



Rep. Michael J. Zalewski

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09800HB1155ham040

LRB098 08475 MRW 42943 a

1 AMENDMENT TO HOUSE BILL 1155

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

4 "Section 815. The Criminal Code of 2012 is amended by
5 adding Section 24-9.3 as follows:

6 (720 ILCS 5/24-9.3 new)

7 Sec. 24-9.3. Prohibited person firearm access violation.

8 (a) A person commits prohibited person firearm access when
9 he or she stores or leaves, within premises under his or her
10 control, a firearm if the person knows or has reason to know
11 that a person prohibited from possessing a firearm because of a
12 felony conviction, domestic battery conviction, an outstanding
13 order of protection or stalking no-contact order against him or
14 her, adjudication as a mental defective, having been a patient
15 in a mental institution within the past 5 years, or because he
16 or she is otherwise prohibited from obtaining a Firearm Owner's

1 Identification Card is likely to gain access to the firearm,
2 and the firearm:

3 (1) is not secured by a device or mechanism, other than
4 the firearm safety, designed to render a firearm
5 temporarily inoperable;

6 (2) is not placed in a securely locked box or
7 container; or

8 (3) is not placed in some other location that a
9 reasonable person would believe to be secure from a person.

10 (b) This Section does not apply:

11 (1) if the prohibited person gains access to a firearm
12 and uses it in a lawful act of self-defense or defense of
13 another;

14 (2) to any firearm obtained by a prohibited person
15 because of an unlawful entry of the premises by the
16 prohibited person or another person; or

17 (3) when the firearm is in the immediate possession or
18 control of the owner.

19 (c) For the purposes of this Section, "firearm" has the
20 meaning ascribed to it in Section 1.1 of the Firearm Owners
21 Identification Card Act.

22 (d) Sentence. A first violation of this Section is a Class
23 C misdemeanor and the person shall be fined not less than
24 \$1,000. A second or subsequent violation is a Class A
25 misdemeanor."