



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB2278

Introduced 2/15/2013, by Sen. Wm. Sam McCann

#### SYNOPSIS AS INTRODUCED:

See Index

Creates the Family and Personal Protection Act. Provides that the Department of State Police shall issue a license to carry a loaded or unloaded handgun to an applicant who resides in a non-home rule county of the State and who meets specified qualifications, has provided the application and specified documentation, and has submitted the requisite fees. Provides that a license to carry a handgun entitles a licensee to carry in any non-home rule county of the State a loaded handgun, either concealed or openly, on or about his or her person or in a vehicle, except in certain prohibited locations. Provides that a completed application for a license shall be submitted to the office of the sheriff of the county in which the applicant resides with all accompanying materials and fees. Provides that the sheriff shall review the application and submit a completed application, all accompanying materials, and the application fee to the Department within 30 days of receipt. Provides that a sheriff may submit an objection to an application, provided the objection is in writing, includes specific reasons for the objection, and is submitted with the application. Amends various Acts to make conforming changes.

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CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

1 AN ACT concerning firearms.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Family  
5 and Personal Protection Act.

6 Section 10. Definitions. As used in this Act:

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

11 "Department" means the Department of State Police.

12 "Director" means the Director of State Police.

13 "Fund" means the Citizen Safety and Self-Defense Trust  
14 Fund.

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

20 "Handgun" does not include a stun gun or taser.

21 "License" means a license issued by the Department of State  
22 Police to carry a loaded or unloaded concealed firearm.

23 "Licensee" means a person issued a license to carry a

1 concealed firearm.

2 "Peace officer" means (i) any person who by virtue of his  
3 or her office or public employment is vested by law with a duty  
4 to maintain public order or to make arrests for offenses,  
5 whether that duty extends to all offenses or is limited to  
6 specific offenses, or (ii) any person who, by statute, is  
7 granted and authorized to exercise powers similar to those  
8 conferred upon any peace officer employed by a law enforcement  
9 agency of this State.

10 Section 15. Citizen Safety and Self-Defense Trust Fund.  
11 Fees from applications for licenses shall be deposited into the  
12 Citizen Safety and Self-Defense Trust Fund, a special fund that  
13 is created in the State treasury. Moneys in the Fund may be  
14 invested and any income from investments shall be deposited  
15 into the Fund. Subject to appropriation, moneys in the Fund  
16 shall exclusively be used to assist the Department with the  
17 administrative costs associated with this Act.

18 Section 20. Issuance of licenses to carry a concealed  
19 firearm.

20 (a) The Department shall issue a license to an applicant  
21 who: (i) resides in a non-home rule county and (ii) meets the  
22 qualifications of Section 25; (iii) has provided the  
23 application and documentation required in Section 30; and (iv)  
24 has submitted the requisite fees. The Department shall issue a

1 renewal, corrected, or duplicate license in accordance with  
2 this Act.

3 (a-1) A licensee may carry a concealed handgun in any  
4 non-home rule county of this State regardless of the county of  
5 issuance, subject to the limitations and restrictions imposed  
6 by this Act.

7 (a-5) A licensee shall possess a license at all times the  
8 licensee carries a concealed firearm except (i) if the person  
9 is carrying or possessing a concealed weapon and the person is  
10 on his or her land or in his or her abode or legal dwelling or  
11 in the abode or legal dwelling of another person as an invitee  
12 with that person's permission; (ii) if the person is authorized  
13 to carry a firearm under Section 24-2 of the Criminal Code of  
14 2012; or (iii) the weapon is broken down in a non-functioning  
15 state, is not immediately accessible, or is enclosed in a case,  
16 firearm carrying box, shipping box, or other container.

17 (a-10) A licensee shall display the license upon the  
18 request of a peace officer or person designated to enforce the  
19 provisions of Section 70.

20 (b) The Department shall make applications for a license  
21 available no later than 180 days after the effective date of  
22 this Act. Applications shall be available at Department  
23 locations, sheriff offices, on the Department's official  
24 website, and any other location designated by the Department.

25 (c) A completed application for a license shall be  
26 submitted to the office of the sheriff of the county in which

1 the applicant resides with all accompanying materials and fees.  
2 The sheriff shall review the application and submit a completed  
3 application, all accompanying materials, and the application  
4 fee to the Department within 30 days of receipt. The sheriff  
5 shall promptly return an incomplete application to the  
6 applicant. Each applicant for a license shall submit a \$100  
7 application fee, of which \$25 shall be retained by the sheriff  
8 for expenses related to receiving and reviewing applications,  
9 and \$75 shall be submitted to the Department and deposited into  
10 the Citizen Safety and Self Defense Trust Fund. The sheriff may  
11 require an applicant to submit the fee in 2 portions: (1) \$25  
12 payable to the sheriff, and (2) \$75 payable to the Department.

13 (d) A sheriff may submit an objection to an application,  
14 provided the objection is in writing, includes specific reasons  
15 for the objection, and is submitted with the application. Upon  
16 request of a municipal law enforcement agency, the sheriff  
17 shall notify the municipal law enforcement agency of the name,  
18 address, and date of birth of any person submitting an  
19 application for a license. The municipal law enforcement agency  
20 may submit to the sheriff information deemed to be relevant to  
21 the application, and the sheriff may consider that information  
22 when determining whether to submit an objection. Any objection  
23 submitted by a sheriff, including reports submitted to a  
24 sheriff by a municipal law enforcement agency, must be  
25 disclosed to the applicant unless disclosure would interfere  
26 with a criminal investigation, or as determined by the

1 Department, that disclosure may threaten the safety or welfare  
2 of the sheriff or municipal law enforcement agency.

3 (e) Notwithstanding subsection (a), the Department may  
4 consider any objection or recommendation made by the sheriff  
5 and may determine the applicant is ineligible based solely on  
6 those objections. If the applicant is found by the Department  
7 to be ineligible, the Department shall deny the application and  
8 notify the applicant and the sheriff in writing, stating the  
9 grounds for denial. The notice of denial must inform the  
10 applicant that he or she may, within 30 days, appeal the denial  
11 and submit additional materials relevant to the grounds for  
12 denial. Upon receiving the additional documentation, the  
13 Department shall reconsider its decision and inform the  
14 applicant within 30 days of the result of the reconsideration.  
15 If upon reconsideration the Department denies the application,  
16 the applicant must be informed of the right to administrative  
17 review.

18 (f) The license shall be issued by the Department within 45  
19 days of receipt of a completed application from a sheriff. A  
20 license shall be valid for a period of 5 years.

21 (g) The Department shall adopt rules to implement the  
22 provisions of this Section.

23 Section 25. Qualifications of an applicant for a license.  
24 The Department shall issue a license to an applicant completing  
25 an application in accordance with Section 30 of this Act if the

1 person:

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

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

7 (c) resides within the State of Illinois or resides in  
8 another state and requests a license under Section 65;

9 (d) has not been convicted of (i) a felony, (ii) a  
10 misdemeanor involving the use or threat of physical force  
11 or violence to any person within the 10 years preceding the  
12 date of the application, or (iii) a misdemeanor involving  
13 the use, possession, or distribution of a controlled  
14 substance or cannabis within the 10 years preceding the  
15 date of the application;

16 (e) has not been a patient in a mental institution  
17 within the past 5 years, has not been adjudicated as a  
18 mental defective, and is not intellectually disabled;

19 (f) is not free on any form of bond or pretrial  
20 release, other than for a traffic offense or other  
21 disqualifying act, and has no outstanding warrants in  
22 Illinois or any other state;

23 (g) does not chronically and habitually use alcoholic  
24 beverages as evidenced by the applicant having 2 or more  
25 convictions for violating Section 11-501 of the Illinois  
26 Vehicle Code or similar provision of a local ordinance

1 within 5 years preceding the date of the application, or if  
2 the applicant has elected treatment under the supervision  
3 of a licensed program in accordance with the Alcoholism and  
4 Other Drug Abuse and Dependency Act or similar laws of any  
5 other state, within 5 years preceding the date of the  
6 application; and

7 (h) has completed firearms training and any  
8 educational component required in Section 85 of this Act.

9 Section 30. Contents of application.

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

14 (b) The application shall contain the following  
15 information:

16 (1) the applicant's name, current address, gender,  
17 date and year of birth, place of birth, height, weight,  
18 hair color, eye color, maiden name or any other name the  
19 applicant has used or identified with, and any address at  
20 which the applicant resided for more than 30 days within  
21 the 5 years preceding the date of the application;

22 (2) the applicant's driver's license or state  
23 identification card number and the last 4 digits of the  
24 applicant's social security number;

25 (3) questions to certify or demonstrate the applicant



1 has completed firearms training and any educational  
2 component required in Section 85 of this Act;

3 (4) a statement that the applicant is a resident of the  
4 State of Illinois, except persons applying under Section 65  
5 shall be instructed to submit the information required in  
6 that Section;

7 (5) a waiver of privacy and confidentiality rights and  
8 privileges of the applicant under all federal and State  
9 laws, including those governing access to juvenile court,  
10 criminal justice, psychological or psychiatric records, or  
11 records relating to the applicant's history of  
12 institutionalization, and an affirmative request that any  
13 person having custody of the records provide them or  
14 information concerning them to the Department;

15 (6) a conspicuous warning that false statements made by  
16 the applicant shall result in prosecution for perjury in  
17 accordance with Section 32-2 of the Criminal Code of 2012;

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

1 state to possess a handgun; and

2 (8) an affirmation that the applicant has never been  
3 convicted of (i) a felony, (ii) a misdemeanor involving the  
4 use or threat of physical force or violence to any person  
5 within the 10 years preceding the date of the application,  
6 or (iii) a misdemeanor involving the use, possession, or  
7 distribution of a controlled substance or cannabis within  
8 the 10 years preceding the date of the application.

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

19 (d) A person applying for a license shall submit with an  
20 application a full set of legible fingerprints. Fingerprinting  
21 may be administered by the Department or any other federal,  
22 State, county, or municipal law enforcement agency. The cost of  
23 fingerprinting shall be paid by the applicant, provided that  
24 the Department or law enforcement agency may charge no more  
25 than \$25 for a single set of fingerprints. The Department shall  
26 accept a hard copy or electronic version of fingerprints.

1           (e) A person applying for a license shall submit a  
2 photocopy of a certificate or other evidence of completion of a  
3 course to show compliance with Section 85 of this Act.

4           (f) The Department is authorized to establish a system for  
5 electronically submitting applications, including applications  
6 for renewal or a replacement license.

7           Section 35. Database of applicants and licensees.

8           (a) The Department shall maintain a database of applicants  
9 for a license and licenses. The database shall be available to  
10 all Illinois law enforcement agencies, State's Attorneys, and  
11 the Attorney General. Members and staff of the judiciary may  
12 access the database for the purpose of determining whether to  
13 confiscate a license or to ensure compliance with this Act or  
14 any other law. The database shall be searchable and provide all  
15 information included in the application, a photo of the  
16 applicant or licensee, and any information related to  
17 violations of this Act. Individual law enforcement agencies  
18 shall not maintain a separate, searchable database of  
19 applicants and licensees containing information included in  
20 the database.

21           (b) The Department shall make available on its website and  
22 upon request under the Freedom of Information Act statistical  
23 information about the age, race, and gender of applicants and  
24 licensees, and the number of licenses issued by county. The  
25 report shall be updated monthly. Except as provided in this

1 subsection, applications and information in the database shall  
2 be confidential and exempt from disclosure under the Freedom of  
3 Information Act. The Department may answer requests to confirm  
4 or deny whether a person has been issued a license as part of  
5 inquiries dealing with a criminal investigation. Individual  
6 law enforcement agencies, State's Attorneys, and judicial  
7 staff shall sign a confidentiality agreement, prepared by the  
8 Department, prior to receiving access to the database. No law  
9 enforcement agency, State's Attorney, or member or staff of the  
10 judiciary, other than the Department, shall provide any  
11 information to a requester not entitled to it by law, except as  
12 required or necessary for the conduct of a criminal  
13 investigation.

14 Section 40. Suspension or revocation of a license.

15 (a) A license issued or renewed under this Act shall be  
16 revoked if, at any time, the licensee is found ineligible for a  
17 license based on the criteria set forth in Section 25 of this  
18 Act or the licensee no longer possesses a Firearm Owner's  
19 Identification Card or if a non-resident licensee has his or  
20 her home state license to carry a firearm revoked. This  
21 subsection shall not apply to a person who has filed an  
22 application with the State Police for renewal of a Firearm  
23 Owner's Identification Card and who is not otherwise ineligible  
24 to obtain a Firearm Owner's Identification Card.

25 (b) A license shall be suspended if an order of protection

1 under Section 112A-14 of the Code of Criminal Procedure of 1963  
2 or under Section 214 of the Illinois Domestic Violence Act of  
3 1986 is issued against a licensee. The license shall be  
4 suspended for the duration of the order or until the order is  
5 terminated by a court and the Department shall not reissue or  
6 renew a license for the duration of the order or until the  
7 order is terminated. If an order of protection is issued  
8 against a licensee, the licensee shall surrender the license,  
9 as applicable, to the court at the time the order is entered or  
10 to the law enforcement agency or entity designated to serve  
11 process at the time the licensee is served the order. The  
12 court, law enforcement agency, or entity responsible for  
13 serving the order shall transmit the license to the Department.

14 (c) The Department may temporarily or permanently suspend a  
15 license for a violation of Section 70 of this Act in accordance  
16 with subsection (i) of Section 70.

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

22 (e) The Department may suspend a license if a licensee  
23 fails to submit a change of address or name or fails to report  
24 a lost or destroyed license to the Department within 30 days.

25 Section 45. Renewal of license.

1           (a) Not later than 120 days before the expiration of any  
2 license issued under this Act, the Department shall notify the  
3 licensee in writing of the expiration and furnish an  
4 application for renewal of the license or make the application  
5 available on-line.

6           (b) Applications for renewal of a license shall be made  
7 directly to the Department. A license shall be renewed for a  
8 period of 5 years upon receipt of a completed renewal  
9 application and a \$50 renewal fee. The renewal application  
10 shall contain the information required in Section 30, except  
11 that the applicant need not resubmit a full set of  
12 fingerprints. Each applicant for a renewal shall submit, on a  
13 form prescribed by the Department, proof that the applicant (i)  
14 has participated in at least one shooting competition with a  
15 handgun within 6 months of the application for renewal, (ii)  
16 has completed an equivalent range exercise as prescribed in  
17 Section 85 and attested to by any instructor qualified under  
18 this Act, a certified law enforcement instructor, or NRA  
19 certified instructor, or (iii) has completed Firearms  
20 Instructor Training under Section 90. The Department shall make  
21 the range recertification form available on its website or as  
22 part of a renewal application.

23           Section 50. Change of address, change of name, or lost or  
24 destroyed licenses.

25           (a) The licensee shall notify the Department within 30 days

1 of moving or changing a residence or any change of name, and  
2 upon the discovery of the loss or destruction of a license.

3 (b) If a licensee changes residence within this State or  
4 changes his or her name, the licensee shall request a new  
5 license. The licensee shall submit a \$25 fee, a notarized  
6 statement that the licensee has changed residence or his or her  
7 name, and a photograph as required in Section 30 of this Act.  
8 The statement must include the prior and current address or  
9 name and the date the licensee moved or changed his or her  
10 name.

11 (c) A lost or destroyed license shall be invalid. To  
12 request a new license, the licensee shall submit (i) a \$25 fee,  
13 (ii) a notarized statement that the licensee no longer  
14 possesses the license and that it was lost or destroyed, (iii)  
15 a copy of a police report stating that the license was lost,  
16 destroyed, or stolen, and (iv) a photograph as required in  
17 Section 30 of this Act.

18 Section 65. Non-resident applications. A person from  
19 another state or territory of the United States may apply for a  
20 non-resident license. The applicant shall apply to the  
21 Department and must meet the qualifications established in  
22 Section 25. The applicant shall submit (i) the application and  
23 documentation required in Section 30; (ii) a notarized document  
24 stating the applicant (A) is eligible under federal law and the  
25 laws of his or her home state to own a firearm, (B) if

1 applicable, has a license or permit to carry a firearm or  
2 concealed firearm issued by his or her home state and that a  
3 copy is attached to the application, (C) understands Illinois  
4 laws pertaining to the possession and transport of firearms,  
5 and (D) acknowledges that the applicant is subject to the  
6 jurisdiction of the Department and Illinois courts for any  
7 violation of this Act; and (iii) a \$100 application fee. In  
8 lieu of an Illinois State driver's license or identification  
9 card, he or she shall provide similar documentation from his or  
10 her state or territory.

11 Section 70. Restrictions.

12 (a) No license issued under this Act shall authorize any  
13 person to knowingly carry a handgun into:

14 (1) Any building under the control of the Governor,  
15 Lieutenant Governor, Attorney General, Secretary of State,  
16 Comptroller, or Treasurer.

17 (2) Any building under control of the General Assembly  
18 or any of its support service agencies, including the  
19 portion of a building in which a committee of the General  
20 Assembly convenes for the purpose of conducting meetings of  
21 committees, joint committees, or legislative commissions.

22 (3) Any courthouse or building occupied in whole or in  
23 part by the Circuit, Appellate, or Supreme Court or a room  
24 designated as a courtroom for court proceedings by any of  
25 these courts.



1           (4) Any meeting of the governing body of a unit of  
2 local government or special district.

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

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

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

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

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

19          (10) Any gaming facility licensed under the Riverboat  
20 Gambling Act or the Illinois Horse Racing Act of 1975.

21          (11) Any gated area of an amusement park.

22          (12) Any stadium, arena, or collegiate or professional  
23 sporting event.

24          (13) Any mental health facility.

25          (14) Any community college, college, or university  
26 campus without consent of the school authorities. School

1 authorities shall inform the appropriate law enforcement  
2 agency and any law enforcement personnel on site of that  
3 consent.

4 (15) Any library without the written consent of the  
5 library's governing body. The governing body shall inform  
6 the appropriate law enforcement agency of that consent.

7 (16) Any police, sheriff, or State Police office or  
8 station without the consent of the chief law enforcement  
9 officer in charge of that office or station.

10 (17) Any adult or juvenile detention or correctional  
11 institution, prison, or jail.

12 (b) A municipality or school district may prohibit or limit  
13 licensees from carrying a handgun into or within any building  
14 owned, leased, or controlled by that municipality or school  
15 district by a majority vote of members of its governing board.  
16 A resolution or ordinance shall not prohibit a licensee from  
17 carrying a handgun in any building used for public housing, on  
18 any sidewalk, on any highway or roadway, or in any public  
19 restroom. A resolution or ordinance shall not prohibit a  
20 licensee from carrying a handgun in a public transportation  
21 facility or while accessing the services of a public  
22 transportation agency. For purposes of this Section, "public  
23 transportation facility" means a terminal or other place where  
24 a person may obtain public transportation. For purposes of this  
25 Section, "public transportation agency" means a public or  
26 private agency that provides transportation or conveyance of

1 persons by means available to the general public, except for  
2 transportation by automobiles not used for conveyance of the  
3 general public as passengers. The resolution or ordinance may  
4 specify that persons violating the resolution or ordinance may  
5 be denied entrance to the building and subjected to a civil  
6 fine of no more than \$100 for any violation of the provisions  
7 of the resolution or ordinance.

8 (c) The owner, business or commercial lessee, or manager of  
9 a private business enterprise, or any other private  
10 organization, entity, or person, may prohibit licensees from  
11 carrying a handgun on the premises under its control. However,  
12 any owner shall allow for any lessee to carry or possess a  
13 handgun in accordance with this Act in any part of a building  
14 or upon any property he or she leases.

15 (d) Any person licensed under this Act who is prohibited  
16 from carrying a handgun into a building or on the premises as  
17 specified in subsection (a) or designated in accordance with  
18 subsection (b) or (c) shall be permitted to store that handgun  
19 or ammunition in a locked vehicle or locked compartment or  
20 container within his or her vehicle. A licensee shall not be in  
21 violation of this Section if the firearm is on his or her  
22 person or located in a vehicle on or near the premises or when  
23 traveling along a public right of way specified or designated  
24 in subsection (a), (b), or (c). A licensee shall not be in  
25 violation of subsection (b) or (c) of this Section if a  
26 building or premises designated under subsection (b) or (c) if

1 the building or premises is not properly posted as required  
2 under subsection (g) of this Section.

3 (e) If a law enforcement officer initiates an investigative  
4 stop, including but not limited to a traffic stop, of a  
5 licensee who is carrying a concealed firearm, the licensee  
6 shall immediately disclose to the officer that he or she is in  
7 possession of a concealed firearm under this Act.

8 (f) A licensee shall not carry a concealed firearm while  
9 under the influence of illegal drugs or hallucinogenic drugs or  
10 alcohol. For the purposes of this subsection (f), under the  
11 influence of alcohol means a blood alcohol content of .08 or  
12 greater.

13 (g) Signs stating that the carrying of a concealed weapon  
14 is prohibited shall be clearly and conspicuously posted at  
15 every entrance of a building or premises specified in  
16 subsection (a) or designated in accordance with subsection (b)  
17 or (c). The Department shall adopt rules for standardized signs  
18 to be used under this subsection.

19 (h) A violation of subsection (a), (b), (c), (d), (e), or  
20 (f) is a Class B misdemeanor. A willful violation of subsection  
21 (a), (b), (c), (d), (e), or (f) is a Class A misdemeanor. The  
22 court may require a licensee to pay a \$150 fee, in addition to  
23 any other fines, fees, or court costs, for a violation of  
24 subsection (e). This fee shall be deposited into the Citizen  
25 Safety and Self-Defense Trust Fund.

26 (i) The Department may suspend a license for up to 90 days

1 for a violation of subsection (a), (b), (c), (d), (e), or (f)  
2 or up to 180 days for a willful violation of subsection (a),  
3 (b), (c), (d), (e), or (f). The Department shall permanently  
4 revoke a license for 3 or more violations of this Section.

5 Section 75. Immunity, employees, agents, businesses, and  
6 private entities.

7 (a) The office of the county sheriff, or any employee or  
8 agent of the county sheriff, or the Department of State Police  
9 shall not be liable for damages in any civil action arising  
10 from alleged wrongful or improper granting, renewing, or  
11 failure to revoke licenses issued under this Act, except for  
12 willful or wanton misconduct. The office of the county sheriff  
13 and any employees or agents shall not be liable for submitting  
14 specific or articulable reasons why an applicant should be  
15 denied a license, unless the objection contains false,  
16 malicious, or inaccurate information and the objection  
17 constituted willful and wanton misconduct.

18 (b) A municipality, school district, or the owner, business  
19 or commercial lessee, or manager of a private business  
20 enterprise, or any other private organization or entity shall  
21 not be liable for damages in any civil action arising from  
22 prohibiting licensees from carrying a handgun on the premises  
23 under his, her, or its control.

24 Section 80. Fees.

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

4 (b) Fees shall be:

5 New license: \$100.

6 Renewal of license: \$50.

7 Duplicate license due to lost or destroyed: \$25.

8 Corrected license due to change of address or name: \$25.

9 Late renewal fee: \$25.

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

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

24 Section 85. Applicant training.

25 (a) The applicant training course shall be the standardized

1 training course furnished by the Department and taught by a  
2 qualified firearms instructor, consisting of 8 hours of  
3 instruction, covering at least the following topics:

4 (1) handgun safety in the classroom, at home, on the  
5 firing range, or while carrying the firearm;

6 (2) the basic principles of marksmanship;

7 (3) care and cleaning of handguns; and

8 (4) by means of a videotape produced or approved by the  
9 Department:

10 (A) the requirements for obtaining a handgun carry  
11 license in this State;

12 (B) laws relating to firearms as prescribed in the  
13 Firearm Owners Identification Card Act, Article 24 of  
14 the Criminal Code of 2012, and 18 U.S.C. 921 through  
15 930; and

16 (C) laws relating to the justifiable use of force  
17 as prescribed in Article 7 of the Criminal Code of  
18 2012.

19 (5) live firing exercises of sufficient duration for  
20 each applicant to fire a handgun:

21 (A) a minimum of 30 rounds; and

22 (B) 20 rounds from a distance of 7 yards and 10  
23 rounds from a distance of 15 yards at a B-21 silhouette  
24 or equivalent target as approved by the Department.

25 (b) The classroom portion of the course may, at the  
26 qualified firearms instructor's discretion, be divided into

1 segments of not less than 2 hours each.

2 (c) Applicant training courses shall not be open to anyone  
3 under the age of 16 and no certificate of completion shall be  
4 issued to persons less than 20 years of age.

5 (c-5) Instructors shall maintain all records for students'  
6 performance for not less than 5 years.

7 (d) Qualified firearms instructors may only discuss the  
8 contents of the video or the statutory provisions of listed in  
9 clauses (A), (B), and (C) of subparagraph (4) of paragraph (a)  
10 to ensure the students comprehend the subject matter for  
11 preparation of the written exam.

12 (e) At the conclusion of the classroom portion of the  
13 applicant training course, the qualified firearms instructor  
14 shall:

15 (1) distribute a standard course examination to the  
16 students;

17 (2) not leave the room in which the examination is  
18 being held while the examination is in progress;

19 (3) collect examination booklets and answer sheets  
20 from each student at the end of the examination period; and

21 (4) not grade the examinations in the presence of  
22 students.

23 (f) A person shall not:

24 (1) make an unauthorized copy of the applicant training  
25 course examination, in whole or in part;

26 (2) possess the applicant training course examination,



1 or questions from the examination, unless authorized by the  
2 Department; or

3 (3) divulge the contents of an applicant training  
4 course examination questions to another person.

5 (g) Students shall provide their own safe, functional  
6 handgun and factory-loaded ammunition.

7 (h) Grades of "passing" shall not be given on range work to  
8 an applicant who:

9 (1) does not follow the orders of the certified  
10 firearms instructor;

11 (2) in the judgment of the certified firearms  
12 instructor, handles a firearm in a manner that poses a  
13 danger to the applicant or to others; or

14 (3) during the testing portion of the range work fails  
15 to hit the silhouette portion of the target with 70% of the  
16 30 rounds fired.

17 (i) Certified firearms instructors shall:

18 (1) allow monitoring of their classes by officials of  
19 any certifying agency;

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

22 (3) not divulge course records except as authorized by  
23 the certifying agency.

24 (j) Fees for applicant training courses shall be set by the  
25 instructor.

26 (k) An applicant training course shall not have more than

1 40 students in the classroom portion or more than 5 students  
2 per range officer engaged in range firing.

3 (1) Within 3 business days after the completion of the  
4 course, the certified firearms instructor shall:

5 (1) grade the examinations; and

6 (2) issue to the student:

7 (A) a certificate of successful course completion;  
8 nothing in this Section shall prevent the instructor  
9 from issuing the certificate on the same day as the  
10 course was completed; or

11 (B) notification that the applicant has failed the  
12 written portion of the course, the live firing portion  
13 of the course, or both, and will not be issued a  
14 certificate of completion.

15 (m) A student shall be issued a certificate of completion  
16 if he or she:

17 (1) answers at least 70% of the written examination  
18 questions correctly. The Department shall develop the  
19 written exam not to exceed 50 questions; and

20 (2) achieves a grade of "passing" on the range work.

21 (n) (1) Students who score below 70% on the written  
22 examination may retake the examination one time without having  
23 to retake the course.

24 (2) Students who do not achieve a grade of "passing" on the  
25 range work may repeat the range work one time without having to  
26 retake the course.

1           (o) The Department shall make materials for applicant  
2 training available to qualified instructors online through the  
3 Department's website or Internet. If the Department fails to  
4 have training materials available 90 days after the effective  
5 date of this Act, then the requirements of this Section shall  
6 be deemed to have been met by the applicant providing proof of  
7 passage of a National Rifle Association Basic Pistol Course.

8           (p) For purposes of this Section, successful completion of  
9 Firearms Instructor Training under Section 90 shall meet the  
10 training requirements of this Section.

11           Section 90. Firearms instructors training.

12           (a) Not later than 90 days after the effective date of this  
13 Act, the Department shall offer and teach courses to qualify  
14 instructors under this Section in each State Police District.  
15 Courses shall be available at least bi-monthly, or whenever 5  
16 or more individuals request a class in any State Police  
17 District. However, nothing in this Section shall require a  
18 course to be held if there are no requests pending, and  
19 adjoining districts may combine classes in order to have at  
20 least 5 participants.

21           (b) Persons who are not qualified firearms instructors  
22 shall not teach applicant training courses.

23           (c) Persons who are not qualified firearms instructors  
24 shall not advertise or otherwise represent courses they teach  
25 as qualifying their students to meet the requirements to

1 receive a handgun carry license in this State.

2 (d) Persons who are not certified instructor trainers shall  
3 not teach instructor qualification courses.

4 (e) Persons wishing to become qualified firearms  
5 instructors shall:

6 (1) be at least 21 years of age;

7 (2) be a citizen of the United States; and

8 (3) meet the requirements of subsection (c) of Section  
9 25.

10 (f) Persons wishing to become instructor trainers, in  
11 addition to the requirements of subsection (e) of this Section,  
12 shall:

13 (1) possess a high school diploma or GED certificate;

14 and

15 (2) have at least one of the following valid firearms  
16 instructor certifications:

17 (A) any National Rifle Association Instructor  
18 Certification;

19 (B) certification from a firearms instructor's  
20 course offered by a State or federal governmental  
21 agency; or

22 (C) a similar firearms instructor qualifying  
23 course, approved by the Director of State Police or his  
24 or her designee.

25 (g) (1) Applicants shall agree to background checks.

26 (2) An applicant may be disqualified from taking firearms

1 instructor training, or have his or her instructor  
2 qualification revoked, if the applicant:

3 (A) does not meet the requirements of this Act to  
4 possess a handgun carry license;

5 (B) provides false or misleading information on the  
6 application; or

7 (C) has had a prior instructor qualification revoked by  
8 the Department or other issuing body.

9 (h) The training course to certify firearms instructors and  
10 instructor trainers shall include:

11 (1) Not more than 16 hours of instruction covering at  
12 least the following topics by means of a videotape produced  
13 or approved by the Department:

14 (A) the requirements for obtaining a handgun carry  
15 license in this State;

16 (B) laws relating to firearms as contained in the  
17 Firearm Owners Identification Card Act, Article 24 of  
18 the Criminal Code of 2012, and 18 U.S.C. 921 through  
19 930;

20 (C) laws relating to the justifiable use of force  
21 as contained in Article 7 of the Criminal Code of 2012;

22 (D) the conducting of applicant training courses;

23 (E) record-keeping requirements of this Act;

24 (F) the basic nomenclature of handguns;

25 (G) the basic principles of marksmanship; and

26 (H) the safe handling of handguns.

1           (2) A classroom demonstration, during which the  
2 instructor candidate shall receive instruction on and  
3 demonstrate competency in the ability to prepare and  
4 deliver a classroom presentation using materials from the  
5 applicant curriculum.

6           (3) Range instruction and firing of live ammunition,  
7 during which the instructor candidate shall receive  
8 instruction on and demonstrate competency in the ability  
9 to:

10           (A) handle and fire a handgun safely and  
11 accurately;

12           (B) conduct a function test and safety inspection  
13 of revolvers and pistols;

14           (C) clean revolvers and pistols; and

15           (D) supervise and conduct live firing exercises in  
16 a safe and efficient manner.

17           (i) To qualify as a certified firearms instructor or  
18 instructor trainer, instructor candidates shall achieve:

19           (1) a minimum score of 70% on a written examination  
20 covering the material taught during the classroom portion  
21 of the course; and

22           (2) a minimum score of 70% on range firing of a handgun  
23 while aiming at a B-21 silhouette target or an equivalent  
24 as approved by the Department, with a minimum of:

25           (A) twenty rounds from 7 yards; and

26           (B) ten rounds from 15 yards; and

1 (C) a score of "passing" from the course instructor  
2 for demonstrating competency in each of the following:

- 3 (i) supervising and conducting live fire;  
4 (ii) cleaning and inspecting handguns; and  
5 (iii) preparing and delivering the classroom  
6 lecture.

7 (j) Instructor candidates who fail to meet the minimum  
8 requirements of subsection (i) of this Section may retake the  
9 examination, range work, or classroom demonstration one time  
10 without having to repeat the course.

11 (k) Qualified firearms instructor and instructor trainer  
12 certificates shall be valid for 10 years from the date of  
13 issue. Qualified firearms instructors or instructor trainers  
14 may renew their certification by successfully completing a  
15 refresher course offered or approved by the Department.

16 (l) The fees for instructor courses or refresher courses  
17 shall be \$100 per student paid to the Department. Fees shall  
18 not be refunded to those who do not pass or otherwise fail to  
19 complete a course.

20 (m) Course participants shall provide their own safe,  
21 functional handgun and factory-loaded ammunition.

22 (n) Prior to conducting range firing, the course instructor  
23 shall:

- 24 (1) inspect each applicant's firearm; and  
25 (2) not allow the firing of a handgun which is not in  
26 sound mechanical condition or otherwise may pose a safety

1 hazard.

2 Section 100. Operability. This Act becomes operative 120  
3 days after the effective date of this Act.

4 Section 105. Severability. The provisions of this Act are  
5 severable under Section 1.31 of the Statute on Statutes.

6 Section 900. The Freedom of Information Act is amended by  
7 changing Section 7.5 as follows:

8 (5 ILCS 140/7.5)

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

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

14 (b) Library circulation and order records identifying  
15 library users with specific materials under the Library Records  
16 Confidentiality Act.

17 (c) Applications, related documents, and medical records  
18 received by the Experimental Organ Transplantation Procedures  
19 Board and any and all documents or other records prepared by  
20 the Experimental Organ Transplantation Procedures Board or its  
21 staff relating to applications it has received.

22 (d) Information and records held by the Department of



1 Public Health and its authorized representatives relating to  
2 known or suspected cases of sexually transmissible disease or  
3 any information the disclosure of which is restricted under the  
4 Illinois Sexually Transmissible Disease Control Act.

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

7 (f) Firm performance evaluations under Section 55 of the  
8 Architectural, Engineering, and Land Surveying Qualifications  
9 Based Selection Act.

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

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

17 (i) Information contained in a local emergency energy plan  
18 submitted to a municipality in accordance with a local  
19 emergency energy plan ordinance that is adopted under Section  
20 11-21.5-5 of the Illinois Municipal Code.

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

24 (k) Law enforcement officer identification information or  
25 driver identification information compiled by a law  
26 enforcement agency or the Department of Transportation under

1 Section 11-212 of the Illinois Vehicle Code.

2 (l) Records and information provided to a residential  
3 health care facility resident sexual assault and death review  
4 team or the Executive Council under the Abuse Prevention Review  
5 Team Act.

6 (m) Information provided to the predatory lending database  
7 created pursuant to Article 3 of the Residential Real Property  
8 Disclosure Act, except to the extent authorized under that  
9 Article.

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

17 (o) Information that is prohibited from being disclosed  
18 under Section 4 of the Illinois Health and Hazardous Substances  
19 Registry Act.

20 (p) Security portions of system safety program plans,  
21 investigation reports, surveys, schedules, lists, data, or  
22 information compiled, collected, or prepared by or for the  
23 Regional Transportation Authority under Section 2.11 of the  
24 Regional Transportation Authority Act or the St. Clair County  
25 Transit District under the Bi-State Transit Safety Act.

26 (q) Information prohibited from being disclosed by the

1 Personnel Records Review Act.

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

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

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

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

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

24 (w) Personally identifiable information which is exempted  
25 from disclosure under subsection (g) of Section 19.1 of the  
26 Toll Highway Act.

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

4 (y) Information maintained by the Department of State  
5 Police in accordance with subsection (a) of Section 35 of the  
6 Family and Personal Protection Act, except as authorized by  
7 that Act.

8 (Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11;  
9 96-1331, eff. 7-27-10; 97-80, eff. 7-5-11; 97-333, eff.  
10 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976,  
11 eff. 1-1-13.)

12 Section 905. The State Finance Act is amended by adding  
13 Section 5.826 as follows:

14 (30 ILCS 105/5.826 new)

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

16 Section 910. The Criminal Code of 2012 is amended by  
17 changing Sections 21-6 and 24-2 as follows:

18 (720 ILCS 5/21-6) (from Ch. 38, par. 21-6)

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

20 (a) Whoever possesses or stores any weapon enumerated in  
21 Section 33A-1 in any building or on land supported in whole or  
22 in part with public funds or in any building on such land

1 without prior written permission from the chief security  
2 officer for such land or building commits a Class A  
3 misdemeanor.

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

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

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

9 (720 ILCS 5/24-2)

10 Sec. 24-2. Exemptions.

11 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and  
12 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of  
13 the following:

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

17 (2) Wardens, superintendents and keepers of prisons,  
18 penitentiaries, jails and other institutions for the  
19 detention of persons accused or convicted of an offense,  
20 while in the performance of their official duty, or while  
21 commuting between their homes and places of employment.

22 (3) Members of the Armed Services or Reserve Forces of  
23 the United States or the Illinois National Guard or the  
24 Reserve Officers Training Corps, while in the performance  
25 of their official duty.

1           (4) Special agents employed by a railroad or a public  
2 utility to perform police functions, and guards of armored  
3 car companies, while actually engaged in the performance of  
4 the duties of their employment or commuting between their  
5 homes and places of employment; and watchmen while actually  
6 engaged in the performance of the duties of their  
7 employment.

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

1 firearm control cards issued under the provisions of this  
2 Section shall be the same as for those cards issued under  
3 the provisions of the Private Detective, Private Alarm,  
4 Private Security, Fingerprint Vendor, and Locksmith Act of  
5 2004. The firearm control card shall be carried by the  
6 private security contractor, private detective, or private  
7 alarm contractor, or employee of the licensed agency at all  
8 times when he or she is in possession of a concealable  
9 weapon.

10 (6) Any person regularly employed in a commercial or  
11 industrial operation as a security guard for the protection  
12 of persons employed and private property related to such  
13 commercial or industrial operation, while actually engaged  
14 in the performance of his or her duty or traveling between  
15 sites or properties belonging to the employer, and who, as  
16 a security guard, is a member of a security force of at  
17 least 5 persons registered with the Department of Financial  
18 and Professional Regulation; provided that such security  
19 guard has successfully completed a course of study,  
20 approved by and supervised by the Department of Financial  
21 and Professional Regulation, consisting of not less than 40  
22 hours of training that includes the theory of law  
23 enforcement, liability for acts, and the handling of  
24 weapons. A person shall be considered eligible for this  
25 exemption if he or she has completed the required 20 hours  
26 of training for a security officer and 20 hours of required

1 firearm training, and has been issued a firearm control  
2 card by the Department of Financial and Professional  
3 Regulation. Conditions for the renewal of firearm control  
4 cards issued under the provisions of this Section shall be  
5 the same as for those cards issued under the provisions of  
6 the Private Detective, Private Alarm, Private Security,  
7 Fingerprint Vendor, and Locksmith Act of 2004. The firearm  
8 control card shall be carried by the security guard at all  
9 times when he or she is in possession of a concealable  
10 weapon.

11 (7) Agents and investigators of the Illinois  
12 Legislative Investigating Commission authorized by the  
13 Commission to carry the weapons specified in subsections  
14 24-1(a)(3) and 24-1(a)(4), while on duty in the course of  
15 any investigation for the Commission.

16 (8) Persons employed by a financial institution for the  
17 protection of other employees and property related to such  
18 financial institution, while actually engaged in the  
19 performance of their duties, commuting between their homes  
20 and places of employment, or traveling between sites or  
21 properties owned or operated by such financial  
22 institution, provided that any person so employed has  
23 successfully completed a course of study, approved by and  
24 supervised by the Department of Financial and Professional  
25 Regulation, consisting of not less than 40 hours of  
26 training which includes theory of law enforcement,



1 liability for acts, and the handling of weapons. A person  
2 shall be considered to be eligible for this exemption if he  
3 or she has completed the required 20 hours of training for  
4 a security officer and 20 hours of required firearm  
5 training, and has been issued a firearm control card by the  
6 Department of Financial and Professional Regulation.  
7 Conditions for renewal of firearm control cards issued  
8 under the provisions of this Section shall be the same as  
9 for those issued under the provisions of the Private  
10 Detective, Private Alarm, Private Security, Fingerprint  
11 Vendor, and Locksmith Act of 2004. Such firearm control  
12 card shall be carried by the person so trained at all times  
13 when such person is in possession of a concealable weapon.  
14 For purposes of this subsection, "financial institution"  
15 means a bank, savings and loan association, credit union or  
16 company providing armored car services.

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

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

22 (11) Investigators of the Office of the State's  
23 Attorneys Appellate Prosecutor authorized by the board of  
24 governors of the Office of the State's Attorneys Appellate  
25 Prosecutor to carry weapons pursuant to Section 7.06 of the  
26 State's Attorneys Appellate Prosecutor's Act.

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

3           (12.5) Probation officers while in the performance of  
4 their duties, or while commuting between their homes,  
5 places of employment or specific locations that are part of  
6 their assigned duties, with the consent of the chief judge  
7 of the circuit for which they are employed.

8           (13) Court Security Officers while in the performance  
9 of their official duties, or while commuting between their  
10 homes and places of employment, with the consent of the  
11 Sheriff.

12           (13.5) A person employed as an armed security guard at  
13 a nuclear energy, storage, weapons or development site or  
14 facility regulated by the Nuclear Regulatory Commission  
15 who has completed the background screening and training  
16 mandated by the rules and regulations of the Nuclear  
17 Regulatory Commission.

18           (14) Manufacture, transportation, or sale of weapons  
19 to persons authorized under subdivisions (1) through  
20 (13.5) of this subsection to possess those weapons.

21           (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
22 24-1.6 do not apply to or affect any of the following:

23           (1) Members of any club or organization organized for  
24 the purpose of practicing shooting at targets upon  
25 established target ranges, whether public or private, and  
26 patrons of such ranges, while such members or patrons are

1 using their firearms on those target ranges.

2 (2) Duly authorized military or civil organizations  
3 while parading, with the special permission of the  
4 Governor.

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

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

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

13 (6) A licensee under the Family and Personal Protection  
14 Act, notwithstanding Section 70 of that Act, if the  
15 licensee meets the requirements of the Family and Personal  
16 Protection Act.

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

19 (1) Peace officers while in performance of their  
20 official duties.

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

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

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

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

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

23           (6) The manufacture, transport, testing, delivery,  
24 transfer or sale, and all lawful commercial or experimental  
25 activities necessary thereto, of rifles, shotguns, and  
26 weapons made from rifles or shotguns, or ammunition for

1 such rifles, shotguns or weapons, where engaged in by a  
2 person operating as a contractor or subcontractor pursuant  
3 to a contract or subcontract for the development and supply  
4 of such rifles, shotguns, weapons or ammunition to the  
5 United States government or any branch of the Armed Forces  
6 of the United States, when such activities are necessary  
7 and incident to fulfilling the terms of such contract.

8 The exemption granted under this subdivision (c)(6)  
9 shall also apply to any authorized agent of any such  
10 contractor or subcontractor who is operating within the  
11 scope of his employment, where such activities involving  
12 such weapon, weapons or ammunition are necessary and  
13 incident to fulfilling the terms of such contract.

14 During transportation, any such weapon shall be broken  
15 down in a non-functioning state, or not immediately  
16 accessible.

17 (7) A person possessing a rifle with a barrel or  
18 barrels less than 16 inches in length if: (A) the person  
19 has been issued a Curios and Relics license from the U.S.  
20 Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B)  
21 the person is an active member of a bona fide, nationally  
22 recognized military re-enacting group and the modification  
23 is required and necessary to accurately portray the weapon  
24 for historical re-enactment purposes; the re-enactor is in  
25 possession of a valid and current re-enacting group  
26 membership credential; and the overall length of the weapon

1 as modified is not less than 26 inches.

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

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

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

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

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

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

23 (2) Bonafide collectors of antique or surplus military  
24 ordinance.

25 (3) Laboratories having a department of forensic  
26 ballistics, or specializing in the development of

1           ammunition or explosive ordinance.

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

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

1 or not immediately accessible.

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

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

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

26 (h) An information or indictment based upon a violation of



1 any subsection of this Article need not negative any exemptions  
2 contained in this Article. The defendant shall have the burden  
3 of proving such an exemption.

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

18 (Source: P.A. 96-7, eff. 4-3-09; 96-230, eff. 1-1-10; 96-742,  
19 eff. 8-25-09; 96-1000, eff. 7-2-10; 97-465, eff. 8-22-11;  
20 97-676, eff. 6-1-12; 97-936, eff. 1-1-13; 97-1010, eff. 1-1-13;  
21 revised 8-23-12.)

1 INDEX

2 Statutes amended in order of appearance

3 New Act

4 5 ILCS 140/7.5

5 30 ILCS 105/5.826 new

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

7 720 ILCS 5/24-2