



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4712

by Rep. Natalie Phelps Finnie

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-1 from Ch. 38, par. 24-1  
720 ILCS 5/24-1.6  
720 ILCS 5/24-2

Amends the Criminal Code of 2012. Provides that a person who has been issued a currently valid Firearm Owner's Identification Card may transport in a vehicle an accessible rifle, shotgun, or other long gun without the weapon being broken down in a non-functioning state or without the weapon being enclosed in a case, firearm carrying box, shipping box, or other container if the firearm is unloaded.

LRB100 16310 SLF 31434 b

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 2012 is amended by changing  
5 Sections 24-1, 24-1.6, and 24-2 as follows:

6 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

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

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

1 deadly weapon or instrument of like character; or

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

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

16 (A) weapons, other than rifles, shotguns, or other  
17 long guns that are transported in a vehicle, that meet  
18 one of the following conditions:

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

20 (ii) are not immediately accessible; or

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

25 (iv) are carried or possessed in accordance with  
26 the Firearm Concealed Carry Act by a person who has

1           been issued a currently valid license under the Firearm  
2           Concealed Carry Act; or

3                 (B) rifles, shotguns, or other long guns in a  
4                 vehicle by a person who has been issued a currently  
5                 valid Firearm Owner's Identification Card if the  
6                 firearms are unloaded; or

7           (5) Sets a spring gun; or

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

11          (7) Sells, manufactures, purchases, possesses or  
12          carries:

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

25                 (ii) any rifle having one or more barrels less than  
26                 16 inches in length or a shotgun having one or more

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

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

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

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

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

1           (10) Carries or possesses on or about his person, upon  
2 any public street, alley, or other public lands within the  
3 corporate limits of a city, village or incorporated town,  
4 except when an invitee thereon or therein, for the purpose  
5 of the display of such weapon or the lawful commerce in  
6 weapons, or except when on his land or in his own abode,  
7 legal dwelling, or fixed place of business, or on the land  
8 or in the legal dwelling of another person as an invitee  
9 with that person's permission, any pistol, revolver, stun  
10 gun or taser or other firearm, except that this subsection  
11 (a) (10) does not apply to or affect transportation of  
12 weapons as provided in subsection 24-1(a)(4)(B) or that  
13 meet one of the following conditions:

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

15           (ii) are not immediately accessible; or

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

20           (iv) are carried or possessed in accordance with  
21 the Firearm Concealed Carry Act by a person who has  
22 been issued a currently valid license under the Firearm  
23 Concealed Carry Act.

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

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

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

20 (12) (Blank); or

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

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

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

21          (c) Violations in specific places.

22                 (1) A person who violates subsection 24-1(a)(6) or  
23                 24-1(a)(7) in any school, regardless of the time of day or  
24                 the time of year, in residential property owned, operated  
25                 or managed by a public housing agency or leased by a public  
26                 housing agency as part of a scattered site or mixed-income



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

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

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

17                 (2) A person who violates subsection 24-1(a)(1),  
18                 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the  
19                 time of day or the time of year, in residential property  
20                 owned, operated or managed by a public housing agency or  
21                 leased by a public housing agency as part of a scattered  
22                 site or mixed-income development, in a public park, in a  
23                 courthouse, on the real property comprising any school,  
24                 regardless of the time of day or the time of year, on  
25                 residential property owned, operated or managed by a public  
26                 housing agency or leased by a public housing agency as part

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

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

25 (4) For the purposes of this subsection (c), "school"  
26 means any public or private elementary or secondary school,

1 community college, college, or university.

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

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

22 (e) Exemptions.

23 (1) Crossbows, Common or Compound bows and Underwater  
24 Spearguns are exempted from the definition of ballistic  
25 knife as defined in paragraph (1) of subsection (a) of this  
26 Section.

1           (2) The provision of paragraph (1) of subsection (a) of  
2 this Section prohibiting the sale, manufacture, purchase,  
3 possession, or carrying of any knife, commonly referred to  
4 as a switchblade knife, which has a blade that opens  
5 automatically by hand pressure applied to a button, spring  
6 or other device in the handle of the knife, does not apply  
7 to a person who possesses a currently valid Firearm Owner's  
8 Identification Card previously issued in his or her name by  
9 the Department of State Police or to a person or an entity  
10 engaged in the business of selling or manufacturing  
11 switchblade knives.

12       (Source: P.A. 99-29, eff. 7-10-15; 100-82, eff. 8-11-17.)

13           (720 ILCS 5/24-1.6)

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

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

17           (1) Carries on or about his or her person or in any  
18 vehicle or concealed on or about his or her person except  
19 when on his or her land or in his or her abode, legal  
20 dwelling, or fixed place of business, or on the land or in  
21 the legal dwelling of another person as an invitee with  
22 that person's permission, any pistol, revolver, stun gun or  
23 taser or other firearm; or

24           (2) Carries or possesses on or about his or her person,  
25 upon any public street, alley, or other public lands within

1 the corporate limits of a city, village or incorporated  
2 town, except when an invitee thereon or therein, for the  
3 purpose of the display of such weapon or the lawful  
4 commerce in weapons, or except when on his or her own land  
5 or in his or her own abode, legal dwelling, or fixed place  
6 of business, or on the land or in the legal dwelling of  
7 another person as an invitee with that person's permission,  
8 any pistol, revolver, stun gun or taser or other firearm;  
9 and

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

11 (A) the firearm, other than a pistol, revolver, or  
12 handgun, possessed was uncased, loaded, and  
13 immediately accessible at the time of the offense; or

14 (A-5) the pistol, revolver, or handgun possessed  
15 was uncased, loaded, and immediately accessible at the  
16 time of the offense and the person possessing the  
17 pistol, revolver, or handgun has not been issued a  
18 currently valid license under the Firearm Concealed  
19 Carry Act; or

20 (B) the firearm, other than a pistol, revolver, or  
21 handgun, possessed was uncased, unloaded, and the  
22 ammunition for the weapon was immediately accessible  
23 at the time of the offense; or

24 (B-5) the pistol, revolver, or handgun possessed  
25 was uncased, unloaded, and the ammunition for the  
26 weapon was immediately accessible at the time of the

1 offense and the person possessing the pistol,  
2 revolver, or handgun has not been issued a currently  
3 valid license under the Firearm Concealed Carry Act; or

4 (C) the person possessing the firearm has not been  
5 issued a currently valid Firearm Owner's  
6 Identification Card; or

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

11 (E) the person possessing the weapon was engaged in  
12 a misdemeanor violation of the Cannabis Control Act, in  
13 a misdemeanor violation of the Illinois Controlled  
14 Substances Act, or in a misdemeanor violation of the  
15 Methamphetamine Control and Community Protection Act;  
16 or

17 (F) (blank); or

18 (G) the person possessing the weapon had an order  
19 of protection issued against him or her within the  
20 previous 2 years; or

21 (H) the person possessing the weapon was engaged in  
22 the commission or attempted commission of a  
23 misdemeanor involving the use or threat of violence  
24 against the person or property of another; or

25 (I) the person possessing the weapon was under 21  
26 years of age and in possession of a handgun, unless the

1 person under 21 is engaged in lawful activities under  
2 the Wildlife Code or described in subsection  
3 24-2(b)(1), (b)(3), or 24-2(f).

4 (a-5) "Handgun" as used in this Section has the meaning  
5 given to it in Section 5 of the Firearm Concealed Carry Act.

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

8 (c) This Section does not apply to or affect the  
9 transportation or possession of weapons as provided in  
10 subsection 24-1(a)(4)(B) or that:

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

12 (ii) are not immediately accessible; or

13 (iii) are unloaded and enclosed in a case, firearm  
14 carrying box, shipping box, or other container by a person  
15 who has been issued a currently valid Firearm Owner's  
16 Identification Card.

17 (d) Sentence.

18 (1) Aggravated unlawful use of a weapon is a Class 4  
19 felony; a second or subsequent offense is a Class 2 felony  
20 for which the person shall be sentenced to a term of  
21 imprisonment of not less than 3 years and not more than 7  
22 years, except as provided for in Section 5-4.5-110 of the  
23 Unified Code of Corrections.

24 (2) Except as otherwise provided in paragraphs (3) and  
25 (4) of this subsection (d), a first offense of aggravated  
26 unlawful use of a weapon committed with a firearm by a



1 person 18 years of age or older where the factors listed in  
2 both items (A) and (C) or both items (A-5) and (C) of  
3 paragraph (3) of subsection (a) are present is a Class 4  
4 felony, for which the person shall be sentenced to a term  
5 of imprisonment of not less than one year and not more than  
6 3 years.

7 (3) Aggravated unlawful use of a weapon by a person who  
8 has been previously convicted of a felony in this State or  
9 another jurisdiction is a Class 2 felony for which the  
10 person shall be sentenced to a term of imprisonment of not  
11 less than 3 years and not more than 7 years, except as  
12 provided for in Section 5-4.5-110 of the Unified Code of  
13 Corrections.

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

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

22 (Source: P.A. 100-3, eff. 1-1-18; 100-201, eff. 8-18-17.)

23 (720 ILCS 5/24-2)

24 Sec. 24-2. Exemptions.

25 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and

1 24-1(a) (13) and Section 24-1.6 do not apply to or affect any of  
2 the following:

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

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

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

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

22 (5) Persons licensed as private security contractors,  
23 private detectives, or private alarm contractors, or  
24 employed by a private security contractor, private  
25 detective, or private alarm contractor agency licensed by  
26 the Department of Financial and Professional Regulation,

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

26 (6) Any person regularly employed in a commercial or

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

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

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

1 for those issued under the provisions of the Private  
2 Detective, Private Alarm, Private Security, Fingerprint  
3 Vendor, and Locksmith Act of 2004. The firearm control card  
4 shall be carried by the security guard at all times when he  
5 or she is in possession of a concealable weapon permitted  
6 by his or her firearm control card. For purposes of this  
7 subsection, "financial institution" means a bank, savings  
8 and loan association, credit union or company providing  
9 armored car services.

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

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

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

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

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

1 received weapons training according to requirements of the  
2 Peace Officer and Probation Officer Firearm Training Act.

3 (13) Court Security Officers while in the performance  
4 of their official duties, or while commuting between their  
5 homes and places of employment, with the consent of the  
6 Sheriff.

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

13 (14) Manufacture, transportation, or sale of weapons  
14 to persons authorized under subdivisions (1) through  
15 (13.5) of this subsection to possess those weapons.

16 (a-5) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply  
17 to or affect any person carrying a concealed pistol, revolver,  
18 or handgun and the person has been issued a currently valid  
19 license under the Firearm Concealed Carry Act at the time of  
20 the commission of the offense.

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

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

1 using their firearms on those target ranges.

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

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

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

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

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

15 (1) Peace officers while in performance of their  
16 official duties.

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

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

23 (4) Manufacture, transportation, or sale of machine  
24 guns to persons authorized under subdivisions (1) through  
25 (3) of this subsection to possess machine guns, if the  
26 machine guns are broken down in a non-functioning state or



1 are not immediately accessible.

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

16 During transportation, such weapons shall be broken  
17 down in a non-functioning state or not immediately  
18 accessible.

19 (6) The manufacture, transport, testing, delivery,  
20 transfer or sale, and all lawful commercial or experimental  
21 activities necessary thereto, of rifles, shotguns, and  
22 weapons made from rifles or shotguns, or ammunition for  
23 such rifles, shotguns or weapons, where engaged in by a  
24 person operating as a contractor or subcontractor pursuant  
25 to a contract or subcontract for the development and supply  
26 of such rifles, shotguns, weapons or ammunition to the

1 United States government or any branch of the Armed Forces  
2 of the United States, when such activities are necessary  
3 and incident to fulfilling the terms of such contract.

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

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

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

24 (e) Subsection 24-1(a)(8) does not apply to any owner,  
25 manager or authorized employee of any place specified in that  
26 subsection nor to any law enforcement officer.

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

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

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

11 (2) Bonafide collectors of antique or surplus military  
12 ordnance.

13 (3) Laboratories having a department of forensic  
14 ballistics, or specializing in the development of  
15 ammunition or explosive ordnance.

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

25 (g-5) Subsection 24-1(a)(6) does not apply to or affect  
26 persons licensed under federal law to manufacture any device or

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

16 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
17 24-1.6 do not apply to or affect any parole agent or parole  
18 supervisor who meets the qualifications and conditions  
19 prescribed in Section 3-14-1.5 of the Unified Code of  
20 Corrections.

21 (g-7) Subsection 24-1(a)(6) does not apply to a peace  
22 officer while serving as a member of a tactical response team  
23 or special operations team. A peace officer may not personally  
24 own or apply for ownership of a device or attachment of any  
25 kind designed, used, or intended for use in silencing the  
26 report of any firearm. These devices shall be owned and

1 maintained by lawfully recognized units of government whose  
2 duties include the investigation of criminal acts.

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

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

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

1 revolver, stun gun, taser, or other firearm, not the subject of  
2 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of  
3 this Article, which is unloaded and enclosed in a case, firearm  
4 carrying box, shipping box, or other container, by the  
5 possessor of a valid Firearm Owners Identification Card; and  
6 nothing in this Article shall prohibit, apply to, or affect the  
7 transportation of any rifle, shotgun, or other long gun in a  
8 vehicle by a person who has been issued a currently valid  
9 Firearm Owner's Identification Card if the firearm is unloaded.

10 (Source: P.A. 99-174, eff. 7-29-15; 100-201, eff. 8-18-17.)