7-2-10; 97-465, eff. 8-22-11;

1 97-676, eff. 6-1-12; 97-936, eff. 1-1-13; 97-1010, eff. 1-1-13;
2 revised 8-23-12.)".