



Rep. Christopher "C.D." Davidsmeyer

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10400HB1316ham001

LRB104 05886 LNS 24395 a

1 AMENDMENT TO HOUSE BILL 1316

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1316 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section  
5 10-27.1A as follows:

6 (105 ILCS 5/10-27.1A)

7 (Text of Section from P.A. 103-609)

8 Sec. 10-27.1A. Firearms in schools.

9 (a) All school officials, including teachers, school  
10 counselors, and support staff, shall immediately notify the  
11 office of the principal in the event that they:

12 (1) observe any person in possession of a firearm on  
13 school grounds;

14 (2) become aware of any person in possession of a  
15 firearm on school grounds; or

16 (3) become aware of any threat of gun violence on

1       school grounds;

2       provided that taking such immediate action to notify the  
3       office of the principal would not immediately endanger the  
4       health, safety, or welfare of students who are under the  
5       direct supervision of the school official or the school  
6       official. If the health, safety, or welfare of students under  
7       the direct supervision of the school official or of the school  
8       official is immediately endangered, the school official shall  
9       notify the office of the principal as soon as the students  
10      under his or her supervision and he or she are no longer under  
11      immediate danger. A report is not required by this Section  
12      when the school official knows that the person in possession  
13      of the firearm is a law enforcement official engaged in the  
14      conduct of his or her official duties. Any school official  
15      acting in good faith who makes such a report under this Section  
16      shall have immunity from any civil or criminal liability that  
17      might otherwise be incurred as a result of making the report.  
18      The identity of the school official making such report shall  
19      not be disclosed except as expressly and specifically  
20      authorized by law. Knowingly and willfully failing to comply  
21      with this Section is a petty offense. A second or subsequent  
22      offense is a Class C misdemeanor.

23       (b) Upon receiving a report from any school official  
24      pursuant to this Section, or from any other person, the  
25      principal or his or her designee shall immediately notify a  
26      local law enforcement agency. If the person found to be in

1 possession of a firearm on school grounds is a student, the  
2 principal or his or her designee shall also immediately notify  
3 that student's parent or guardian. If the report pertains to a  
4 threat of firearm violence made by a student, the principal or  
5 the principal's designee shall immediately notify that  
6 student's parent or guardian. The principal or principal's  
7 designee shall attempt to contact the student's parent or  
8 guardian to ensure that the student does not have access to a  
9 firearm. Any principal or his or her designee acting in good  
10 faith who makes such reports under this Section shall have  
11 immunity from any civil or criminal liability that might  
12 otherwise be incurred or imposed as a result of making the  
13 reports. Knowingly and willfully failing to comply with this  
14 Section is a petty offense. A second or subsequent offense is a  
15 Class C misdemeanor. If the person found to be in possession of  
16 the firearm on school grounds is a minor, the law enforcement  
17 agency shall detain that minor until such time as the agency  
18 makes a determination pursuant to clause (a) of subsection (1)  
19 of Section 5-401 of the Juvenile Court Act of 1987, as to  
20 whether the agency reasonably believes that the minor is  
21 delinquent. If the law enforcement agency determines that  
22 probable cause exists to believe that the minor committed a  
23 violation of item (4) of subsection (a) of Section 24-1 of the  
24 Criminal Code of 2012 while on school grounds, the agency  
25 shall detain the minor for processing pursuant to Section  
26 5-407 of the Juvenile Court Act of 1987.

1           (c) Upon receipt of any written, electronic, or verbal  
2 report from any school personnel regarding a verified incident  
3 involving a firearm in a school or on school owned or leased  
4 property, including any conveyance owned, leased, or used by  
5 the school for the transport of students or school personnel,  
6 the superintendent or his or her designee shall report all  
7 such firearm-related incidents occurring in a school or on  
8 school property to the local law enforcement authorities  
9 immediately.

10          (c-5) Schools shall report any written, electronic, or  
11 verbal report of a verified incident involving a firearm made  
12 under subsection (c) to the State Board of Education through  
13 existing school incident reporting systems as they occur  
14 during the year by no later than August 1 of each year. The  
15 State Board of Education shall report data by school district,  
16 as collected from school districts, and make it available to  
17 the public via its website. The local law enforcement  
18 authority shall, by March 1 of each year, report the required  
19 data from the previous year to the Illinois State Police's  
20 Illinois Uniform Crime Reporting Program, which shall be  
21 included in its annual Crime in Illinois report.

22          (d) As used in this Section, the term "firearm" shall have  
23 the meaning ascribed to it in Section 1.1 of the Firearm Owners  
24 Identification Card Act.

25          As used in this Section, the term "school" means any  
26 public or private elementary or secondary school.

1           As used in this Section, the term "school grounds"  
2 includes the real property comprising any school, any  
3 conveyance owned, leased, or contracted by a school to  
4 transport students to or from school or a school-related  
5 activity, or any public way within 1,000 feet of the real  
6 property comprising any school.

7           (Source: P.A. 102-197, eff. 7-30-21; 102-538, eff. 8-20-21;  
8 102-813, eff. 5-13-22; 103-34, eff. 6-9-23; 103-609, eff.  
9 7-1-24.)

10           (Text of Section from P.A. 103-780)

11           Sec. 10-27.1A. Firearms in schools.

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13 counselors, and support staff, shall immediately notify the  
14 office of the principal in the event that they:

15           (1) observe any person in possession of a firearm on  
16 school grounds;

17           (2) become aware of any person in possession of a  
18 firearm on school grounds; or

19           (3) become aware of any threat of gun violence on  
20 school grounds;

21 provided that taking such immediate action to notify the  
22 office of the principal would not immediately endanger the  
23 health, safety, or welfare of students who are under the  
24 direct supervision of the school official or the school  
25 official. If the health, safety, or welfare of students under

1 the direct supervision of the school official or of the school  
2 official is immediately endangered, the school official shall  
3 notify the office of the principal as soon as the students  
4 under his or her supervision and he or she are no longer under  
5 immediate danger. A report is not required by this Section  
6 when the school official knows that the person in possession  
7 of the firearm is a law enforcement official engaged in the  
8 conduct of his or her official duties. Any school official  
9 acting in good faith who makes such a report under this Section  
10 shall have immunity from any civil or criminal liability that  
11 might otherwise be incurred as a result of making the report.  
12 The identity of the school official making such report shall  
13 not be disclosed except as expressly and specifically  
14 authorized by law. Knowingly and willfully failing to comply  
15 with this Section is a petty offense. A second or subsequent  
16 offense is a Class C misdemeanor.

17 (b) Upon receiving a report from any school official  
18 pursuant to this Section, or from any other person, the  
19 principal or his or her designee shall immediately notify a  
20 local law enforcement agency. If the person found to be in  
21 possession of a firearm on school grounds is a student, the  
22 principal or his or her designee shall also immediately notify  
23 that student's parent or guardian. If the report pertains to a  
24 threat of firearm violence made by a student, the principal or  
25 the principal's designee shall immediately notify that  
26 student's parent or guardian. The principal or principal's

1 designee shall attempt to contact the student's parent or  
2 guardian to ensure that the student does not have access to a  
3 firearm. Any principal or his or her designee acting in good  
4 faith who makes such reports under this Section shall have  
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7 reports. Knowingly and willfully failing to comply with this  
8 Section is a petty offense. A second or subsequent offense is a  
9 Class C misdemeanor. If the person found to be in possession of  
10 the firearm on school grounds is a minor, the law enforcement  
11 agency shall detain that minor until such time as the agency  
12 makes a determination pursuant to clause (a) of subsection (1)  
13 of Section 5-401 of the Juvenile Court Act of 1987, as to  
14 whether the agency reasonably believes that the minor is  
15 delinquent. If the law enforcement agency determines that  
16 probable cause exists to believe that the minor committed a  
17 violation of item (4) of subsection (a) of Section 24-1 of the  
18 Criminal Code of 2012 while on school grounds, the agency  
19 shall detain the minor for processing pursuant to Section  
20 5-407 of the Juvenile Court Act of 1987.

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22 report from any school personnel regarding a verified incident  
23 involving a firearm in a school or on school owned or leased  
24 property, including any conveyance owned, leased, or used by  
25 the school for the transport of students or school personnel,  
26 the superintendent or his or her designee shall report all

1 such firearm-related incidents occurring in a school or on  
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4 (c-5) Schools shall report any written, electronic, or  
5 verbal report of a verified incident involving a firearm made  
6 under subsection (c) to the State Board of Education through  
7 existing school incident reporting systems as they occur  
8 during the year by no later than July 31 for the previous  
9 school year. The State Board of Education shall report data by  
10 school district, as collected from school districts, and make  
11 it available to the public via its website. The local law  
12 enforcement authority shall, by March 1 of each year, report  
13 the required data from the previous year to the Illinois State  
14 Police's Illinois Uniform Crime Reporting Program, which shall  
15 be included in its annual Crime in Illinois report.

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17 the meaning ascribed to it in Section 1.1 of the Firearm Owners  
18 Identification Card Act.

19 As used in this Section, the term "school" means any  
20 public or private elementary or secondary school.

21 As used in this Section, the term "school grounds"  
22 includes the real property comprising any school, any  
23 conveyance owned, leased, or contracted by a school to  
24 transport students to or from school or a school-related  
25 activity, or any public way within 1,000 feet of the real  
26 property comprising any school.

1 (Source: P.A. 102-197, eff. 7-30-21; 102-538, eff. 8-20-21;  
2 102-813, eff. 5-13-22; 103-34, eff. 6-9-23; 103-780, eff.  
3 8-2-24.)

4 Section 95. No acceleration or delay. Where this Act makes  
5 changes in a statute that is represented in this Act by text  
6 that is not yet or no longer in effect (for example, a Section  
7 represented by multiple versions), the use of that text does  
8 not accelerate or delay the taking effect of (i) the changes  
9 made by this Act or (ii) provisions derived from any other  
10 Public Act.

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law."