



Sen. Don Harmon

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10200HB5471sam001

LRB102 24372 JDS 42553 a

1 AMENDMENT TO HOUSE BILL 5471

2 AMENDMENT NO. _____. Amend House Bill 5471 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. This Act may be referred to as the Protect
5 Illinois Communities Act.

6 Section 5. The Illinois State Police Law of the Civil
7 Administrative Code of Illinois is amended by changing
8 Sections 2605-35 and 2605-51.1 as follows:

9 (20 ILCS 2605/2605-35) (was 20 ILCS 2605/55a-3)

10 Sec. 2605-35. Division of Criminal Investigation.

11 (a) The Division of Criminal Investigation shall exercise
12 the following functions and those in Section 2605-30:

13 (1) Exercise the rights, powers, and duties vested by
14 law in the Illinois State Police by the Illinois Horse
15 Racing Act of 1975, including those set forth in Section

1 2605-215.

2 (2) Investigate the origins, activities, personnel,
3 and incidents of crime and enforce the criminal laws of
4 this State related thereto.

5 (3) Enforce all laws regulating the production, sale,
6 prescribing, manufacturing, administering, transporting,
7 having in possession, dispensing, delivering,
8 distributing, or use of controlled substances and
9 cannabis.

10 (4) Cooperate with the police of cities, villages, and
11 incorporated towns and with the police officers of any
12 county in enforcing the laws of the State and in making
13 arrests and recovering property.

14 (5) Apprehend and deliver up any person charged in
15 this State or any other state with treason or a felony or
16 other crime who has fled from justice and is found in this
17 State.

18 (6) Investigate recipients and providers under the
19 Illinois Public Aid Code and any personnel involved in the
20 administration of the Code who are suspected of any
21 violation of the Code pertaining to fraud in the
22 administration, receipt, or provision of assistance and
23 pertaining to any violation of criminal law; and exercise
24 the functions required under Section 2605-220 in the
25 conduct of those investigations.

26 (7) Conduct other investigations as provided by law,

1 including, but not limited to, investigations of human
2 trafficking, illegal drug trafficking, and illegal
3 firearms trafficking.

4 (8) Investigate public corruption.

5 (9) Exercise other duties that may be assigned by the
6 Director in order to fulfill the responsibilities and
7 achieve the purposes of the Illinois State Police, which
8 may include the coordination of gang, terrorist, and
9 organized crime prevention, control activities, and
10 assisting local law enforcement in their crime control
11 activities.

12 (10) Conduct investigations (and cooperate with
13 federal law enforcement agencies in the investigation) of
14 any property-related crimes, such as money laundering,
15 involving individuals or entities listed on the sanctions
16 list maintained by the U.S. Department of Treasury's
17 Office of Foreign Asset Control.

18 (b) (Blank).

19 (c) The Division of Criminal Investigation shall provide
20 statewide coordination and strategy pertaining to
21 firearm-related intelligence, firearms trafficking
22 interdiction, and investigations reaching across all divisions
23 of the Illinois State Police, including providing crime gun
24 intelligence support for suspects and firearms involved in
25 firearms trafficking or the commission of a crime involving
26 firearms that is investigated by the Illinois State Police and

1 other federal, State, and local law enforcement agencies, with
2 the objective of reducing and preventing illegal possession
3 and use of firearms, firearms trafficking, firearm-related
4 homicides, and other firearm-related violent crimes in
5 Illinois.

6 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22;
7 102-1108, eff. 12-21-22.)

8 (20 ILCS 2605/2605-51.1)

9 (Section scheduled to be repealed on June 1, 2026)

10 Sec. 2605-51.1. Commission on Implementing the Firearms
11 Restraining Order Act.

12 (a) There is created the Commission on Implementing the
13 Firearms Restraining Order Act composed of at least 12 members
14 to advise on the strategies of education and implementation of
15 the Firearms Restraining Order Act. The Commission shall be
16 appointed by the Director of the Illinois State Police or his
17 or her designee and shall include a liaison or representative
18 nominated from the following:

19 (1) the Office of the Attorney General, appointed by
20 the Attorney General;

21 (2) the Director of the Illinois State Police or his
22 or her designee;

23 (3) at least 3 State's Attorneys, nominated by the
24 Director of the Office of the State's Attorneys Appellate
25 Prosecutor;

1 (4) at least 2 municipal police department
2 representatives, nominated by the Illinois Association of
3 Chiefs of Police;

4 (5) an Illinois sheriff, nominated by the Illinois
5 Sheriffs' Association;

6 (6) the Director of Public Health or his or her
7 designee;

8 (7) the Illinois Law Enforcement Training Standards
9 Board, nominated by the Executive Director of the Board;

10 (8) a representative from a public defender's office,
11 nominated by the State Appellate Defender;

12 (9) a circuit court judge, nominated by the Chief
13 Justice of the Supreme Court;

14 (10) a prosecutor with experience managing or
15 directing a program in another state where the
16 implementation of that state's extreme risk protection
17 order law has achieved high rates of petition filings
18 nominated by the National District Attorneys Association;

19 ~~and~~

20 (11) an expert from law enforcement who has experience
21 managing or directing a program in another state where the
22 implementation of that state's extreme risk protection
23 order law has achieved high rates of petition filings
24 nominated by the Director of the Illinois State Police;

25 and

26 (12) a circuit court clerk, nominated by the President

1 of the Illinois Association of Court Clerks.

2 (b) The Commission shall be chaired by the Director of the
3 Illinois State Police or his or her designee. The Commission
4 shall meet, either virtually or in person, to discuss the
5 implementation of the Firearms Restraining Order Act as
6 determined by the Commission while the strategies are being
7 established.

8 (c) The members of the Commission shall serve without
9 compensation and shall serve 3-year terms.

10 (d) An annual report shall be submitted to the General
11 Assembly by the Commission that may include summary
12 information about firearms restraining order use by county,
13 challenges to Firearms Restraining Order Act implementation,
14 and recommendations for increasing and improving
15 implementation.

16 (e) The Commission shall develop a model policy with an
17 overall framework for the timely relinquishment of firearms
18 whenever a firearms restraining order is issued. The model
19 policy shall be finalized within the first 4 months of
20 convening. In formulating the model policy, the Commission
21 shall consult counties in Illinois and other states with
22 extreme risk protection order laws which have achieved a high
23 rate of petition filings. Once approved, the Illinois State
24 Police shall work with their local law enforcement agencies
25 within their county to design a comprehensive strategy for the
26 timely relinquishment of firearms, using the model policy as

1 an overall framework. Each individual agency may make small
2 modifications as needed to the model policy and must approve
3 and adopt a policy that aligns with the model policy. The
4 Illinois State Police shall convene local police chiefs and
5 sheriffs within their county as needed to discuss the
6 relinquishment of firearms.

7 (f) The Commission shall be dissolved June 1, 2025 (3
8 years after the effective date of Public Act 102-345).

9 (g) This Section is repealed June 1, 2026 (4 years after
10 the effective date of Public Act 102-345).

11 (Source: P.A. 102-345, eff. 6-1-22; 102-813, eff. 5-13-22.)

12 Section 7. The Illinois Procurement Code is amended by
13 changing Section 1-10 as follows:

14 (30 ILCS 500/1-10)

15 Sec. 1-10. Application.

16 (a) This Code applies only to procurements for which
17 bidders, offerors, potential contractors, or contractors were
18 first solicited on or after July 1, 1998. This Code shall not
19 be construed to affect or impair any contract, or any
20 provision of a contract, entered into based on a solicitation
21 prior to the implementation date of this Code as described in
22 Article 99, including, but not limited to, any covenant
23 entered into with respect to any revenue bonds or similar
24 instruments. All procurements for which contracts are

1 solicited between the effective date of Articles 50 and 99 and
2 July 1, 1998 shall be substantially in accordance with this
3 Code and its intent.

4 (b) This Code shall apply regardless of the source of the
5 funds with which the contracts are paid, including federal
6 assistance moneys. This Code shall not apply to:

7 (1) Contracts between the State and its political
8 subdivisions or other governments, or between State
9 governmental bodies, except as specifically provided in
10 this Code.

11 (2) Grants, except for the filing requirements of
12 Section 20-80.

13 (3) Purchase of care, except as provided in Section
14 5-30.6 of the Illinois Public Aid Code and this Section.

15 (4) Hiring of an individual as an employee and not as
16 an independent contractor, whether pursuant to an
17 employment code or policy or by contract directly with
18 that individual.

19 (5) Collective bargaining contracts.

20 (6) Purchase of real estate, except that notice of
21 this type of contract with a value of more than \$25,000
22 must be published in the Procurement Bulletin within 10
23 calendar days after the deed is recorded in the county of
24 jurisdiction. The notice shall identify the real estate
25 purchased, the names of all parties to the contract, the
26 value of the contract, and the effective date of the

1 contract.

2 (7) Contracts necessary to prepare for anticipated
3 litigation, enforcement actions, or investigations,
4 provided that the chief legal counsel to the Governor
5 shall give his or her prior approval when the procuring
6 agency is one subject to the jurisdiction of the Governor,
7 and provided that the chief legal counsel of any other
8 procuring entity subject to this Code shall give his or
9 her prior approval when the procuring entity is not one
10 subject to the jurisdiction of the Governor.

11 (8) (Blank).

12 (9) Procurement expenditures by the Illinois
13 Conservation Foundation when only private funds are used.

14 (10) (Blank).

15 (11) Public-private agreements entered into according
16 to the procurement requirements of Section 20 of the
17 Public-Private Partnerships for Transportation Act and
18 design-build agreements entered into according to the
19 procurement requirements of Section 25 of the
20 Public-Private Partnerships for Transportation Act.

21 (12) (A) Contracts for legal, financial, and other
22 professional and artistic services entered into by the
23 Illinois Finance Authority in which the State of Illinois
24 is not obligated. Such contracts shall be awarded through
25 a competitive process authorized by the members of the
26 Illinois Finance Authority and are subject to Sections

1 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
2 as well as the final approval by the members of the
3 Illinois Finance Authority of the terms of the contract.

4 (B) Contracts for legal and financial services entered
5 into by the Illinois Housing Development Authority in
6 connection with the issuance of bonds in which the State
7 of Illinois is not obligated. Such contracts shall be
8 awarded through a competitive process authorized by the
9 members of the Illinois Housing Development Authority and
10 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
11 and 50-37 of this Code, as well as the final approval by
12 the members of the Illinois Housing Development Authority
13 of the terms of the contract.

14 (13) Contracts for services, commodities, and
15 equipment to support the delivery of timely forensic
16 science services in consultation with and subject to the
17 approval of the Chief Procurement Officer as provided in
18 subsection (d) of Section 5-4-3a of the Unified Code of
19 Corrections, except for the requirements of Sections
20 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
21 Code; however, the Chief Procurement Officer may, in
22 writing with justification, waive any certification
23 required under Article 50 of this Code. For any contracts
24 for services which are currently provided by members of a
25 collective bargaining agreement, the applicable terms of
26 the collective bargaining agreement concerning

1 subcontracting shall be followed.

2 On and after January 1, 2019, this paragraph (13),
3 except for this sentence, is inoperative.

4 (14) Contracts for participation expenditures required
5 by a domestic or international trade show or exhibition of
6 an exhibitor, member, or sponsor.

7 (15) Contracts with a railroad or utility that
8 requires the State to reimburse the railroad or utilities
9 for the relocation of utilities for construction or other
10 public purpose. Contracts included within this paragraph
11 (15) shall include, but not be limited to, those
12 associated with: relocations, crossings, installations,
13 and maintenance. For the purposes of this paragraph (15),
14 "railroad" means any form of non-highway ground
15 transportation that runs on rails or electromagnetic
16 guideways and "utility" means: (1) public utilities as
17 defined in Section 3-105 of the Public Utilities Act, (2)
18 telecommunications carriers as defined in Section 13-202
19 of the Public Utilities Act, (3) electric cooperatives as
20 defined in Section 3.4 of the Electric Supplier Act, (4)
21 telephone or telecommunications cooperatives as defined in
22 Section 13-212 of the Public Utilities Act, (5) rural
23 water or waste water systems with 10,000 connections or
24 less, (6) a holder as defined in Section 21-201 of the
25 Public Utilities Act, and (7) municipalities owning or
26 operating utility systems consisting of public utilities

1 as that term is defined in Section 11-117-2 of the
2 Illinois Municipal Code.

3 (16) Procurement expenditures necessary for the
4 Department of Public Health to provide the delivery of
5 timely newborn screening services in accordance with the
6 Newborn Metabolic Screening Act.

7 (17) Procurement expenditures necessary for the
8 Department of Agriculture, the Department of Financial and
9 Professional Regulation, the Department of Human Services,
10 and the Department of Public Health to implement the
11 Compassionate Use of Medical Cannabis Program and Opioid
12 Alternative Pilot Program requirements and ensure access
13 to medical cannabis for patients with debilitating medical
14 conditions in accordance with the Compassionate Use of
15 Medical Cannabis Program Act.

16 (18) This Code does not apply to any procurements
17 necessary for the Department of Agriculture, the
18 Department of Financial and Professional Regulation, the
19 Department of Human Services, the Department of Commerce
20 and Economic Opportunity, and the Department of Public
21 Health to implement the Cannabis Regulation and Tax Act if
22 the applicable agency has made a good faith determination
23 that it is necessary and appropriate for the expenditure
24 to fall within this exemption and if the process is
25 conducted in a manner substantially in accordance with the
26 requirements of Sections 20-160, 25-60, 30-22, 50-5,

1 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
2 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
3 Section 50-35, compliance applies only to contracts or
4 subcontracts over \$100,000. Notice of each contract
5 entered into under this paragraph (18) that is related to
6 the procurement of goods and services identified in
7 paragraph (1) through (9) of this subsection shall be
8 published in the Procurement Bulletin within 14 calendar
9 days after contract execution. The Chief Procurement
10 Officer shall prescribe the form and content of the
11 notice. Each agency shall provide the Chief Procurement
12 Officer, on a monthly basis, in the form and content
13 prescribed by the Chief Procurement Officer, a report of
14 contracts that are related to the procurement of goods and
15 services identified in this subsection. At a minimum, this
16 report shall include the name of the contractor, a
17 description of the supply or service provided, the total
18 amount of the contract, the term of the contract, and the
19 exception to this Code utilized. A copy of any or all of
20 these contracts shall be made available to the Chief
21 Procurement Officer immediately upon request. The Chief
22 Procurement Officer shall submit a report to the Governor
23 and General Assembly no later than November 1 of each year
24 that includes, at a minimum, an annual summary of the
25 monthly information reported to the Chief Procurement
26 Officer. This exemption becomes inoperative 5 years after

1 June 25, 2019 (the effective date of Public Act 101-27).

2 (19) Acquisition of modifications or adjustments,
3 limited to assistive technology devices and assistive
4 technology services, adaptive equipment, repairs, and
5 replacement parts to provide reasonable accommodations (i)
6 that enable a qualified applicant with a disability to
7 complete the job application process and be considered for
8 the position such qualified applicant desires, (ii) that
9 modify or adjust the work environment to enable a
10 qualified current employee with a disability to perform
11 the essential functions of the position held by that
12 employee, (iii) to enable a qualified current employee
13 with a disability to enjoy equal benefits and privileges
14 of employment as are enjoyed by other similarly situated
15 employees without disabilities, and (iv) that allow a
16 customer, client, claimant, or member of the public
17 seeking State services full use and enjoyment of and
18 access to its programs, services, or benefits.

19 For purposes of this paragraph (19):

20 "Assistive technology devices" means any item, piece
21 of equipment, or product system, whether acquired
22 commercially off the shelf, modified, or customized, that
23 is used to increase, maintain, or improve functional
24 capabilities of individuals with disabilities.

25 "Assistive technology services" means any service that
26 directly assists an individual with a disability in

1 selection, acquisition, or use of an assistive technology
2 device.

3 "Qualified" has the same meaning and use as provided
4 under the federal Americans with Disabilities Act when
5 describing an individual with a disability.

6 (20) Procurement expenditures necessary for the
7 Illinois Commerce Commission to hire third-party
8 facilitators pursuant to Sections 16-105.17 and 16-108.18
9 of the Public Utilities Act or an ombudsman pursuant to
10 Section 16-107.5 of the Public Utilities Act, a
11 facilitator pursuant to Section 16-105.17 of the Public
12 Utilities Act, or a grid auditor pursuant to Section
13 16-105.10 of the Public Utilities Act.

14 (21) Procurement expenditures for the purchase,
15 renewal, and expansion of software, software licenses, or
16 software maintenance agreements that support the efforts
17 of the Illinois State Police to enforce, regulate, and
18 administer the Firearm Owners Identification Card Act, the
19 Firearm Concealed Carry Act, the Firearms Restraining
20 Order Act, the Firearm Dealer License Certification Act,
21 the Law Enforcement Agencies Data System (LEADS), the
22 Uniform Crime Reporting Act, the Criminal Identification
23 Act, the Uniform Conviction Information Act, and the Gun
24 Trafficking Information Act, or establish or maintain
25 record management systems necessary to conduct human
26 trafficking investigations or gun trafficking or other

1 stolen firearm investigations. This paragraph (21) applies
2 to contracts entered into on or after the effective date
3 of this amendatory Act of the 102nd General Assembly and
4 the renewal of contracts that are in effect on the
5 effective date of this amendatory Act of the 102nd General
6 Assembly.

7 Notwithstanding any other provision of law, for contracts
8 with an annual value of more than \$100,000 entered into on or
9 after October 1, 2017 under an exemption provided in any
10 paragraph of this subsection (b), except paragraph (1), (2),
11 or (5), each State agency shall post to the appropriate
12 procurement bulletin the name of the contractor, a description
13 of the supply or service provided, the total amount of the
14 contract, the term of the contract, and the exception to the
15 Code utilized. The chief procurement officer shall submit a
16 report to the Governor and General Assembly no later than
17 November 1 of each year that shall include, at a minimum, an
18 annual summary of the monthly information reported to the
19 chief procurement officer.

20 (c) This Code does not apply to the electric power
21 procurement process provided for under Section 1-75 of the
22 Illinois Power Agency Act and Section 16-111.5 of the Public
23 Utilities Act.

24 (d) Except for Section 20-160 and Article 50 of this Code,
25 and as expressly required by Section 9.1 of the Illinois
26 Lottery Law, the provisions of this Code do not apply to the

1 procurement process provided for under Section 9.1 of the
2 Illinois Lottery Law.

3 (e) This Code does not apply to the process used by the
4 Capital Development Board to retain a person or entity to
5 assist the Capital Development Board with its duties related
6 to the determination of costs of a clean coal SNG brownfield
7 facility, as defined by Section 1-10 of the Illinois Power
8 Agency Act, as required in subsection (h-3) of Section 9-220
9 of the Public Utilities Act, including calculating the range
10 of capital costs, the range of operating and maintenance
11 costs, or the sequestration costs or monitoring the
12 construction of clean coal SNG brownfield facility for the
13 full duration of construction.

14 (f) (Blank).

15 (g) (Blank).

16 (h) This Code does not apply to the process to procure or
17 contracts entered into in accordance with Sections 11-5.2 and
18 11-5.3 of the Illinois Public Aid Code.

19 (i) Each chief procurement officer may access records
20 necessary to review whether a contract, purchase, or other
21 expenditure is or is not subject to the provisions of this
22 Code, unless such records would be subject to attorney-client
23 privilege.

24 (j) This Code does not apply to the process used by the
25 Capital Development Board to retain an artist or work or works
26 of art as required in Section 14 of the Capital Development

1 Board Act.

2 (k) This Code does not apply to the process to procure
3 contracts, or contracts entered into, by the State Board of
4 Elections or the State Electoral Board for hearing officers
5 appointed pursuant to the Election Code.

6 (l) This Code does not apply to the processes used by the
7 Illinois Student Assistance Commission to procure supplies and
8 services paid for from the private funds of the Illinois
9 Prepaid Tuition Fund. As used in this subsection (l), "private
10 funds" means funds derived from deposits paid into the
11 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

12 (m) This Code shall apply regardless of the source of
13 funds with which contracts are paid, including federal
14 assistance moneys. Except as specifically provided in this
15 Code, this Code shall not apply to procurement expenditures
16 necessary for the Department of Public Health to conduct the
17 Healthy Illinois Survey in accordance with Section 2310-431 of
18 the Department of Public Health Powers and Duties Law of the
19 Civil Administrative Code of Illinois.

20 (Source: P.A. 101-27, eff. 6-25-19; 101-81, eff. 7-12-19;
21 101-363, eff. 8-9-19; 102-175, eff. 7-29-21; 102-483, eff
22 1-1-22; 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662,
23 eff. 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22.)

24 Section 10. The Firearm Owners Identification Card Act is
25 amended by changing Sections 2, 3, 4, and 8 and by adding

1 Section 4.1 as follows:

2 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

3 Sec. 2. Firearm Owner's Identification Card required;
4 exceptions.

5 (a) (1) No person may acquire or possess any firearm, stun
6 gun, or taser within this State without having in his or her
7 possession a Firearm Owner's Identification Card previously
8 issued in his or her name by the Illinois State Police under
9 the provisions of this Act.

10 (2) No person may acquire or possess firearm ammunition
11 within this State without having in his or her possession a
12 Firearm Owner's Identification Card previously issued in his
13 or her name by the Illinois State Police under the provisions
14 of this Act.

15 (b) The provisions of this Section regarding the
16 possession of firearms, firearm ammunition, stun guns, and
17 tasers do not apply to:

18 (1) United States Marshals, while engaged in the
19 operation of their official duties;

20 (2) Members of the Armed Forces of the United States
21 or the National Guard, while engaged in the operation of
22 their official duties;

23 (3) Federal officials required to carry firearms,
24 while engaged in the operation of their official duties;

25 (4) Members of bona fide veterans organizations which

1 receive firearms directly from the armed forces of the
2 United States, while using the firearms for ceremonial
3 purposes with blank ammunition;

4 (5) Nonresident hunters during hunting season, with
5 valid nonresident hunting licenses and while in an area
6 where hunting is permitted; however, at all other times
7 and in all other places these persons must have their
8 firearms unloaded and enclosed in a case;

9 (6) Those hunters exempt from obtaining a hunting
10 license who are required to submit their Firearm Owner's
11 Identification Card when hunting on Department of Natural
12 Resources owned or managed sites;

13 (7) Nonresidents while on a firing or shooting range
14 recognized by the Illinois State Police; however, these
15 persons must at all other times and in all other places
16 have their firearms unloaded and enclosed in a case;

17 (8) Nonresidents while at a firearm showing or display
18 recognized by the Illinois State Police; however, at all
19 other times and in all other places these persons must
20 have their firearms unloaded and enclosed in a case;

21 (9) Nonresidents whose firearms are unloaded and
22 enclosed in a case;

23 (10) Nonresidents who are currently licensed or
24 registered to possess a firearm in their resident state;

25 (11) Unemancipated minors while in the custody and
26 immediate control of their parent or legal guardian or

1 other person in loco parentis to the minor if the parent or
2 legal guardian or other person in loco parentis to the
3 minor has a currently valid Firearm Owner's Identification
4 Card;

5 (12) Color guards of bona fide veterans organizations
6 or members of bona fide American Legion bands while using
7 firearms for ceremonial purposes with blank ammunition;

8 (13) Nonresident hunters whose state of residence does
9 not require them to be licensed or registered to possess a
10 firearm and only during hunting season, with valid hunting
11 licenses, while accompanied by, and using a firearm owned
12 by, a person who possesses a valid Firearm Owner's
13 Identification Card and while in an area within a
14 commercial club licensed under the Wildlife Code where
15 hunting is permitted and controlled, but in no instance
16 upon sites owned or managed by the Department of Natural
17 Resources;

18 (14) Resident hunters who are properly authorized to
19 hunt and, while accompanied by a person who possesses a
20 valid Firearm Owner's Identification Card, hunt in an area
21 within a commercial club licensed under the Wildlife Code
22 where hunting is permitted and controlled; and

23 (15) A person who is otherwise eligible to obtain a
24 Firearm Owner's Identification Card under this Act and is
25 under the direct supervision of a holder of a Firearm
26 Owner's Identification Card who is 21 years of age or

1 older while the person is on a firing or shooting range or
2 is a participant in a firearms safety and training course
3 recognized by a law enforcement agency or a national,
4 statewide shooting sports organization; and

5 ~~(16) Competitive shooting athletes whose competition~~
6 ~~firearms are sanctioned by the International Olympic~~
7 ~~Committee, the International Paralympic Committee, the~~
8 ~~International Shooting Sport Federation, or USA Shooting~~
9 ~~in connection with such athletes' training for and~~
10 ~~participation in shooting competitions at the 2016 Olympic~~
11 ~~and Paralympic Games and sanctioned test events leading up~~
12 ~~to the 2016 Olympic and Paralympic Games.~~

13 (c) The provisions of this Section regarding the
14 acquisition and possession of firearms, firearm ammunition,
15 stun guns, and tasers do not apply to law enforcement
16 officials of this or any other jurisdiction, while engaged in
17 the operation of their official duties.

18 (c-5) The provisions of paragraphs (1) and (2) of
19 subsection (a) of this Section regarding the possession of
20 firearms and firearm ammunition do not apply to the holder of a
21 valid concealed carry license issued under the Firearm
22 Concealed Carry Act who is in physical possession of the
23 concealed carry license.

24 (d) Any person who becomes a resident of this State, who is
25 not otherwise prohibited from obtaining, possessing, or using
26 a firearm or firearm ammunition, shall not be required to have

1 a Firearm Owner's Identification Card to possess firearms or
2 firearms ammunition until 60 calendar days after he or she
3 obtains an Illinois driver's license or Illinois
4 Identification Card.

5 (Source: P.A. 102-538, eff. 8-20-21.)

6 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

7 (Text of Section before amendment by P.A. 102-237)

8 Sec. 3. (a) Except as provided in Section 3a, no person may
9 knowingly transfer, or cause to be transferred, any firearm,
10 firearm ammunition, stun gun, or taser to any person within
11 this State unless the transferee with whom he deals displays
12 either: (1) a currently valid Firearm Owner's Identification
13 Card which has previously been issued in his or her name by the
14 Illinois State Police under the provisions of this Act; or (2)
15 a currently valid license to carry a concealed firearm which
16 has previously been issued in his or her name by the Illinois
17 State Police under the Firearm Concealed Carry Act. In
18 addition, all firearm, stun gun, and taser transfers by
19 federally licensed firearm dealers are subject to Section 3.1.

20 (a-5) Any person who is not a federally licensed firearm
21 dealer and who desires to transfer or sell a firearm while that
22 person is on the grounds of a gun show must, before selling or
23 transferring the firearm, request the Illinois State Police to
24 conduct a background check on the prospective recipient of the
25 firearm in accordance with Section 3.1.

1 (a-10) Notwithstanding item (2) of subsection (a) of this
2 Section, any person who is not a federally licensed firearm
3 dealer and who desires to transfer or sell a firearm or
4 firearms to any person who is not a federally licensed firearm
5 dealer shall, before selling or transferring the firearms,
6 contact a federal firearm license dealer under paragraph (1)
7 of subsection (a-15) of this Section to conduct the transfer
8 or the Illinois State Police with the transferee's or
9 purchaser's Firearm Owner's Identification Card number to
10 determine the validity of the transferee's or purchaser's
11 Firearm Owner's Identification Card under State and federal
12 law including the National Instant Criminal Background Check
13 System. This subsection shall not be effective until July 1,
14 2023. Until that date the transferor shall contact the
15 Illinois State Police with the transferee's or purchaser's
16 Firearm Owner's Identification Card number to determine the
17 validity of the card ~~January 1, 2014~~. The Illinois State
18 Police may adopt rules concerning the implementation of this
19 subsection. The Illinois State Police shall provide the seller
20 or transferor an approval number if the purchaser's Firearm
21 Owner's Identification Card is valid. Approvals issued by the
22 Illinois State Police for the purchase of a firearm pursuant
23 to this subsection are valid for 30 days from the date of
24 issue.

25 (a-15) The provisions of subsection (a-10) of this Section
26 do not apply to:

1 (1) transfers that occur at the place of business of a
2 federally licensed firearm dealer, if the federally
3 licensed firearm dealer conducts a background check on the
4 prospective recipient of the firearm in accordance with
5 Section 3.1 of this Act and follows all other applicable
6 federal, State, and local laws as if he or she were the
7 seller or transferor of the firearm, although the dealer
8 is not required to accept the firearm into his or her
9 inventory. The purchaser or transferee may be required by
10 the federally licensed firearm dealer to pay a fee not to
11 exceed \$25 ~~\$10~~ per firearm, which the dealer may retain as
12 compensation for performing the functions required under
13 this paragraph, plus the applicable fees authorized by
14 Section 3.1;

15 (2) transfers as a bona fide gift to the transferor's
16 husband, wife, son, daughter, stepson, stepdaughter,
17 father, mother, stepfather, stepmother, brother, sister,
18 nephew, niece, uncle, aunt, grandfather, grandmother,
19 grandson, granddaughter, father-in-law, mother-in-law,
20 son-in-law, or daughter-in-law;

21 (3) transfers by persons acting pursuant to operation
22 of law or a court order;

23 (4) transfers on the grounds of a gun show under
24 subsection (a-5) of this Section;

25 (5) the delivery of a firearm by its owner to a
26 gunsmith for service or repair, the return of the firearm

1 to its owner by the gunsmith, or the delivery of a firearm
2 by a gunsmith to a federally licensed firearms dealer for
3 service or repair and the return of the firearm to the
4 gunsmith;

5 (6) temporary transfers that occur while in the home
6 of the unlicensed transferee, if the unlicensed transferee
7 is not otherwise prohibited from possessing firearms and
8 the unlicensed transferee reasonably believes that
9 possession of the firearm is necessary to prevent imminent
10 death or great bodily harm to the unlicensed transferee;

11 (7) transfers to a law enforcement or corrections
12 agency or a law enforcement or corrections officer acting
13 within the course and scope of his or her official duties;

14 (8) transfers of firearms that have been rendered
15 permanently inoperable to a nonprofit historical society,
16 museum, or institutional collection; and

17 (9) transfers to a person who is exempt from the
18 requirement of possessing a Firearm Owner's Identification
19 Card under Section 2 of this Act.

20 (a-20) The Illinois State Police shall develop an
21 Internet-based system for individuals to determine the
22 validity of a Firearm Owner's Identification Card prior to the
23 sale or transfer of a firearm. The Illinois State Police shall
24 have the Internet-based system updated ~~completed~~ and available
25 for use by January 1, 2024 ~~July 1, 2015~~. The Illinois State
26 Police shall adopt rules not inconsistent with this Section to

1 implement this system; but no rule shall allow the Illinois
2 State Police to retain records in contravention of State and
3 federal law.

4 (a-25) On or before January 1, 2022, the Illinois State
5 Police shall develop an Internet-based system upon which the
6 serial numbers of firearms that have been reported stolen are
7 available for public access for individuals to ensure any
8 firearms are not reported stolen prior to the sale or transfer
9 of a firearm under this Section. The Illinois State Police
10 shall have the Internet-based system completed and available
11 for use by July 1, 2022. The Illinois State Police shall adopt
12 rules not inconsistent with this Section to implement this
13 system.

14 (b) Any person within this State who transfers or causes
15 to be transferred any firearm, stun gun, or taser shall keep a
16 record of such transfer for a period of 10 years from the date
17 of transfer. Any person within this State who receives any
18 firearm, stun gun, or taser pursuant to subsection (a-10)
19 shall provide a record of the transfer within 10 days of the
20 transfer to a federally licensed firearm dealer and shall not
21 be required to maintain a transfer record. The federally
22 licensed firearm dealer shall maintain the transfer record for
23 20 years from the date of receipt. A federally licensed
24 firearm dealer may charge a fee not to exceed \$25 to retain the
25 record. The record shall be provided and maintained in either
26 an electronic or paper format. The federally licensed firearm

1 dealer shall not be liable for the accuracy of any information
2 in the transfer record submitted pursuant to this Section.

3 Such records ~~record~~ shall contain the date of the transfer;
4 the description, serial number or other information
5 identifying the firearm, stun gun, or taser if no serial
6 number is available; and, if the transfer was completed within
7 this State, the transferee's Firearm Owner's Identification
8 Card number and any approval number or documentation provided
9 by the Illinois State Police pursuant to subsection (a-10) of
10 this Section; if the transfer was not completed within this
11 State, the record shall contain the name and address of the
12 transferee. On or after January 1, 2006, the record shall
13 contain the date of application for transfer of the firearm.
14 On demand of a peace officer such transferor shall produce for
15 inspection such record of transfer. For any transfer pursuant
16 to subsection (a-10) of this Section, on the demand of a peace
17 officer, such transferee shall identify the federally licensed
18 firearm dealer maintaining the transfer record. If the
19 transfer or sale took place at a gun show, the record shall
20 include the unique identification number. Failure to record
21 the unique identification number or approval number is a petty
22 offense. For transfers of a firearm, stun gun, or taser made on
23 or after January 18, 2019 (the effective date of Public Act
24 100-1178), failure by the private seller to maintain the
25 transfer records in accordance with this Section, or failure
26 by a transferee pursuant to subsection a-10 of this Section to

1 identify the federally licensed firearm dealer maintaining the
2 transfer record, is a Class A misdemeanor for the first
3 offense and a Class 4 felony for a second or subsequent offense
4 occurring within 10 years of the first offense and the second
5 offense was committed after conviction of the first offense.
6 Whenever any person who has not previously been convicted of
7 any violation of subsection (a-5), the court may grant
8 supervision pursuant to and consistent with the limitations of
9 Section 5-6-1 of the Unified Code of Corrections. A transferee
10 or transferor shall not be criminally liable under this
11 Section provided that he or she provides the Illinois State
12 Police with the transfer records in accordance with procedures
13 established by the Illinois State Police. The Illinois State
14 Police shall establish, by rule, a standard form on its
15 website.

16 (b-5) Any resident may purchase ammunition from a person
17 within or outside of Illinois if shipment is by United States
18 mail or by a private express carrier authorized by federal law
19 to ship ammunition. Any resident purchasing ammunition within
20 or outside the State of Illinois must provide the seller with a
21 copy of his or her valid Firearm Owner's Identification Card
22 or valid concealed carry license and either his or her
23 Illinois driver's license or Illinois State Identification
24 Card prior to the shipment of the ammunition. The ammunition
25 may be shipped only to an address on either of those 2
26 documents.

1 (c) The provisions of this Section regarding the transfer
2 of firearm ammunition shall not apply to those persons
3 specified in paragraph (b) of Section 2 of this Act.

4 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

5 (Text of Section after amendment by P.A. 102-237)

6 Sec. 3. (a) Except as provided in Section 3a, no person may
7 knowingly transfer, or cause to be transferred, any firearm,
8 firearm ammunition, stun gun, or taser to any person within
9 this State unless the transferee with whom he deals displays
10 either: (1) a currently valid Firearm Owner's Identification
11 Card which has previously been issued in his or her name by the
12 Illinois State Police under the provisions of this Act; or (2)
13 a currently valid license to carry a concealed firearm which
14 has previously been issued in his or her name by the Illinois
15 State Police under the Firearm Concealed Carry Act. In
16 addition, all firearm, stun gun, and taser transfers by
17 federally licensed firearm dealers are subject to Section 3.1.

18 (a-5) Any person who is not a federally licensed firearm
19 dealer and who desires to transfer or sell a firearm while that
20 person is on the grounds of a gun show must, before selling or
21 transferring the firearm, request the Illinois State Police to
22 conduct a background check on the prospective recipient of the
23 firearm in accordance with Section 3.1.

24 (a-10) Notwithstanding item (2) of subsection (a) of this
25 Section, any person who is not a federally licensed firearm

1 dealer and who desires to transfer or sell a firearm or
2 firearms to any person who is not a federally licensed firearm
3 dealer shall, before selling or transferring the firearms,
4 contact a federal firearm license dealer under paragraph (1)
5 of subsection (a-15) of this Section to conduct the transfer
6 or the Illinois State Police with the transferee's or
7 purchaser's Firearm Owner's Identification Card number to
8 determine the validity of the transferee's or purchaser's
9 Firearm Owner's Identification Card under State and federal
10 law, including the National Instant Criminal Background Check
11 System. This subsection shall not be effective until July 1,
12 2023 ~~January 1, 2024~~. Until that date the transferor shall
13 contact the Illinois State Police with the transferee's or
14 purchaser's Firearm Owner's Identification Card number to
15 determine the validity of the card. The Illinois State Police
16 may adopt rules concerning the implementation of this
17 subsection. The Illinois State Police shall provide the seller
18 or transferor an approval number if the purchaser's Firearm
19 Owner's Identification Card is valid. Approvals issued by the
20 Illinois State Police for the purchase of a firearm pursuant
21 to this subsection are valid for 30 days from the date of
22 issue.

23 (a-15) The provisions of subsection (a-10) of this Section
24 do not apply to:

25 (1) transfers that occur at the place of business of a
26 federally licensed firearm dealer, if the federally

1 licensed firearm dealer conducts a background check on the
2 prospective recipient of the firearm in accordance with
3 Section 3.1 of this Act and follows all other applicable
4 federal, State, and local laws as if he or she were the
5 seller or transferor of the firearm, although the dealer
6 is not required to accept the firearm into his or her
7 inventory. The purchaser or transferee may be required by
8 the federally licensed firearm dealer to pay a fee not to
9 exceed \$25 per firearm, which the dealer may retain as
10 compensation for performing the functions required under
11 this paragraph, plus the applicable fees authorized by
12 Section 3.1;

13 (2) transfers as a bona fide gift to the transferor's
14 husband, wife, son, daughter, stepson, stepdaughter,
15 father, mother, stepfather, stepmother, brother, sister,
16 nephew, niece, uncle, aunt, grandfather, grandmother,
17 grandson, granddaughter, father-in-law, mother-in-law,
18 son-in-law, or daughter-in-law;

19 (3) transfers by persons acting pursuant to operation
20 of law or a court order;

21 (4) transfers on the grounds of a gun show under
22 subsection (a-5) of this Section;

23 (5) the delivery of a firearm by its owner to a
24 gunsmith for service or repair, the return of the firearm
25 to its owner by the gunsmith, or the delivery of a firearm
26 by a gunsmith to a federally licensed firearms dealer for

1 service or repair and the return of the firearm to the
2 gunsmith;

3 (6) temporary transfers that occur while in the home
4 of the unlicensed transferee, if the unlicensed transferee
5 is not otherwise prohibited from possessing firearms and
6 the unlicensed transferee reasonably believes that
7 possession of the firearm is necessary to prevent imminent
8 death or great bodily harm to the unlicensed transferee;

9 (7) transfers to a law enforcement or corrections
10 agency or a law enforcement or corrections officer acting
11 within the course and scope of his or her official duties;

12 (8) transfers of firearms that have been rendered
13 permanently inoperable to a nonprofit historical society,
14 museum, or institutional collection; and

15 (9) transfers to a person who is exempt from the
16 requirement of possessing a Firearm Owner's Identification
17 Card under Section 2 of this Act.

18 (a-20) The Illinois State Police shall develop an
19 Internet-based system for individuals to determine the
20 validity of a Firearm Owner's Identification Card prior to the
21 sale or transfer of a firearm. The Illinois State Police shall
22 have the Internet-based system updated and available for use
23 by January 1, 2024. The Illinois State Police shall adopt
24 rules not inconsistent with this Section to implement this
25 system; but no rule shall allow the Illinois State Police to
26 retain records in contravention of State and federal law.

1 (a-25) On or before January 1, 2022, the Illinois State
2 Police shall develop an Internet-based system upon which the
3 serial numbers of firearms that have been reported stolen are
4 available for public access for individuals to ensure any
5 firearms are not reported stolen prior to the sale or transfer
6 of a firearm under this Section. The Illinois State Police
7 shall have the Internet-based system completed and available
8 for use by July 1, 2022. The Illinois State Police shall adopt
9 rules not inconsistent with this Section to implement this
10 system.

11 (b) Any person within this State who transfers or causes
12 to be transferred any firearm, stun gun, or taser shall keep a
13 record of such transfer for a period of 10 years from the date
14 of transfer. Any person within this State who receives any
15 firearm, stun gun, or taser pursuant to subsection (a-10)
16 shall provide a record of the transfer within 10 days of the
17 transfer to a federally licensed firearm dealer and shall not
18 be required to maintain a transfer record. The federally
19 licensed firearm dealer shall maintain the transfer record for
20 20 years from the date of receipt. A federally licensed
21 firearm dealer may charge a fee not to exceed \$25 to retain the
22 record. The record shall be provided and maintained in either
23 an electronic or paper format. The federally licensed firearm
24 dealer shall not be liable for the accuracy of any information
25 in the transfer record submitted pursuant to this Section.
26 Such records shall contain the date of the transfer; the

1 description, serial number or other information identifying
2 the firearm, stun gun, or taser if no serial number is
3 available; and, if the transfer was completed within this
4 State, the transferee's Firearm Owner's Identification Card
5 number and any approval number or documentation provided by
6 the Illinois State Police pursuant to subsection (a-10) of
7 this Section; if the transfer was not completed within this
8 State, the record shall contain the name and address of the
9 transferee. On or after January 1, 2006, the record shall
10 contain the date of application for transfer of the firearm.
11 On demand of a peace officer such transferor shall produce for
12 inspection such record of transfer. For any transfer pursuant
13 to subsection (a-10) of this Section, on the demand of a peace
14 officer, such transferee shall identify the federally licensed
15 firearm dealer maintaining the transfer record. If the
16 transfer or sale took place at a gun show, the record shall
17 include the unique identification number. Failure to record
18 the unique identification number or approval number is a petty
19 offense. For transfers of a firearm, stun gun, or taser made on
20 or after January 18, 2019 (the effective date of Public Act
21 100-1178), failure by the private seller to maintain the
22 transfer records in accordance with this Section, or failure
23 by a transferee pursuant to subsection a-10 of this Section to
24 identify the federally licensed firearm dealer maintaining the
25 transfer record, is a Class A misdemeanor for the first
26 offense and a Class 4 felony for a second or subsequent offense

1 occurring within 10 years of the first offense and the second
2 offense was committed after conviction of the first offense.
3 Whenever any person who has not previously been convicted of
4 any violation of subsection (a-5), the court may grant
5 supervision pursuant to and consistent with the limitations of
6 Section 5-6-1 of the Unified Code of Corrections. A transferee
7 or transferor shall not be criminally liable under this
8 Section provided that he or she provides the Illinois State
9 Police with the transfer records in accordance with procedures
10 established by the Illinois State Police. The Illinois State
11 Police shall establish, by rule, a standard form on its
12 website.

13 (b-5) Any resident may purchase ammunition from a person
14 within or outside of Illinois if shipment is by United States
15 mail or by a private express carrier authorized by federal law
16 to ship ammunition. Any resident purchasing ammunition within
17 or outside the State of Illinois must provide the seller with a
18 copy of his or her valid Firearm Owner's Identification Card
19 or valid concealed carry license and either his or her
20 Illinois driver's license or Illinois State Identification
21 Card prior to the shipment of the ammunition. The ammunition
22 may be shipped only to an address on either of those 2
23 documents.

24 (c) The provisions of this Section regarding the transfer
25 of firearm ammunition shall not apply to those persons
26 specified in paragraph (b) of Section 2 of this Act.

1 (Source: P.A. 102-237, eff. 1-1-24; 102-538, eff. 8-20-21;
2 102-813, eff. 5-13-22.)

3 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

4 (Text of Section before amendment by P.A. 102-237)

5 Sec. 3. (a) Except as provided in Section 3a, no person may
6 knowingly transfer, or cause to be transferred, any firearm,
7 firearm ammunition, stun gun, or taser to any person within
8 this State unless the transferee with whom he deals displays
9 either: (1) a currently valid Firearm Owner's Identification
10 Card which has previously been issued in his or her name by the
11 Illinois State Police under the provisions of this Act; or (2)
12 a currently valid license to carry a concealed firearm which
13 has previously been issued in his or her name by the Illinois
14 State Police under the Firearm Concealed Carry Act. In
15 addition, all firearm, stun gun, and taser transfers by
16 federally licensed firearm dealers are subject to Section 3.1.

17 (a-5) Any person who is not a federally licensed firearm
18 dealer and who desires to transfer or sell a firearm while that
19 person is on the grounds of a gun show must, before selling or
20 transferring the firearm, request the Illinois State Police to
21 conduct a background check on the prospective recipient of the
22 firearm in accordance with Section 3.1.

23 (a-10) Notwithstanding item (2) of subsection (a) of this
24 Section, any person who is not a federally licensed firearm
25 dealer and who desires to transfer or sell a firearm or

1 firearms to any person who is not a federally licensed firearm
2 dealer shall, before selling or transferring the firearms,
3 contact the Illinois State Police with the transferee's or
4 purchaser's Firearm Owner's Identification Card number to
5 determine the validity of the transferee's or purchaser's
6 Firearm Owner's Identification Card. This subsection shall not
7 be effective until January 1, 2014. The Illinois State Police
8 may adopt rules concerning the implementation of this
9 subsection. The Illinois State Police shall provide the seller
10 or transferor an approval number if the purchaser's Firearm
11 Owner's Identification Card is valid. Approvals issued by the
12 Illinois State Police for the purchase of a firearm pursuant
13 to this subsection are valid for 30 days from the date of
14 issue.

15 (a-15) The provisions of subsection (a-10) of this Section
16 do not apply to:

17 (1) transfers that occur at the place of business of a
18 federally licensed firearm dealer, if the federally
19 licensed firearm dealer conducts a background check on the
20 prospective recipient of the firearm in accordance with
21 Section 3.1 of this Act and follows all other applicable
22 federal, State, and local laws as if he or she were the
23 seller or transferor of the firearm, although the dealer
24 is not required to accept the firearm into his or her
25 inventory. The purchaser or transferee may be required by
26 the federally licensed firearm dealer to pay a fee not to

1 exceed \$10 per firearm, which the dealer may retain as
2 compensation for performing the functions required under
3 this paragraph, plus the applicable fees authorized by
4 Section 3.1;

5 (2) transfers as a bona fide gift to the transferor's
6 husband, wife, son, daughter, stepson, stepdaughter,
7 father, mother, stepfather, stepmother, brother, sister,
8 nephew, niece, uncle, aunt, grandfather, grandmother,
9 grandson, granddaughter, father-in-law, mother-in-law,
10 son-in-law, or daughter-in-law;

11 (3) transfers by persons acting pursuant to operation
12 of law or a court order;

13 (4) transfers on the grounds of a gun show under
14 subsection (a-5) of this Section;

15 (5) the delivery of a firearm by its owner to a
16 gunsmith for service or repair, the return of the firearm
17 to its owner by the gunsmith, or the delivery of a firearm
18 by a gunsmith to a federally licensed firearms dealer for
19 service or repair and the return of the firearm to the
20 gunsmith;

21 (6) temporary transfers that occur while in the home
22 of the unlicensed transferee, if the unlicensed transferee
23 is not otherwise prohibited from possessing firearms and
24 the unlicensed transferee reasonably believes that
25 possession of the firearm is necessary to prevent imminent
26 death or great bodily harm to the unlicensed transferee;

1 (7) transfers to a law enforcement or corrections
2 agency or a law enforcement or corrections officer acting
3 within the course and scope of his or her official duties;

4 (8) transfers of firearms that have been rendered
5 permanently inoperable to a nonprofit historical society,
6 museum, or institutional collection; and

7 (9) transfers to a person who is exempt from the
8 requirement of possessing a Firearm Owner's Identification
9 Card under Section 2 of this Act.

10 (a-20) The Illinois State Police shall develop an
11 Internet-based system for individuals to determine the
12 validity of a Firearm Owner's Identification Card prior to the
13 sale or transfer of a firearm. The Illinois State Police shall
14 have the Internet-based system completed and available for use
15 by July 1, 2015. The Illinois State Police shall adopt rules
16 not inconsistent with this Section to implement this system.

17 (b) Any person within this State who transfers or causes
18 to be transferred any firearm, stun gun, or taser shall keep a
19 record of such transfer for a period of 10 years from the date
20 of transfer. Such record shall contain the date of the
21 transfer; the description, serial number or other information
22 identifying the firearm, stun gun, or taser if no serial
23 number is available; and, if the transfer was completed within
24 this State, the transferee's Firearm Owner's Identification
25 Card number and any approval number or documentation provided
26 by the Illinois State Police pursuant to subsection (a-10) of

1 this Section; if the transfer was not completed within this
2 State, the record shall contain the name and address of the
3 transferee. On or after January 1, 2006, the record shall
4 contain the date of application for transfer of the firearm.
5 On demand of a peace officer such transferor shall produce for
6 inspection such record of transfer. If the transfer or sale
7 took place at a gun show, the record shall include the unique
8 identification number. Failure to record the unique
9 identification number or approval number is a petty offense.
10 For transfers of a firearm, stun gun, or taser made on or after
11 January 18, 2019 (the effective date of Public Act 100-1178),
12 failure by the private seller to maintain the transfer records
13 in accordance with this Section is a Class A misdemeanor for
14 the first offense and a Class 4 felony for a second or
15 subsequent offense. A transferee shall not be criminally
16 liable under this Section provided that he or she provides the
17 Illinois State Police with the transfer records in accordance
18 with procedures established by the Illinois State Police. The
19 Illinois State Police shall establish, by rule, a standard
20 form on its website.

21 (b-5) Any resident may purchase ammunition from a person
22 within or outside of Illinois if shipment is by United States
23 mail or by a private express carrier authorized by federal law
24 to ship ammunition. Any resident purchasing ammunition within
25 or outside the State of Illinois must provide the seller with a
26 copy of his or her valid Firearm Owner's Identification Card

1 or valid concealed carry license and either his or her
2 Illinois driver's license or Illinois State Identification
3 Card prior to the shipment of the ammunition. The ammunition
4 may be shipped only to an address on either of those 2
5 documents.

6 (c) The provisions of this Section regarding the transfer
7 of firearm ammunition shall not apply to those persons
8 specified in paragraph (b) of Section 2 of this Act.

9 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

10 (Text of Section after amendment by P.A. 102-237)

11 Sec. 3. (a) Except as provided in Section 3a, no person may
12 knowingly transfer, or cause to be transferred, any firearm,
13 firearm ammunition, stun gun, or taser to any person within
14 this State unless the transferee with whom he deals displays
15 either: (1) a currently valid Firearm Owner's Identification
16 Card which has previously been issued in his or her name by the
17 Illinois State Police under the provisions of this Act; or (2)
18 a currently valid license to carry a concealed firearm which
19 has previously been issued in his or her name by the Illinois
20 State Police under the Firearm Concealed Carry Act. In
21 addition, all firearm, stun gun, and taser transfers by
22 federally licensed firearm dealers are subject to Section 3.1.

23 (a-5) Any person who is not a federally licensed firearm
24 dealer and who desires to transfer or sell a firearm while that
25 person is on the grounds of a gun show must, before selling or

1 transferring the firearm, request the Illinois State Police to
2 conduct a background check on the prospective recipient of the
3 firearm in accordance with Section 3.1.

4 (a-10) Notwithstanding item (2) of subsection (a) of this
5 Section, any person who is not a federally licensed firearm
6 dealer and who desires to transfer or sell a firearm or
7 firearms to any person who is not a federally licensed firearm
8 dealer shall, before selling or transferring the firearms,
9 contact a federal firearm license dealer under paragraph (1)
10 of subsection (a-15) of this Section to conduct the transfer
11 or the Illinois State Police with the transferee's or
12 purchaser's Firearm Owner's Identification Card number to
13 determine the validity of the transferee's or purchaser's
14 Firearm Owner's Identification Card under State and federal
15 law, including the National Instant Criminal Background Check
16 System. This subsection shall not be effective until January
17 1, 2024. Until that date the transferor shall contact the
18 Illinois State Police with the transferee's or purchaser's
19 Firearm Owner's Identification Card number to determine the
20 validity of the card. The Illinois State Police may adopt
21 rules concerning the implementation of this subsection. The
22 Illinois State Police shall provide the seller or transferor
23 an approval number if the purchaser's Firearm Owner's
24 Identification Card is valid. Approvals issued by the Illinois
25 State Police for the purchase of a firearm pursuant to this
26 subsection are valid for 30 days from the date of issue.

1 (a-15) The provisions of subsection (a-10) of this Section
2 do not apply to:

3 (1) transfers that occur at the place of business of a
4 federally licensed firearm dealer, if the federally
5 licensed firearm dealer conducts a background check on the
6 prospective recipient of the firearm in accordance with
7 Section 3.1 of this Act and follows all other applicable
8 federal, State, and local laws as if he or she were the
9 seller or transferor of the firearm, although the dealer
10 is not required to accept the firearm into his or her
11 inventory. The purchaser or transferee may be required by
12 the federally licensed firearm dealer to pay a fee not to
13 exceed \$25 per firearm, which the dealer may retain as
14 compensation for performing the functions required under
15 this paragraph, plus the applicable fees authorized by
16 Section 3.1;

17 (2) transfers as a bona fide gift to the transferor's
18 husband, wife, son, daughter, stepson, stepdaughter,
19 father, mother, stepfather, stepmother, brother, sister,
20 nephew, niece, uncle, aunt, grandfather, grandmother,
21 grandson, granddaughter, father-in-law, mother-in-law,
22 son-in-law, or daughter-in-law;

23 (3) transfers by persons acting pursuant to operation
24 of law or a court order;

25 (4) transfers on the grounds of a gun show under
26 subsection (a-5) of this Section;

1 (5) the delivery of a firearm by its owner to a
2 gunsmith for service or repair, the return of the firearm
3 to its owner by the gunsmith, or the delivery of a firearm
4 by a gunsmith to a federally licensed firearms dealer for
5 service or repair and the return of the firearm to the
6 gunsmith;

7 (6) temporary transfers that occur while in the home
8 of the unlicensed transferee, if the unlicensed transferee
9 is not otherwise prohibited from possessing firearms and
10 the unlicensed transferee reasonably believes that
11 possession of the firearm is necessary to prevent imminent
12 death or great bodily harm to the unlicensed transferee;

13 (7) transfers to a law enforcement or corrections
14 agency or a law enforcement or corrections officer acting
15 within the course and scope of his or her official duties;

16 (8) transfers of firearms that have been rendered
17 permanently inoperable to a nonprofit historical society,
18 museum, or institutional collection; and

19 (9) transfers to a person who is exempt from the
20 requirement of possessing a Firearm Owner's Identification
21 Card under Section 2 of this Act.

22 (a-20) The Illinois State Police shall develop an
23 Internet-based system for individuals to determine the
24 validity of a Firearm Owner's Identification Card prior to the
25 sale or transfer of a firearm. The Illinois State Police shall
26 have the Internet-based system updated and available for use

1 by January 1, 2024. The Illinois State Police shall adopt
2 rules not inconsistent with this Section to implement this
3 system; but no rule shall allow the Illinois State Police to
4 retain records in contravention of State and federal law.

5 (a-25) On or before January 1, 2022, the Illinois State
6 Police shall develop an Internet-based system upon which the
7 serial numbers of firearms that have been reported stolen are
8 available for public access for individuals to ensure any
9 firearms are not reported stolen prior to the sale or transfer
10 of a firearm under this Section. The Illinois State Police
11 shall have the Internet-based system completed and available
12 for use by July 1, 2022. The Illinois State Police shall adopt
13 rules not inconsistent with this Section to implement this
14 system.

15 (b) Any person within this State who transfers or causes
16 to be transferred any firearm, stun gun, or taser shall keep a
17 record of such transfer for a period of 10 years from the date
18 of transfer. Any person within this State who receives any
19 firearm, stun gun, or taser pursuant to subsection (a-10)
20 shall provide a record of the transfer within 10 days of the
21 transfer to a federally licensed firearm dealer and shall not
22 be required to maintain a transfer record. The federally
23 licensed firearm dealer shall maintain the transfer record for
24 20 years from the date of receipt. A federally licensed
25 firearm dealer may charge a fee not to exceed \$25 to retain the
26 record. The record shall be provided and maintained in either

1 an electronic or paper format. The federally licensed firearm
2 dealer shall not be liable for the accuracy of any information
3 in the transfer record submitted pursuant to this Section.
4 Such records shall contain the date of the transfer; the
5 description, serial number or other information identifying
6 the firearm, stun gun, or taser if no serial number is
7 available; and, if the transfer was completed within this
8 State, the transferee's Firearm Owner's Identification Card
9 number and any approval number or documentation provided by
10 the Illinois State Police pursuant to subsection (a-10) of
11 this Section; if the transfer was not completed within this
12 State, the record shall contain the name and address of the
13 transferee. On or after January 1, 2006, the record shall
14 contain the date of application for transfer of the firearm.
15 On demand of a peace officer such transferor shall produce for
16 inspection such record of transfer. For any transfer pursuant
17 to subsection (a-10) of this Section, on the demand of a peace
18 officer, such transferee shall identify the federally licensed
19 firearm dealer maintaining the transfer record. If the
20 transfer or sale took place at a gun show, the record shall
21 include the unique identification number. Failure to record
22 the unique identification number or approval number is a petty
23 offense. For transfers of a firearm, stun gun, or taser made on
24 or after January 18, 2019 (the effective date of Public Act
25 100-1178), failure by the private seller to maintain the
26 transfer records in accordance with this Section, or failure

1 by a transferee pursuant to subsection a-10 of this Section to
2 identify the federally licensed firearm dealer maintaining the
3 transfer record, is a Class A misdemeanor for the first
4 offense and a Class 4 felony for a second or subsequent offense
5 occurring within 10 years of the first offense and the second
6 offense was committed after conviction of the first offense.
7 Whenever any person who has not previously been convicted of
8 any violation of subsection (a-5), the court may grant
9 supervision pursuant to and consistent with the limitations of
10 Section 5-6-1 of the Unified Code of Corrections. A transferee
11 or transferor shall not be criminally liable under this
12 Section provided that he or she provides the Illinois State
13 Police with the transfer records in accordance with procedures
14 established by the Illinois State Police. The Illinois State
15 Police shall establish, by rule, a standard form on its
16 website.

17 (b-5) Any resident may purchase ammunition from a person
18 within or outside of Illinois if shipment is by United States
19 mail or by a private express carrier authorized by federal law
20 to ship ammunition. Any resident purchasing ammunition within
21 or outside the State of Illinois must provide the seller with a
22 copy of his or her valid Firearm Owner's Identification Card
23 or valid concealed carry license and either his or her
24 Illinois driver's license or Illinois State Identification
25 Card prior to the shipment of the ammunition. The ammunition
26 may be shipped only to an address on either of those 2

1 documents.

2 (c) The provisions of this Section regarding the transfer
3 of firearm ammunition shall not apply to those persons
4 specified in paragraph (b) of Section 2 of this Act.

5 (Source: P.A. 102-237, eff. 1-1-24; 102-538, eff. 8-20-21;
6 102-813, eff. 5-13-22.)

7 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

8 Sec. 4. Application for Firearm Owner's Identification
9 Cards.

10 (a) Each applicant for a Firearm Owner's Identification
11 Card must:

12 (1) Submit an application as made available by the
13 Illinois State Police; and

14 (2) Submit evidence to the Illinois State Police that:

15 (i) This subparagraph (i) applies through the
16 180th day following July 12, 2019 (the effective date
17 of Public Act 101-80). He or she is 21 years of age or
18 over, or if he or she is under 21 years of age that he
19 or she has the written consent of his or her parent or
20 legal guardian to possess and acquire firearms and
21 firearm ammunition and that he or she has never been
22 convicted of a misdemeanor other than a traffic
23 offense or adjudged delinquent, provided, however,
24 that such parent or legal guardian is not an
25 individual prohibited from having a Firearm Owner's

1 Identification Card and files an affidavit with the
2 Department as prescribed by the Department stating
3 that he or she is not an individual prohibited from
4 having a Card;

5 (i-5) This subparagraph (i-5) applies on and after
6 the 181st day following July 12, 2019 (the effective
7 date of Public Act 101-80). He or she is 21 years of
8 age or over, or if he or she is under 21 years of age
9 that he or she has never been convicted of a
10 misdemeanor other than a traffic offense or adjudged
11 delinquent and is an active duty member of the United
12 States Armed Forces or the Illinois National Guard or
13 has the written consent of his or her parent or legal
14 guardian to possess and acquire firearms and firearm
15 ammunition, provided, however, that such parent or
16 legal guardian is not an individual prohibited from
17 having a Firearm Owner's Identification Card and files
18 an affidavit with the Illinois State Police as
19 prescribed by the Illinois State Police stating that
20 he or she is not an individual prohibited from having a
21 Card or the active duty member of the United States
22 Armed Forces or the Illinois National Guard under 21
23 years of age annually submits proof to the Illinois
24 State Police, in a manner prescribed by the Illinois
25 State Police;

26 (ii) He or she has not been convicted of a felony

1 under the laws of this or any other jurisdiction;

2 (iii) He or she is not addicted to narcotics;

3 (iv) He or she has not been a patient in a mental
4 health facility within the past 5 years or, if he or
5 she has been a patient in a mental health facility more
6 than 5 years ago submit the certification required
7 under subsection (u) of Section 8 of this Act;

8 (v) He or she is not a person with an intellectual
9 disability;

10 (vi) He or she is not a noncitizen who is
11 unlawfully present in the United States under the laws
12 of the United States;

13 (vii) He or she is not subject to an existing order
14 of protection prohibiting him or her from possessing a
15 firearm;

16 (viii) He or she has not been convicted within the
17 past 5 years of battery, assault, aggravated assault,
18 violation of an order of protection, or a
19 substantially similar offense in another jurisdiction,
20 in which a firearm was used or possessed;

21 (ix) He or she has not been convicted of domestic
22 battery, aggravated domestic battery, or a
23 substantially similar offense in another jurisdiction
24 committed before, on or after January 1, 2012 (the
25 effective date of Public Act 97-158). If the applicant
26 knowingly and intelligently waives the right to have

1 an offense described in this clause (ix) tried by a
2 jury, and by guilty plea or otherwise, results in a
3 conviction for an offense in which a domestic
4 relationship is not a required element of the offense
5 but in which a determination of the applicability of
6 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of
7 the Code of Criminal Procedure of 1963, an entry by the
8 court of a judgment of conviction for that offense
9 shall be grounds for denying the issuance of a Firearm
10 Owner's Identification Card under this Section;

11 (x) (Blank);

12 (xi) He or she is not a noncitizen who has been
13 admitted to the United States under a non-immigrant
14 visa (as that term is defined in Section 101(a)(26) of
15 the Immigration and Nationality Act (8 U.S.C.
16 1101(a)(26))), or that he or she is a noncitizen who
17 has been lawfully admitted to the United States under
18 a non-immigrant visa if that noncitizen is:

19 (1) admitted to the United States for lawful
20 hunting or sporting purposes;

21 (2) an official representative of a foreign
22 government who is:

23 (A) accredited to the United States
24 Government or the Government's mission to an
25 international organization having its
26 headquarters in the United States; or

1 (B) en route to or from another country to
2 which that noncitizen is accredited;

3 (3) an official of a foreign government or
4 distinguished foreign visitor who has been so
5 designated by the Department of State;

6 (4) a foreign law enforcement officer of a
7 friendly foreign government entering the United
8 States on official business; or

9 (5) one who has received a waiver from the
10 Attorney General of the United States pursuant to
11 18 U.S.C. 922 (y) (3);

12 (xii) He or she is not a minor subject to a
13 petition filed under Section 5-520 of the Juvenile
14 Court Act of 1987 alleging that the minor is a
15 delinquent minor for the commission of an offense that
16 if committed by an adult would be a felony;

17 (xiii) He or she is not an adult who had been
18 adjudicated a delinquent minor under the Juvenile
19 Court Act of 1987 for the commission of an offense that
20 if committed by an adult would be a felony;

21 (xiv) He or she is a resident of the State of
22 Illinois;

23 (xv) He or she has not been adjudicated as a person
24 with a mental disability;

25 (xvi) He or she has not been involuntarily
26 admitted into a mental health facility; and

1 (xvii) He or she is not a person with a
2 developmental disability; and

3 (3) Upon request by the Illinois State Police, sign a
4 release on a form prescribed by the Illinois State Police
5 waiving any right to confidentiality and requesting the
6 disclosure to the Illinois State Police of limited mental
7 health institution admission information from another
8 state, the District of Columbia, any other territory of
9 the United States, or a foreign nation concerning the
10 applicant for the sole purpose of determining whether the
11 applicant is or was a patient in a mental health
12 institution and disqualified because of that status from
13 receiving a Firearm Owner's Identification Card. No mental
14 health care or treatment records may be requested. The
15 information received shall be destroyed within one year of
16 receipt.

17 (a-5) Each applicant for a Firearm Owner's Identification
18 Card who is over the age of 18 shall furnish to the Illinois
19 State Police either his or her Illinois driver's license
20 number or Illinois Identification Card number, except as
21 provided in subsection (a-10).

22 (a-10) Each applicant for a Firearm Owner's Identification
23 Card, who is employed as a law enforcement officer, an armed
24 security officer in Illinois, or by the United States Military
25 permanently assigned in Illinois and who is not an Illinois
26 resident, shall furnish to the Illinois State Police his or

1 her driver's license number or state identification card
2 number from his or her state of residence. The Illinois State
3 Police may adopt rules to enforce the provisions of this
4 subsection (a-10).

5 (a-15) If an applicant applying for a Firearm Owner's
6 Identification Card moves from the residence address named in
7 the application, he or she shall immediately notify in a form
8 and manner prescribed by the Illinois State Police of that
9 change of address.

10 (a-20) Each applicant for a Firearm Owner's Identification
11 Card shall furnish to the Illinois State Police his or her
12 photograph. An applicant who is 21 years of age or older
13 seeking a religious exemption to the photograph requirement
14 must furnish with the application an approved copy of United
15 States Department of the Treasury Internal Revenue Service
16 Form 4029. In lieu of a photograph, an applicant regardless of
17 age seeking a religious exemption to the photograph
18 requirement shall submit fingerprints on a form and manner
19 prescribed by the Illinois State Police with his or her
20 application.

21 (a-25) Beginning January 1, 2023, each applicant for the
22 issuance of a Firearm Owner's Identification Card may include
23 a full set of his or her fingerprints in electronic format to
24 the Illinois State Police, unless the applicant has previously
25 provided a full set of his or her fingerprints to the Illinois
26 State Police under this Act or the Firearm Concealed Carry

1 Act.

2 The fingerprints must be transmitted through a live scan
3 fingerprint vendor licensed by the Department of Financial and
4 Professional Regulation. The fingerprints shall be checked
5 against the fingerprint records now and hereafter filed in the
6 Illinois State Police and Federal Bureau of Investigation
7 criminal history records databases, including all available
8 State and local criminal history record information files.

9 The Illinois State Police shall charge applicants a
10 one-time fee for conducting the criminal history record check,
11 which shall be deposited into the State Police Services Fund
12 and shall not exceed the actual cost of the State and national
13 criminal history record check.

14 (a-26) The Illinois State Police shall research, explore,
15 and report to the General Assembly by January 1, 2022 on the
16 feasibility of permitting voluntarily submitted fingerprints
17 obtained for purposes other than Firearm Owner's
18 Identification Card enforcement that are contained in the
19 Illinois State Police database for purposes of this Act.

20 (b) Each application form shall include the following
21 statement printed in bold type: "Warning: Entering false
22 information on an application for a Firearm Owner's
23 Identification Card is punishable as a Class 2 felony in
24 accordance with subsection (d-5) of Section 14 of the Firearm
25 Owners Identification Card Act.".

26 (c) Upon such written consent, pursuant to Section 4,

1 paragraph (a)(2)(i), the parent or legal guardian giving the
2 consent shall be liable for any damages resulting from the
3 applicant's use of firearms or firearm ammunition.

4 (Source: P.A. 101-80, eff. 7-12-19; 102-237, eff. 1-1-22;
5 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1030, eff.
6 5-27-22.)

7 (430 ILCS 65/4.1 new)

8 Sec. 4.1. Assault weapon, .50 caliber rifle, assault
9 weapon attachment, or .50 caliber cartridge endorsement.

10 (a) The endorsement affidavit form completed pursuant to
11 Section 24-1.9 of the Criminal Code of 2012 must be executed
12 electronically through the individual's Firearm Owner's
13 Identification Card account.

14 (b) The Illinois State Police shall adopt rules in
15 accordance with this Section for the electronic submission of
16 an endorsement affidavit.

17 (c) Entering false information on the endorsement
18 affidavit form is a violation of this Act and is also
19 punishable as perjury under Section 32-2 of the Criminal Code
20 of 2012.

21 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

22 Sec. 8. Grounds for denial and revocation. The Illinois
23 State Police has authority to deny an application for or to
24 revoke and seize a Firearm Owner's Identification Card

1 previously issued under this Act only if the Illinois State
2 Police finds that the applicant or the person to whom such card
3 was issued is or was at the time of issuance:

4 (a) A person under 21 years of age who has been
5 convicted of a misdemeanor other than a traffic offense or
6 adjudged delinquent;

7 (b) This subsection (b) applies through the 180th day
8 following July 12, 2019 (the effective date of Public Act
9 101-80). A person under 21 years of age who does not have
10 the written consent of his parent or guardian to acquire
11 and possess firearms and firearm ammunition, or whose
12 parent or guardian has revoked such written consent, or
13 where such parent or guardian does not qualify to have a
14 Firearm Owner's Identification Card;

15 (b-5) This subsection (b-5) applies on and after the
16 181st day following July 12, 2019 (the effective date of
17 Public Act 101-80). A person under 21 years of age who is
18 not an active duty member of the United States Armed
19 Forces or the Illinois National Guard and does not have
20 the written consent of his or her parent or guardian to
21 acquire and possess firearms and firearm ammunition, or
22 whose parent or guardian has revoked such written consent,
23 or where such parent or guardian does not qualify to have a
24 Firearm Owner's Identification Card;

25 (c) A person convicted of a felony under the laws of
26 this or any other jurisdiction;

1 (d) A person addicted to narcotics;

2 (e) A person who has been a patient of a mental health
3 facility within the past 5 years or a person who has been a
4 patient in a mental health facility more than 5 years ago
5 who has not received the certification required under
6 subsection (u) of this Section. An active law enforcement
7 officer employed by a unit of government or a Department
8 of Corrections employee authorized to possess firearms who
9 is denied, revoked, or has his or her Firearm Owner's
10 Identification Card seized under this subsection (e) may
11 obtain relief as described in subsection (c-5) of Section
12 10 of this Act if the officer or employee did not act in a
13 manner threatening to the officer or employee, another
14 person, or the public as determined by the treating
15 clinical psychologist or physician, and the officer or
16 employee seeks mental health treatment;

17 (f) A person whose mental condition is of such a
18 nature that it poses a clear and present danger to the
19 applicant, any other person or persons, or the community;

20 (g) A person who has an intellectual disability;

21 (h) A person who intentionally makes a false statement
22 in the Firearm Owner's Identification Card application or
23 endorsement affidavit;

24 (i) A noncitizen who is unlawfully present in the
25 United States under the laws of the United States;

26 (i-5) A noncitizen who has been admitted to the United

1 States under a non-immigrant visa (as that term is defined
2 in Section 101(a)(26) of the Immigration and Nationality
3 Act (8 U.S.C. 1101(a)(26))), except that this subsection
4 (i-5) does not apply to any noncitizen who has been
5 lawfully admitted to the United States under a
6 non-immigrant visa if that noncitizen is:

7 (1) admitted to the United States for lawful
8 hunting or sporting purposes;

9 (2) an official representative of a foreign
10 government who is:

11 (A) accredited to the United States Government
12 or the Government's mission to an international
13 organization having its headquarters in the United
14 States; or

15 (B) en route to or from another country to
16 which that noncitizen is accredited;

17 (3) an official of a foreign government or
18 distinguished foreign visitor who has been so
19 designated by the Department of State;

20 (4) a foreign law enforcement officer of a
21 friendly foreign government entering the United States
22 on official business; or

23 (5) one who has received a waiver from the
24 Attorney General of the United States pursuant to 18
25 U.S.C. 922(y)(3);

26 (j) (Blank);

1 (k) A person who has been convicted within the past 5
2 years of battery, assault, aggravated assault, violation
3 of an order of protection, or a substantially similar
4 offense in another jurisdiction, in which a firearm was
5 used or possessed;

6 (1) A person who has been convicted of domestic
7 battery, aggravated domestic battery, or a substantially
8 similar offense in another jurisdiction committed before,
9 on or after January 1, 2012 (the effective date of Public
10 Act 97-158). If the applicant or person who has been
11 previously issued a Firearm Owner's Identification Card
12 under this Act knowingly and intelligently waives the
13 right to have an offense described in this paragraph (1)
14 tried by a jury, and by guilty plea or otherwise, results
15 in a conviction for an offense in which a domestic
16 relationship is not a required element of the offense but
17 in which a determination of the applicability of 18 U.S.C.
18 922(g)(9) is made under Section 112A-11.1 of the Code of
19 Criminal Procedure of 1963, an entry by the court of a
20 judgment of conviction for that offense shall be grounds
21 for denying an application for and for revoking and
22 seizing a Firearm Owner's Identification Card previously
23 issued to the person under this Act;

24 (m) (Blank);

25 (n) A person who is prohibited from acquiring or
26 possessing firearms or firearm ammunition by any Illinois

1 State statute or by federal law;

2 (o) A minor subject to a petition filed under Section
3 5-520 of the Juvenile Court Act of 1987 alleging that the
4 minor is a delinquent minor for the commission of an
5 offense that if committed by an adult would be a felony;

6 (p) An adult who had been adjudicated a delinquent
7 minor under the Juvenile Court Act of 1987 for the
8 commission of an offense that if committed by an adult
9 would be a felony;

10 (q) A person who is not a resident of the State of
11 Illinois, except as provided in subsection (a-10) of
12 Section 4;

13 (r) A person who has been adjudicated as a person with
14 a mental disability;

15 (s) A person who has been found to have a
16 developmental disability;

17 (t) A person involuntarily admitted into a mental
18 health facility; or

19 (u) A person who has had his or her Firearm Owner's
20 Identification Card revoked or denied under subsection (e)
21 of this Section or item (iv) of paragraph (2) of
22 subsection (a) of Section 4 of this Act because he or she
23 was a patient in a mental health facility as provided in
24 subsection (e) of this Section, shall not be permitted to
25 obtain a Firearm Owner's Identification Card, after the
26 5-year period has lapsed, unless he or she has received a

1 mental health evaluation by a physician, clinical
2 psychologist, or qualified examiner as those terms are
3 defined in the Mental Health and Developmental
4 Disabilities Code, and has received a certification that
5 he or she is not a clear and present danger to himself,
6 herself, or others. The physician, clinical psychologist,
7 or qualified examiner making the certification and his or
8 her employer shall not be held criminally, civilly, or
9 professionally liable for making or not making the
10 certification required under this subsection, except for
11 willful or wanton misconduct. This subsection does not
12 apply to a person whose firearm possession rights have
13 been restored through administrative or judicial action
14 under Section 10 or 11 of this Act.

15 Upon revocation of a person's Firearm Owner's
16 Identification Card, the Illinois State Police shall provide
17 notice to the person and the person shall comply with Section
18 9.5 of this Act.

19 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;
20 102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.
21 5-27-22.)

22 Section 15. The Firearms Restraining Order Act is amended
23 by changing Sections 40, 45, and 55 as follows:

24 (430 ILCS 67/40)

1 Sec. 40. Plenary ~~Six-month~~ orders.

2 (a) A petitioner may request a ~~6-month~~ firearms
3 restraining order for up to one year by filing an affidavit or
4 verified pleading alleging that the respondent poses a
5 significant danger of causing personal injury to himself,
6 herself, or another in the near future by having in his or her
7 custody or control, purchasing, possessing, or receiving a
8 firearm, ammunition, and firearm parts that could be assembled
9 to make an operable firearm. The petition shall also describe
10 the number, types, and locations of any firearms, ammunition,
11 and firearm parts that could be assembled to make an operable
12 firearm presently believed by the petitioner to be possessed
13 or controlled by the respondent. The firearms restraining
14 order may be renewed for an additional period of up to one year
15 in accordance with Section 45 of this Act.

16 (b) If the respondent is alleged to pose a significant
17 danger of causing personal injury to an intimate partner, or
18 an intimate partner is alleged to have been the target of a
19 threat or act of violence by the respondent, the petitioner
20 shall make a good faith effort to provide notice to any and all
21 intimate partners of the respondent. The notice must include
22 the duration of time that the petitioner intends to petition
23 the court for a ~~6-month~~ firearms restraining order, and, if
24 the petitioner is a law enforcement officer, referral to
25 relevant domestic violence or stalking advocacy or counseling
26 resources, if appropriate. The petitioner shall attest to

1 having provided the notice in the filed affidavit or verified
2 pleading. If, after making a good faith effort, the petitioner
3 is unable to provide notice to any or all intimate partners,
4 the affidavit or verified pleading should describe what
5 efforts were made.

6 (c) Every person who files a petition for a plenary
7 ~~6-month~~ firearms restraining order, knowing the information
8 provided to the court at any hearing or in the affidavit or
9 verified pleading to be false, is guilty of perjury under
10 Section 32-2 of the Criminal Code of 2012.

11 (d) Upon receipt of a petition for a plenary ~~6-month~~
12 firearms restraining order, the court shall order a hearing
13 within 30 days.

14 (e) In determining whether to issue a firearms restraining
15 order under this Section, the court shall consider evidence
16 including, but not limited to, the following:

17 (1) The unlawful and reckless use, display, or
18 brandishing of a firearm, ammunition, and firearm parts
19 that could be assembled to make an operable firearm by the
20 respondent.

21 (2) The history of use, attempted use, or threatened
22 use of physical force by the respondent against another
23 person.

24 (3) Any prior arrest of the respondent for a felony
25 offense.

26 (4) Evidence of the abuse of controlled substances or

1 alcohol by the respondent.

2 (5) A recent threat of violence or act of violence by
3 the respondent directed toward himself, herself, or
4 another.

5 (6) A violation of an emergency order of protection
6 issued under Section 217 of the Illinois Domestic Violence
7 Act of 1986 or Section 112A-17 of the Code of Criminal
8 Procedure of 1963 or of an order of protection issued
9 under Section 214 of the Illinois Domestic Violence Act of
10 1986 or Section 112A-14 of the Code of Criminal Procedure
11 of 1963.

12 (7) A pattern of violent acts or violent threats,
13 including, but not limited to, threats of violence or acts
14 of violence by the respondent directed toward himself,
15 herself, or another.

16 (f) At the hearing, the petitioner shall have the burden
17 of proving, by clear and convincing evidence, that the
18 respondent poses a significant danger of personal injury to
19 himself, herself, or another by having in his or her custody or
20 control, purchasing, possessing, or receiving a firearm,
21 ammunition, and firearm parts that could be assembled to make
22 an operable firearm.

23 (g) If the court finds that there is clear and convincing
24 evidence to issue a plenary firearms restraining order, the
25 court shall issue a firearms restraining order that shall be
26 in effect for up to one year, but not less than 6 months, €

1 ~~months~~ subject to renewal under Section 45 of this Act or
2 termination under that Section.

3 (g-5) If the court issues a plenary ~~6-month~~ firearms
4 restraining order, it shall, upon a finding of probable cause
5 that the respondent possesses firearms, ammunition, and
6 firearm parts that could be assembled to make an operable
7 firearm, issue a search warrant directing a law enforcement
8 agency to seize the respondent's firearms, ammunition, and
9 firearm parts that could be assembled to make an operable
10 firearm. The court may, as part of that warrant, direct the law
11 enforcement agency to search the respondent's residence and
12 other places where the court finds there is probable cause to
13 believe he or she is likely to possess the firearms,
14 ammunition, and firearm parts that could be assembled to make
15 an operable firearm. A return of the search warrant shall be
16 filed by the law enforcement agency within 4 days thereafter,
17 setting forth the time, date, and location that the search
18 warrant was executed and what items, if any, were seized.

19 (h) A plenary ~~6-month~~ firearms restraining order shall
20 require:

21 (1) the respondent to refrain from having in his or
22 her custody or control, purchasing, possessing, or
23 receiving additional firearms, ammunition, and firearm
24 parts that could be assembled to make an operable firearm
25 for the duration of the order under Section 8.2 of the
26 Firearm Owners Identification Card Act; and

1 (2) the respondent to comply with Section 9.5 of the
2 Firearm Owners Identification Card Act and subsection (g)
3 of Section 70 of the Firearm Concealed Carry Act.

4 (i) Except as otherwise provided in subsection (i-5) of
5 this Section, upon expiration of the period of safekeeping, if
6 the firearms, ammunition, and firearm parts that could be
7 assembled to make an operable firearm or Firearm Owner's
8 Identification Card cannot be returned to the respondent
9 because the respondent cannot be located, fails to respond to
10 requests to retrieve the firearms, ammunition, and firearm
11 parts that could be assembled to make an operable firearm, or
12 is not lawfully eligible to possess a firearm, ammunition, and
13 firearm parts that could be assembled to make an operable
14 firearm, upon petition from the local law enforcement agency,
15 the court may order the local law enforcement agency to
16 destroy the firearms, ammunition, and firearm parts that could
17 be assembled to make an operable firearm, use the firearms,
18 ammunition, and firearm parts that could be assembled to make
19 an operable firearm for training purposes, or use the
20 firearms, ammunition, and firearm parts that could be
21 assembled to make an operable firearm for any other
22 application as deemed appropriate by the local law enforcement
23 agency.

24 (i-5) A respondent whose Firearm Owner's Identification
25 Card has been revoked or suspended may petition the court, if
26 the petitioner is present in court or has notice of the

1 respondent's petition, to transfer the respondent's firearm,
2 ammunition, and firearm parts that could be assembled to make
3 an operable firearm to a person who is lawfully able to possess
4 the firearm, ammunition, and firearm parts that could be
5 assembled to make an operable firearm if the person does not
6 reside at the same address as the respondent. Notice of the
7 petition shall be served upon the person protected by the
8 emergency firearms restraining order. While the order is in
9 effect, the transferee who receives the respondent's firearms,
10 ammunition, and firearm parts that could be assembled to make
11 an operable firearm must swear or affirm by affidavit that he
12 or she shall not transfer the firearm, ammunition, and firearm
13 parts that could be assembled to make an operable firearm to
14 the respondent or to anyone residing in the same residence as
15 the respondent.

16 (i-6) If a person other than the respondent claims title
17 to any firearms, ammunition, and firearm parts that could be
18 assembled to make an operable firearm surrendered under this
19 Section, he or she may petition the court, if the petitioner is
20 present in court or has notice of the petition, to have the
21 firearm, ammunition, and firearm parts that could be assembled
22 to make an operable firearm returned to him or her. If the
23 court determines that person to be the lawful owner of the
24 firearm, ammunition, and firearm parts that could be assembled
25 to make an operable firearm, the firearm, ammunition, and
26 firearm parts that could be assembled to make an operable

1 firearm shall be returned to him or her, provided that:

2 (1) the firearm, ammunition, and firearm parts that
3 could be assembled to make an operable firearm are removed
4 from the respondent's custody, control, or possession and
5 the lawful owner agrees to store the firearm, ammunition,
6 and firearm parts that could be assembled to make an
7 operable firearm in a manner such that the respondent does
8 not have access to or control of the firearm, ammunition,
9 and firearm parts that could be assembled to make an
10 operable firearm; and

11 (2) the firearm, ammunition, and firearm parts that
12 could be assembled to make an operable firearm are not
13 otherwise unlawfully possessed by the owner.

14 The person petitioning for the return of his or her
15 firearm, ammunition, and firearm parts that could be assembled
16 to make an operable firearm must swear or affirm by affidavit
17 that he or she: (i) is the lawful owner of the firearm,
18 ammunition, and firearm parts that could be assembled to make
19 an operable firearm; (ii) shall not transfer the firearm,
20 ammunition, and firearm parts that could be assembled to make
21 an operable firearm to the respondent; and (iii) will store
22 the firearm, ammunition, and firearm parts that could be
23 assembled to make an operable firearm in a manner that the
24 respondent does not have access to or control of the firearm,
25 ammunition, and firearm parts that could be assembled to make
26 an operable firearm.

1 (j) If the court does not issue a firearms restraining
2 order at the hearing, the court shall dissolve any emergency
3 firearms restraining order then in effect.

4 (k) When the court issues a firearms restraining order
5 under this Section, the court shall inform the respondent that
6 he or she is entitled to one hearing during the period of the
7 order to request a termination of the order, under Section 45
8 of this Act, and shall provide the respondent with a form to
9 request a hearing.

10 (Source: P.A. 101-81, eff. 7-12-19; 102-237, eff. 1-1-22;
11 102-345, eff. 6-1-22; 102-538, eff. 8-20-21; 102-813, eff.
12 5-13-22.)

13 (430 ILCS 67/45)

14 Sec. 45. Termination and renewal.

15 (a) A person subject to a firearms restraining order
16 issued under this Act may submit one written request at any
17 time during the effective period of the order for a hearing to
18 terminate the order.

19 (1) The respondent shall have the burden of proving by
20 a preponderance of the evidence that the respondent does
21 not pose a danger of causing personal injury to himself,
22 herself, or another in the near future by having in his or
23 her custody or control, purchasing, possessing, or
24 receiving a firearm, ammunition, and firearm parts that
25 could be assembled to make an operable firearm.

1 (2) If the court finds after the hearing that the
2 respondent has met his or her burden, the court shall
3 terminate the order.

4 (b) A petitioner may request a renewal of a firearms
5 restraining order at any time within the 3 months before the
6 expiration of a firearms restraining order.

7 (1) A court shall, after notice and a hearing, renew a
8 firearms restraining order issued under this part if the
9 petitioner proves, by clear and convincing evidence, that
10 the respondent continues to pose a danger of causing
11 personal injury to himself, herself, or another in the
12 near future by having in his or her custody or control,
13 purchasing, possessing, or receiving a firearm,
14 ammunition, and firearm parts that could be assembled to
15 make an operable firearm.

16 (2) In determining whether to renew a firearms
17 restraining order issued under this Act, the court shall
18 consider evidence of the facts identified in subsection
19 (e) of Section 40 of this Act and any other evidence of an
20 increased risk for violence.

21 (3) At the hearing, the petitioner shall have the
22 burden of proving by clear and convincing evidence that
23 the respondent continues to pose a danger of causing
24 personal injury to himself, herself, or another in the
25 near future by having in his or her custody or control,
26 purchasing, possessing, or receiving a firearm,

1 ammunition, and firearm parts that could be assembled to
2 make an operable firearm.

3 (4) The renewal of a firearms restraining order issued
4 under this Section shall be in effect for up to one year
5 and may be renewed for an additional period of up to one
6 year ~~6 months~~, subject to termination by further order of
7 the court at a hearing held under this Section and further
8 renewal by further order of the court under this Section.

9 (Source: P.A. 101-81, eff. 7-12-19; 102-345, eff. 6-1-22.)

10 (430 ILCS 67/55)

11 Sec. 55. Data maintenance by law enforcement agencies.

12 (a) All sheriffs shall furnish to the Illinois State
13 Police, daily, in the form and detail the Illinois State
14 Police Department requires, copies of any recorded firearms
15 restraining orders issued by the court, and any foreign orders
16 of protection filed by the clerk of the court, and transmitted
17 to the sheriff by the clerk of the court under Section 50. Each
18 firearms restraining order shall be entered in the Law
19 Enforcement Agencies Data System (LEADS) on the same day it is
20 issued by the court. If an emergency firearms restraining
21 order was issued in accordance with Section 35 of this Act, the
22 order shall be entered in the Law Enforcement Agencies Data
23 System (LEADS) as soon as possible after receipt from the
24 clerk.

25 (b) The Illinois State Police shall maintain a complete

1 and systematic record and index of all valid and recorded
2 firearms restraining orders issued or filed under this Act.
3 The data shall be used to inform all dispatchers and law
4 enforcement officers at the scene of a violation of a firearms
5 restraining order of the effective dates and terms of any
6 recorded order of protection.

7 (c) The data, records, and transmittals required under
8 this Section shall pertain to any valid emergency or plenary
9 ~~6-month~~ firearms restraining order, whether issued in a civil
10 or criminal proceeding or authorized under the laws of another
11 state, tribe, or United States territory.

12 (Source: P.A. 101-81, eff. 7-12-19; 102-538, eff. 8-20-21.)

13 Section 25. The Criminal Code of 2012 is amended by
14 changing Section 24-1 and by adding Sections 24-1.9 and
15 24-1.10 as follows:

16 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

17 Sec. 24-1. Unlawful use of weapons.

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

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

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

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

11 (2.5) Carries or possesses with intent to use the same
12 unlawfully against another, any firearm in a church,
13 synagogue, mosque, or other building, structure, or place
14 used for religious worship; or

15 (3) Carries on or about his person or in any vehicle, a
16 tear gas gun projector or bomb or any object containing
17 noxious liquid gas or substance, other than an object
18 containing a non-lethal noxious liquid gas or substance
19 designed solely for personal defense carried by a person
20 18 years of age or older; or

21 (4) Carries or possesses in any vehicle or concealed
22 on or about his person except when on his land or in his
23 own abode, legal dwelling, or fixed place of business, or
24 on the land or in the legal dwelling of another person as
25 an invitee with that person's permission, any pistol,
26 revolver, stun gun or taser or other firearm, except that

1 this subsection (a) (4) does not apply to or affect
2 transportation of weapons that meet one of the following
3 conditions:

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

5 (ii) are not immediately accessible; or

6 (iii) are unloaded and enclosed in a case, firearm
7 carrying box, shipping box, or other container by a
8 person who has been issued a currently valid Firearm
9 Owner's Identification Card; or

10 (iv) are carried or possessed in accordance with
11 the Firearm Concealed Carry Act by a person who has
12 been issued a currently valid license under the
13 Firearm Concealed Carry Act; or

14 (5) Sets a spring gun; or

15 (6) Possesses any device or attachment of any kind
16 designed, used or intended for use in silencing the report
17 of any firearm; or

18 (7) Sells, manufactures, delivers, imports, purchases,
19 possesses or carries:

20 (i) a machine gun, which shall be defined for the
21 purposes of this subsection as any weapon, which
22 shoots, is designed to shoot, or can be readily
23 restored to shoot, automatically more than one shot
24 without manually reloading by a single function of the
25 trigger, including the frame or receiver of any such
26 weapon, or sells, manufactures, purchases, possesses,

1 or carries any combination of parts designed or
2 intended for use in converting any weapon into a
3 machine gun, or any combination or parts from which a
4 machine gun can be assembled if such parts are in the
5 possession or under the control of a person;

6 (ii) any rifle having one or more barrels less
7 than 16 inches in length or a shotgun having one or
8 more barrels less than 18 inches in length or any
9 weapon made from a rifle or shotgun, whether by
10 alteration, modification, or otherwise, if such a
11 weapon as modified has an overall length of less than
12 26 inches or any assault weapon or .50 caliber rifle in
13 violation of Section 24-1.9; or

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

19 (8) Carries or possesses any firearm, stun gun or
20 taser or other deadly weapon in any place which is
21 licensed to sell intoxicating beverages, or at any public
22 gathering held pursuant to a license issued by any
23 governmental body or any public gathering at which an
24 admission is charged, excluding a place where a showing,
25 demonstration or lecture involving the exhibition of
26 unloaded firearms is conducted.

1 This subsection (a) (8) does not apply to any auction
2 or raffle of a firearm held pursuant to a license or permit
3 issued by a governmental body, nor does it apply to
4 persons engaged in firearm safety training courses; or

5 (9) Carries or possesses in a vehicle or on or about
6 his or her person any pistol, revolver, stun gun or taser
7 or firearm or ballistic knife, when he or she is hooded,
8 robed or masked in such manner as to conceal his or her
9 identity; or

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

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

24 (ii) are not immediately accessible; or

25 (iii) are unloaded and enclosed in a case, firearm
26 carrying box, shipping box, or other container by a

1 person who has been issued a currently valid Firearm
2 Owner's Identification Card; or

3 (iv) are carried or possessed in accordance with
4 the Firearm Concealed Carry Act by a person who has
5 been issued a currently valid license under the
6 Firearm Concealed Carry Act.

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

19 (11) Sells, manufactures, delivers, imports,
20 possesses, or purchases any assault weapon attachment or
21 .50 caliber cartridge in violation of Section 24-1.9 or
22 any explosive bullet. For purposes of this paragraph (a)
23 "explosive bullet" means the projectile portion of an
24 ammunition cartridge which contains or carries an
25 explosive charge which will explode upon contact with the
26 flesh of a human or an animal. "Cartridge" means a tubular

1 metal case having a projectile affixed at the front
2 thereof and a cap or primer at the rear end thereof, with
3 the propellant contained in such tube between the
4 projectile and the cap; or

5 (12) (Blank); or

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

14 (14) Manufactures, possesses, sells, or offers to
15 sell, purchase, manufacture, import, transfer, or use any
16 device, part, kit, tool, accessory, or combination of
17 parts that is designed to and functions to increase the
18 rate of fire of a semiautomatic firearm above the standard
19 rate of fire for semiautomatic firearms that is not
20 equipped with that device, part, or combination of parts.

21 (b) Sentence. A person convicted of a violation of
22 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),
23 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a
24 Class A misdemeanor. A person convicted of a violation of
25 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony;
26 a person convicted of a violation of subsection 24-1(a)(6) or

1 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person
2 convicted of a violation of subsection 24-1(a)(7)(i) commits a
3 Class 2 felony and shall be sentenced to a term of imprisonment
4 of not less than 3 years and not more than 7 years, unless the
5 weapon is possessed in the passenger compartment of a motor
6 vehicle as defined in Section 1-146 of the Illinois Vehicle
7 Code, or on the person, while the weapon is loaded, in which
8 case it shall be a Class X felony. A person convicted of a
9 second or subsequent violation of subsection 24-1(a)(4),
10 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3
11 felony. A person convicted of a violation of subsection
12 24-1(a)(2.5) or 24-1(a)(14) commits a Class 2 felony. The
13 possession of each weapon or device in violation of this
14 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
22 real property comprising any school, regardless of the
23 time of day or the time of year, on residential property
24 owned, operated or managed by a public housing agency or
25 leased by a public housing agency as part of a scattered
26 site or mixed-income development, on the real property

1 comprising any public park, on the real property
2 comprising any courthouse, in any conveyance owned, leased
3 or contracted by a school to transport students to or from
4 school or a school related activity, in any conveyance
5 owned, leased, or contracted by a public transportation
6 agency, or on any public way within 1,000 feet of the real
7 property comprising any school, public park, courthouse,
8 public transportation facility, or residential property
9 owned, operated, or managed by a public housing agency or
10 leased by a public housing agency as part of a scattered
11 site or mixed-income development commits a Class 2 felony
12 and shall be sentenced to a term of imprisonment of not
13 less than 3 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
16 the time of day or the time of year, in residential
17 property owned, operated, or managed by a public housing
18 agency or leased by a public housing agency as part of a
19 scattered site or mixed-income development, in a public
20 park, in a courthouse, on the real property comprising any
21 school, regardless of the time of day or the time of year,
22 on 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,
25 on the real property comprising any public park, on the
26 real 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,
3 in 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
20 public housing agency or leased by a public housing agency
21 as part of a scattered site or mixed-income development,
22 on the real property comprising any public park, on the
23 real 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,
26 in 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
9 of 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
12 security officers of such school, college, or university
13 or to 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
21 school, 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
11 upon the person of one of the occupants therein; or (ii) if
12 such 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 or her trade, then such presumption
15 shall not apply to the driver.

16 (e) Exemptions.

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

21 (2) The provision of paragraph (1) of subsection (a)
22 of this Section prohibiting the sale, manufacture,
23 purchase, possession, or carrying of any knife, commonly
24 referred to as a switchblade knife, which has a blade that
25 opens automatically by hand pressure applied to a button,
26 spring or other device in the handle of the knife, does not

1 apply to a person who possesses a currently valid Firearm
2 Owner's Identification Card previously issued in his or
3 her name by the Illinois State Police or to a person or an
4 entity engaged in the business of selling or manufacturing
5 switchblade knives.

6 (Source: P.A. 101-223, eff. 1-1-20; 102-538, eff. 8-20-21.)

7 (720 ILCS 5/24-1.9 new)

8 Sec. 24-1.9. Manufacture, possession, delivery, sale, and
9 purchase of assault weapons, .50 caliber rifles, and .50
10 caliber cartridges.

11 (a) Definitions. In this Section:

12 (1) "Assault weapon" means any of the following, except as
13 provided in subdivision (2) of this subsection:

14 (A) A semiautomatic rifle that has the capacity to
15 accept a detachable magazine or that may be readily
16 modified to accept a detachable magazine, if the firearm
17 has one or more of the following:

18 (i) a pistol grip or thumbhole stock;

19 (ii) any feature capable of functioning as a
20 protruding grip that can be held by the non-trigger
21 hand;

22 (iii) a folding, telescoping, thumbhole, or
23 detachable stock, or a stock that is otherwise
24 foldable or adjustable in a manner that operates to
25 reduce the length, size, or any other dimension, or

1 otherwise enhances the concealability of, the weapon;

2 (iv) a flash suppressor;

3 (v) a grenade launcher;

4 (vi) a shroud attached to the barrel or that
5 partially or completely encircles the barrel, allowing
6 the bearer to hold the firearm with the non-trigger
7 hand without being burned, but excluding a slide that
8 encloses the barrel.

9 (B) A semiautomatic rifle that has a fixed magazine
10 with the capacity to accept more than 10 rounds, except
11 for an attached tubular device designed to accept, and
12 capable of operating only with, .22 caliber rimfire
13 ammunition.

14 (C) A semiautomatic pistol that has the capacity to
15 accept a detachable magazine or that may be readily
16 modified to accept a detachable magazine, if the firearm
17 has one or more of the following:

18 (i) a threaded barrel;

19 (ii) a second pistol grip or another feature
20 capable of functioning as a protruding grip that can
21 be held by the non-trigger hand;

22 (iii) a shroud attached to the barrel or that
23 partially or completely encircles the barrel, allowing
24 the bearer to hold the firearm with the non-trigger
25 hand without being burned, but excluding a slide that
26 encloses the barrel;

1 (iv) a flash suppressor;

2 (v) the capacity to accept a detachable magazine
3 at some location outside of the pistol grip;

4 (vi) a manufactured weight of 50 ounces or more
5 when unloaded; or

6 (vii) a buffer tube, arm brace, or other part that
7 protrudes horizontally behind the pistol grip and is
8 designed or redesigned to allow or facilitate a
9 firearm to be fired from the shoulder.

10 (D) A semiautomatic pistol that has a fixed magazine
11 with the capacity to accept more than 15 rounds.

12 (E) Any shotgun with a revolving cylinder.

13 (F) A semiautomatic shotgun that has one or more of
14 the following:

15 (i) a pistol grip or thumbhole stock;

16 (ii) any feature capable of functioning as a
17 protruding grip that can be held by the non-trigger
18 hand;

19 (iii) a folding, telescoping, or thumbhole stock;

20 (iv) a grenade launcher;

21 (v) a fixed magazine with the capacity to accept
22 or may be readily modified to accept more than five
23 rounds; or

24 (vi) the capacity to accept a detachable magazine.

25 (G) Any semiautomatic firearm that has the capacity to
26 accept a belt ammunition feeding device.

1 (H) Any firearm that has been modified to be operable
2 as an assault weapon as defined in this Section.

3 (I) Any part or combination of parts designed or
4 intended to convert a firearm into an assault weapon,
5 including any combination of parts from which an assault
6 weapon may be readily assembled if those parts are in the
7 possession or under the control of the same person.

8 (J) All of the following rifles, copies, duplicates,
9 variants, or altered facsimiles with the capability of any
10 such weapon:

11 (i) All AK types, including the following:

12 (I) AK, AK47, AK47S, AK-74, AKM, AKS, ARM,
13 MAK90, MISR, NHM90, NHM91, SA85, SA93, Vector Arms
14 AK-47, VEPR, WASR-10, and WUM.

15 (II) IZHMAASH Saiga AK.

16 (III) MAADI AK47 and ARM.

17 (IV) Norinco 56S, 56S2, 84S, and 86S.

18 (V) Poly Technologies AK47 and AKS.

19 (VI) SKS with a detachable magazine.

20 (ii) all AR types, including the following:

21 (I) AR-10.

22 (II) AR-15.

23 (III) Alexander Arms Overmatch Plus 16.

24 (IV) Armalite M15 22LR Carbine.

25 (V) Armalite M15-T.

26 (VI) Barrett REC7.

- 1 (VII) Beretta AR-70.
- 2 (VIII) Black Rain Ordnance Recon Scout.
- 3 (IX) Bushmaster ACR.
- 4 (X) Bushmaster Carbon 15.
- 5 (XI) Bushmaster MOE series.
- 6 (XII) Bushmaster XM15.
- 7 (XIII) Chiappa Firearms MFour rifles.
- 8 (XIV) Colt Match Target rifles.
- 9 (XV) CORE Rifle Systems CORE15 rifles.
- 10 (XVI) Daniel Defense M4A1 rifles.
- 11 (XVII) Devil Dog Arms 15 Series rifles.
- 12 (XVIII) Diamondback DB15 rifles.
- 13 (XIX) DoubleStar AR rifles.
- 14 (XX) DPMS Tactical rifles.
- 15 (XXI) DSA Inc. ZM-4 Carbine.
- 16 (XXII) Heckler & Koch MR556.
- 17 (XXIII) High Standard HSA-15 rifles.
- 18 (XXIV) Jesse James Nomad AR-15 rifle.
- 19 (XXV) Knight's Armament SR-15.
- 20 (XXVI) Lancer L15 rifles.
- 21 (XXVII) MGI Hydra Series rifles.
- 22 (XXVIII) Mossberg MMR Tactical rifles.
- 23 (XXIX) Noreen Firearms BN 36 rifle.
- 24 (XXX) Olympic Arms.
- 25 (XXXI) POF USA P415.
- 26 (XXXII) Precision Firearms AR rifles.

- 1 (XXXIII) Remington R-15 rifles.
- 2 (XXXIV) Rhino Arms AR rifles.
- 3 (XXXV) Rock River Arms LAR-15 or Rock River
4 Arms LAR-47.
- 5 (XXXVI) Sig Sauer SIG516 rifles and MCX
6 rifles.
- 7 (XXXVII) Smith & Wesson M&P15 rifles.
- 8 (XXXVIII) Stag Arms AR rifles.
- 9 (XXXIX) Sturm, Ruger & Co. SR556 and AR-556
10 rifles.
- 11 (XL) Uselton Arms Air-Lite M-4 rifles.
- 12 (XLI) Windham Weaponry AR rifles.
- 13 (XLII) WMD Guns Big Beast.
- 14 (XLIII) Yankee Hill Machine Company, Inc.
15 YHM-15 rifles.
- 16 (iii) Barrett M107A1.
- 17 (iv) Barrett M82A1.
- 18 (v) Beretta CX4 Storm.
- 19 (vi) Calico Liberty Series.
- 20 (vii) CETME Sporter.
- 21 (viii) Daewoo K-1, K-2, Max 1, Max 2, AR 100, and
22 AR 110C.
- 23 (ix) Fabrique Nationale/FN Herstal FAL, LAR, 22
24 FNC, 308 Match, L1A1 Sporter, PS90, SCAR, and FS2000.
- 25 (x) Feather Industries AT-9.
- 26 (xi) Galil Model AR and Model ARM.

- 1 (xii) Hi-Point Carbine.
- 2 (xiii) HK-91, HK-93, HK-94, HK-PSG-1, and HK USC.
- 3 (xiv) IWI TAVOR, Galil ACE rifle.
- 4 (xv) Kel-Tec Sub-2000, SU-16, and RFB.
- 5 (xvi) SIG AMT, SIG PE-57, Sig Sauer SG 550, Sig
6 Sauer SG 551, and SIG MCX.
- 7 (xvii) Springfield Armory SAR-48.
- 8 (xviii) Steyr AUG.
- 9 (xix) Sturm, Ruger & Co. Mini-14 Tactical Rifle
10 M-14/20CF.
- 11 (xx) All Thompson rifles, including the following:
- 12 (I) Thompson M1SB.
- 13 (II) Thompson T1100D.
- 14 (III) Thompson T150D.
- 15 (IV) Thompson T1B.
- 16 (V) Thompson T1B100D.
- 17 (VI) Thompson T1B50D.
- 18 (VII) Thompson T1BSB.
- 19 (VIII) Thompson T1-C.
- 20 (IX) Thompson T1D.
- 21 (X) Thompson T1SB.
- 22 (XI) Thompson T5.
- 23 (XII) Thompson T5100D.
- 24 (XIII) Thompson TM1.
- 25 (XIV) Thompson TM1C.
- 26 (xxi) UMAREX UZI rifle.

1 (xxii) UZI Mini Carbine, UZI Model A Carbine, and
2 UZI Model B Carbine.

3 (xxiii) Valmet M62S, M71S, and M78.

4 (xxiv) Vector Arms UZI Type.

5 (xxv) Weaver Arms Nighthawk.

6 (xxvi) Wilkinson Arms Linda Carbine.

7 (K) All of the following pistols, copies, duplicates,
8 variants, or altered facsimiles with the capability of any
9 such weapon thereof:

10 (i) All AK types, including the following:

11 (I) Centurion 39 AK pistol.

12 (II) CZ Scorpion pistol.

13 (III) Draco AK-47 pistol.

14 (IV) HCR AK-47 pistol.

15 (V) IO Inc. Hellpup AK-47 pistol.

16 (VI) Krinkov pistol.

17 (VII) Mini Draco AK-47 pistol.

18 (VIII) PAP M92 pistol.

19 (IX) Yuqo Krebs Krink pistol.

20 (ii) All AR types, including the following:

21 (I) American Spirit AR-15 pistol.

22 (II) Bushmaster Carbon 15 pistol.

23 (III) Chiappa Firearms M4 Pistol GEN II.

24 (IV) CORE Rifle Systems CORE15 Roscoe pistol.

25 (V) Daniel Defense MK18 pistol.

26 (VI) DoubleStar Corporation AR pistol.

- 1 (VII) DPMS AR-15 pistol.
- 2 (VIII) Jesse James Nomad AR-15 pistol.
- 3 (IX) Olympic Arms AR-15 pistol.
- 4 (X) Osprey Armament MK-18 pistol.
- 5 (XI) POF USA AR pistols.
- 6 (XII) Rock River Arms LAR 15 pistol.
- 7 (XIII) Uselton Arms Air-Lite M-4 pistol.
- 8 (iii) Calico pistols.
- 9 (iv) DSA SA58 PKP FAL pistol.
- 10 (v) Encom MP-9 and MP-45.
- 11 (vi) Heckler & Koch model SP-89 pistol.
- 12 (vii) Intratec AB-10, TEC-22 Scorpion, TEC-9, and
- 13 TEC-DC9.
- 14 (viii) IWI Galil Ace pistol, UZI PRO pistol.
- 15 (ix) Kel-Tec PLR 16 pistol.
- 16 (x) All MAC types, including the following:
- 17 (I) MAC-10.
- 18 (II) MAC-11.
- 19 (III) Masterpiece Arms MPA A930 Mini Pistol,
- 20 MPA460 Pistol, MPA Tactical Pistol, and MPA Mini
- 21 Tactical Pistol.
- 22 (IV) Military Armament Corp. Ingram M-11.
- 23 (V) Velocity Arms VMAC.
- 24 (xi) Sig Sauer P556 pistol.
- 25 (xii) Sites Spectre.
- 26 (xiii) All Thompson types, including the

1 following:

2 (I) Thompson TA510D.

3 (II) Thompson TA5.

4 (xiv) All UZI types, including Micro-UZI.

5 (L) All of the following pistols, copies, duplicates,
6 All of the following shotguns, copies, duplicates,
7 variants, or altered facsimiles with the capability of any
8 such weapon thereof:

9 (i) DERYA Anakon MC-1980, Anakon SD12.

10 (ii) Doruk Lethal shotguns.

11 (iii) Franchi LAW-12 and SPAS 12.

12 (iv) All IZHMAH Saiga 12 types, including the
13 following:

14 (I) IZHMAH Saiga 12.

15 (II) IZHMAH Saiga 12S.

16 (III) IZHMAH Saiga 12S EXP-01.

17 (IV) IZHMAH Saiga 12K.

18 (V) IZHMAH Saiga 12K-030.

19 (VI) IZHMAH Saiga 12K-040 Taktika.

20 (v) Streetsweeper.

21 (vi) Striker 12.

22 (2) "Assault weapon" does not include:

23 (A) Any firearm that is an unserviceable firearm or
24 has been made permanently inoperable.

25 (B) An antique firearm or a replica of an antique
26 firearm.

1 (C) A firearm that is manually operated by bolt, pump,
2 lever or slide action, unless the firearm is a shotgun
3 with a revolving cylinder.

4 (D) Any air rifle as defined in Section 24.8-0.1 of
5 this Code.

6 (3) "Assault weapon attachment" means any device capable
7 of being attached to a firearm that is specifically designed
8 for making or converting a firearm into any of the firearms
9 listed in paragraph (1) of this subsection (a).

10 (4) "Antique firearm" has the meaning ascribed to it in 18
11 U.S.C. 921(a)(16).

12 (5) ".50 caliber rifle" means a centerfire rifle capable
13 of firing a .50 caliber cartridge. The term does not include
14 any antique firearm, any shotgun including a shotgun that has
15 a rifle barrel, or any muzzle-loader which uses black powder
16 for hunting or historical reenactments.

17 (6) ".50 caliber cartridge" means a cartridge in .50 BMG
18 caliber, either by designation or actual measurement, that is
19 capable of being fired from a centerfire rifle. The term ".50
20 caliber cartridge" does not include any memorabilia or display
21 item that is filled with a permanent inert substance or that is
22 otherwise permanently altered in a manner that prevents ready
23 modification for use as live ammunition or shotgun ammunition
24 with a caliber measurement that is equal to or greater than .50
25 caliber.

26 (7) "Detachable magazine" means an ammunition feeding

1 device that may be removed from a firearm without disassembly
2 of the firearm action, including an ammunition feeding device
3 that may be readily removed from a firearm with the use of a
4 bullet, cartridge, accessory, or other tool, or any other
5 object that functions as a tool.

6 (8) "Fixed magazine" means an ammunition feeding device
7 that is permanently attached to a firearm, or contained in and
8 not removable from a firearm, or that is otherwise not a
9 detachable magazine, but does not include an attached tubular
10 device designed to accept, and capable of operating only with,
11 .22 caliber rimfire ammunition.

12 (b) Except as provided in subsections (c), (d), and (e),
13 on or after the effective date of this amendatory Act of the
14 102nd General Assembly, it is unlawful for any person within
15 this State to knowingly manufacture, deliver, sell, import, or
16 purchase or cause to be manufactured, delivered, sold,
17 imported, or purchased by another, an assault weapon, assault
18 weapon attachment, .50 caliber rifle, or .50 caliber
19 cartridge.

20 (c) Except as otherwise provided in subsection (d), 300
21 days after the effective date of this amendatory Act of the
22 102nd General Assembly, it is unlawful for any person within
23 this State to knowingly possess an assault weapon, assault
24 weapon attachment, .50 caliber rifle, or .50 caliber
25 cartridge.

26 (d) This Section does not apply to a person who possessed

1 before the effective date of this amendatory Act of the 102nd
2 General Assembly an assault weapon, assault weapon attachment,
3 .50 caliber rifle, or .50 caliber cartridge prohibited by
4 subsection (c) of this Section, if the person has provided in
5 an endorsement affidavit, prior to January 1, 2024, under oath
6 or affirmation and in the form and manner prescribed by the
7 Illinois State Police, no later than October 1, 2023:

8 (1) the affiant's Firearm Owner's Identification Card
9 number; and

10 (2) an affirmation that the affiant: (i) possessed an
11 assault weapon, assault weapon attachment, .50 caliber
12 rifle, or .50 caliber cartridge before the effective date
13 of this amendatory Act of the 102nd General Assembly; or
14 (ii) inherited the assault weapon, assault weapon
15 attachment, .50 caliber rifle, or .50 caliber cartridge
16 from a person with an endorsement under this Section or
17 from a person authorized under subdivisions (1) through
18 (5) of subsection (e) to possess the assault weapon,
19 assault weapon attachment, .50 caliber rifle, or .50
20 caliber cartridge.

21 The affidavit form shall include the following statement
22 printed in bold type: "Warning: Entering false information on
23 this form is punishable as perjury under Section 32-2 of the
24 Criminal Code of 2012. Entering false information on this form
25 is a violation of the Firearm Owners Identification Card Act."

26 In any administrative, civil, or criminal proceeding in

1 this State, a completed endorsement affidavit submitted to the
2 Illinois State Police by a person under this Section creates a
3 rebuttable presumption that the person is entitled to possess
4 and transport the assault weapon, assault weapon attachment,
5 .50 caliber rifle, or .50 caliber cartridge.

6 Beginning 90 days after the effective date of this
7 amendatory Act of the 102nd General Assembly, a person
8 authorized under this Section to possess an assault weapon,
9 assault weapon attachment, .50 caliber rifle, or .50 caliber
10 cartridge shall possess such items only:

11 (1) on private property owned or immediately
12 controlled by the person;

13 (2) on private property that is not open to the public
14 with the express permission of the person who owns or
15 immediately controls such property;

16 (3) while on the premises of a licensed firearms
17 dealer or gunsmith for the purpose of lawful repair;

18 (4) while engaged in the legal use of the assault
19 weapon, assault weapon attachment, .50 caliber rifle, or
20 .50 caliber cartridge at a properly licensed firing range
21 or sport shooting competition venue; or

22 (5) while traveling to or from these locations,
23 provided that the assault weapon, assault weapon
24 attachment, or .50 caliber rifle is unloaded and the
25 assault weapon, assault weapon attachment, .50 caliber
26 rifle, or .50 caliber cartridge is enclosed in a case,

1 firearm carrying box, shipping box, or other container.

2 Beginning on January 1, 2024, the person with the
3 endorsement for an assault weapon, assault weapon attachment,
4 .50 caliber rifle, or .50 caliber cartridge or a person
5 authorized under subdivisions (1) through (5) of subsection
6 (e) to possess an assault weapon, assault weapon attachment,
7 .50 caliber rifle, or .50 caliber cartridge may transfer the
8 assault weapon, assault weapon attachment, .50 caliber rifle,
9 or .50 caliber cartridge only to an heir, an individual
10 residing in another state maintaining it in another state, or
11 a dealer licensed as a federal firearms dealer under Section
12 923 of the federal Gun Control Act of 1968. Within 10 days
13 after transfer of the weapon except to an heir, the person
14 shall notify the Illinois State Police of the name and address
15 of the transferee and comply with the requirements of
16 subsection (b) of Section 3 of the Firearm Owners
17 Identification Card Act. The person to whom the weapon or
18 ammunition is transferred shall, within 60 days of the
19 transfer, complete an affidavit required under this Section. A
20 person to whom the weapon is transferred may transfer it only
21 as provided in this subsection.

22 Except as provided in subsection (e) and beginning on
23 January 1, 2024, any person who moves into this State in
24 possession of an assault weapon, assault weapon attachment,
25 .50 caliber rifle, or .50 caliber cartridge shall, within 60
26 days, apply for a Firearm Owners Identification Card and

1 complete an endorsement application as outlined in subsection
2 (d).

3 Notwithstanding any other law, information contained in
4 the endorsement affidavit shall be confidential and shall not
5 be disclosed, except to law enforcement agencies acting in the
6 performance of their duties.

7 (e) The provisions of this Section regarding the purchase
8 or possession of assault weapons, assault weapon attachments,
9 .50 caliber rifles, and .50 cartridges, as well as the
10 provisions of this Section that prohibit causing those items
11 to be purchased or possessed, do not apply to:

12 (1) Peace officers, as defined in Section 2-13 of this
13 Code.

14 (2) Qualified law enforcement officers and qualified
15 retired law enforcement officers as defined in the Law
16 Enforcement Officers Safety Act of 2004 (18 USC Sections
17 926B and 926C) and as recognized under Illinois law.

18 (3) Acquisition and possession by a federal, State, or
19 local law enforcement agency for the purpose of equipping
20 the agency's peace officers as defined in paragraph (1) or
21 (2) of this subsection (e).

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

25 (5) Members of the Armed Services or Reserve Forces of
26 the United States or the Illinois National Guard, while

1 performing their official duties or while traveling to or
2 from their places of duty.

3 (6) Any company that employs armed security officers
4 in this State at a nuclear energy, storage, weapons, or
5 development site or facility regulated by the federal
6 Nuclear Regulatory Commission and any person employed as
7 an armed security force member at a nuclear energy,
8 storage, weapons, or development site or facility
9 regulated by the federal Nuclear Regulatory Commission who
10 has completed the background screening and training
11 mandated by the rules and regulations of the federal
12 Nuclear Regulatory Commission and while performing
13 official duties.

14 The provisions of this Section do not apply to the
15 manufacture, delivery, sale, import, purchase, or possession
16 of an assault weapon, assault weapon attachment, .50 caliber
17 rifle, or .50 caliber cartridge or causing the manufacture,
18 delivery, sale, importation, purchase, or possession of those
19 items:

20 (A) for sale or transfer to persons authorized under
21 subdivisions (1) through (6) of this subsection (e) to
22 possess those items;

23 (B) for sale or transfer to the United States or any
24 department or agency thereof; or

25 (C) for sale or transfer in another state or for
26 export.

1 This Section does not apply to or affect any of the
2 following:

3 (i) Possession of any firearm if that firearm is
4 sanctioned by the International Olympic Committee and by
5 USA Shooting, the national governing body for
6 international shooting competition in the United States,
7 but only when the firearm is in the actual possession of an
8 Olympic target shooting competitor or target shooting
9 coach for the purpose of storage, transporting to and from
10 Olympic target shooting practice or events if the firearm
11 is broken down in a nonfunctioning state, is not
12 immediately accessible, or is unloaded and enclosed in a
13 firearm case, carrying box, shipping box, or other similar
14 portable container designed for the safe transportation of
15 firearms, and when the Olympic target shooting competitor
16 or target shooting coach is engaging in those practices or
17 events. For the purposes of this paragraph (8), "firearm"
18 has the meaning provided in Section 1.1 of the Firearm
19 Owners Identification Card Act.

20 (ii) Any nonresident who transports, within 24 hours,
21 a weapon for any lawful purpose from any place where the
22 nonresident may lawfully possess and carry that weapon to
23 any other place where the nonresident may lawfully possess
24 and carry that weapon if, during the transportation, the
25 weapon is unloaded, and neither the weapon nor any
26 ammunition being transported is readily accessible or is

1 directly accessible from the passenger compartment of the
2 transporting vehicle. In the case of a vehicle without a
3 compartment separate from the driver's compartment, the
4 weapon or ammunition shall be contained in a locked
5 container other than the glove compartment or console.

6 (iii) Possession of a weapon at an event taking place
7 at the World Shooting and Recreational Complex at Sparta,
8 only while engaged in the legal use of the weapon, or while
9 traveling to or from that location if the weapon is broken
10 down in a nonfunctioning state, is not immediately
11 accessible, or is unloaded and enclosed in a firearm case,
12 carrying box, shipping box, or other similar portable
13 container designed for the safe transportation of
14 firearms.

15 (iv) Possession of a weapon only for hunting use
16 expressly permitted under the Wildlife Code, or while
17 traveling to or from a location authorized for this
18 hunting use under the Wildlife Code if the weapon is
19 broken down in a nonfunctioning state, is not immediately
20 accessible, or is unloaded and enclosed in a firearm case,
21 carrying box, shipping box, or other similar portable
22 container designed for the safe transportation of
23 firearms.

24 (v) The manufacture, transportation, possession, sale,
25 or rental of blank-firing assault weapons and .50 caliber
26 rifles, or the weapon's respective attachments, to persons

1 authorized or permitted, or both authorized and permitted,
2 to acquire and possess these weapons or attachments for
3 the purpose of rental for use solely as props for a motion
4 picture, television, or video production or entertainment
5 event.

6 Any person not subject to this Section may submit an
7 endorsement affidavit if the person chooses.

8 (f) Any sale or transfer with a background check initiated
9 to the Illinois State Police on or before the effective date of
10 this amendatory Act of the 102nd General Assembly is allowed
11 to be completed after the effective date of this amendatory
12 Act once an approval is issued by the Illinois State Police and
13 any applicable waiting period under Section 24-3 has expired.

14 (g) The Illinois State Police shall take all steps
15 necessary to carry out the requirements of this Section within
16 by October 1, 2023.

17 (720 ILCS 5/24-1.10 new)

18 Sec. 24-1.10. Manufacture, delivery, or sale of large
19 capacity ammunition feeding devices.

20 (a) In this Section:

21 "Large capacity ammunition feeding device" means:

22 (1) a magazine, belt, drum, feed strip, or similar
23 device that has a capacity of, or that can be readily
24 restored or converted to accept, more than 10 rounds of
25 ammunition for long guns and more than 15 rounds of

1 ammunition for handguns; or

2 (2) any combination of parts from which a device
3 described in paragraph (1) can be assembled.

4 "Large capacity ammunition feeding device" does not
5 include an attached tubular device designed to accept, and
6 capable of operating only with, .22 caliber rimfire
7 ammunition. "Large capacity ammunition feeding device" does
8 not include a tubular magazine that is contained in a
9 lever-action firearm or any device that has been made
10 permanently inoperable.

11 (b) Except as provided in subsection (c) and (d), it is
12 unlawful for any person within this State to knowingly
13 manufacture, deliver, sell, purchase, or possess or cause to
14 be manufactured, delivered, sold, or purchased a large
15 capacity ammunition feeding device.

16 (c) This Section does not apply to any person who
17 possesses a large capacity ammunition feeding device prior to
18 the effective date of this amendatory Act of the 102nd General
19 Assembly.

20 Beginning 90 days after the effective date of this
21 amendatory Act of the 102nd General Assembly, a person
22 authorized under this Section to possess a large capacity
23 ammunition feeding device shall possess such device only:

24 (1) on private property owned or immediately
25 controlled by the person;

26 (2) on private property that is not open to the public

1 with the express permission of the person who owns or
2 immediately controls such property;

3 (3) while on the premises of a licensed firearms
4 dealer or gunsmith for the purpose of lawful repair;

5 (4) while engaged in the legal use of the large
6 capacity ammunition feeding device at a properly licensed
7 firing range or sport shooting competition venue; or

8 (5) while traveling to or from these locations,
9 provided that the large capacity ammunition feeding device
10 is stored unloaded and enclosed in a case, firearm
11 carrying box, shipping box, or other container.

12 Beginning 90 days after the effective date of this
13 amendatory Act of the 102nd General Assembly, a person
14 authorized under this Section to possess a large capacity
15 ammunition feeding device may transfer the large capacity
16 ammunition feeding device only to an heir, an individual
17 residing in another state maintaining it in another state, or
18 a dealer licensed as a federal firearms dealer under Section
19 923 of the federal Gun Control Act of 1968. Within 10 days
20 after transfer of the large capacity ammunition feeding device
21 except to an heir, the person shall notify the Illinois State
22 Police of the name and address of the transferee and comply
23 with the requirements of subsection (b) of Section 3 of the
24 Firearm Owners Identification Card Act. The person to whom the
25 large capacity ammunition feeding device is transferred shall,
26 within 60 days of the transfer, complete an affidavit required

1 under this Section. A person to whom the large capacity
2 ammunition feeding device is transferred may transfer it only
3 as provided in this subsection.

4 Except as provided in subsection (d) and beginning 90 days
5 after the effective date of this amendatory Act of the 102nd
6 General Assembly, any person who moves into this State in
7 possession of a large capacity ammunition feeding device
8 shall, within 60 days, apply for a Firearm Owners
9 Identification Card.

10 (d) The provisions of this Section regarding the purchase
11 or possession of large capacity ammunition feeding devices, as
12 well as the provisions of this Section that prohibit causing
13 those items to be purchased or possessed, do not apply to:

14 (1) Peace officers as defined in Section 2-13 of this
15 Code.

16 (2) Qualified law enforcement officers and qualified
17 retired law enforcement officers as defined in the Law
18 Enforcement Officers Safety Act of 2004 (18 USC Sections
19 926B and 926C) and as recognized under Illinois law.

20 (3) A federal, State, or local law enforcement agency
21 for the purpose of equipping the agency's peace officers
22 as defined in paragraph (1) or (2) of this subsection (d).

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

26 (5) Members of the Armed Services or Reserve Forces of

1 the United States or the Illinois National Guard, while
2 their official duties or while traveling to or from their
3 places of duty.

4 (6) Any company that employs armed security officers
5 in this State at a nuclear energy, storage, weapons, or
6 development site or facility regulated by the federal
7 Nuclear Regulatory Commission and any person employed as
8 an armed security force member at a nuclear energy,
9 storage, weapons, or development site or facility
10 regulated by the federal Nuclear Regulatory Commission who
11 has completed the background screening and training
12 mandated by the rules and regulations of the federal
13 Nuclear Regulatory Commission and while performing
14 official duties.

15 (e) This Section does not apply to or affect any of the
16 following:

17 (1) Manufacture, delivery, sale, importation,
18 purchase, or possession or causing to be manufactured,
19 delivered, sold, imported, purchased, or possessed a large
20 capacity ammunition feeding device:

21 (A) for sale or transfer to persons authorized
22 under subdivisions (1) through (5) of subsection (d)
23 to possess those items;

24 (B) for sale or transfer to the United States or
25 any department or agency thereof; or

26 (C) for sale or transfer in another state or for

1 export.

2 (2) Sale or rental of large capacity ammunition
3 feeding devices for blank-firing assault weapons and .50
4 caliber rifles, to persons authorized or permitted, or
5 both authorized and permitted, to acquire these devices
6 for the purpose of rental for use solely as props for a
7 motion picture, television, or video production or
8 entertainment event.

9 (f) Sentence. A person who knowingly delivers, sells,
10 purchases, or causes to be delivered, sold, or purchased in
11 violation of this Section a large capacity ammunition feeding
12 device capable of holding more than 10 rounds of ammunition
13 for long guns or more than 15 rounds of ammunition for handguns
14 commits a petty offense with a fine of \$1,000 for each
15 violation.

16 Section 97. Severability. The provisions of this Act are
17 severable under Section 1.31 of the Statute on Statutes.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.".