



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB3242

Introduced 2/18/2025, by Rep. Adam M. Niemerg

#### SYNOPSIS AS INTRODUCED:

5 ILCS 140/7.5  
430 ILCS 65/8 from Ch. 38, par. 83-8  
430 ILCS 65/4.1 rep.  
430 ILCS 67/40  
430 ILCS 67/45  
430 ILCS 67/55  
720 ILCS 5/24-1 from Ch. 38, par. 24-1  
720 ILCS 5/24-1.9 rep.  
720 ILCS 5/24-1.10 rep.

Repeals the provisions of Public Act 102-1116 that make amendatory changes to the Firearms Restraining Order Act that provide that a petitioner for a firearms restraining order may request a plenary firearms restraining order of up to one-year, but not less than 6 months (restores the 6 months provision). Repeals provisions that the firearms restraining order may be renewed for an additional period of up to one year. Repeals amendatory provisions of the Criminal Code of 2012 making it unlawful for any person within the State to knowingly possess an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge, with exemptions. Repeals provisions that make it unlawful for any person within the State to knowingly manufacture, deliver, sell, purchase, or cause to be manufactured, delivered, sold, or purchased a large capacity ammunition feeding device, with specified exemptions. Repeals amendatory provisions of the Criminal Code of 2012 that prohibit the manufacture, possession, sale, or offer to sell, purchase, manufacture, import, transfer, or use any device, part, kit, tool, accessory, or combination of parts that is designed to and functions to increase the rate of fire of a semiautomatic firearm above the standard rate of fire for semiautomatic firearms that is not equipped with that device, part, or combination of parts. Repeals amendatory provisions of the Freedom of Information Act that exempt from disclosure under the Act certain information concerning assault weapons endorsements received by the Illinois State Police. Effective immediately.

LRB104 10409 RLC 20484 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 Freedom of Information Act is amended by  
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

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

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

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

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

22 (d) Information and records held by the Department of  
23 Public Health and its authorized representatives relating

1 to known or suspected cases of sexually transmitted  
2 infection or any information the disclosure of which is  
3 restricted under the Illinois Sexually Transmitted  
4 Infection Control Act.

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

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

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

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

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

23 (j) Information and data concerning the distribution  
24 of surcharge moneys collected and remitted by carriers  
25 under the Emergency Telephone System Act.

26 (k) Law enforcement officer identification information

1 or driver identification information compiled by a law  
2 enforcement agency or the Department of Transportation  
3 under Section 11-212 of the Illinois Vehicle Code.

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

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

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

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

22 (p) Security portions of system safety program plans,  
23 investigation reports, surveys, schedules, lists, data, or  
24 information compiled, collected, or prepared by or for the  
25 Department of Transportation under Sections 2705-300 and  
26 2705-616 of the Department of Transportation Law of the

1 Civil Administrative Code of Illinois, the Regional  
2 Transportation Authority under Section 2.11 of the  
3 Regional Transportation Authority Act, or the St. Clair  
4 County Transit District under the Bi-State Transit Safety  
5 Act (repealed).

6 (q) Information prohibited from being disclosed by the  
7 Personnel Record Review Act.

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

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

12 (t) (Blank).

13 (u) Records and information provided to an independent  
14 team of experts under the Developmental Disability and  
15 Mental Health Safety Act (also known as Brian's Law).

16 (v) Names and information of people who have applied  
17 for or received Firearm Owner's Identification Cards under  
18 the Firearm Owners Identification Card Act or applied for  
19 or received a concealed carry license under the Firearm  
20 Concealed Carry Act, unless otherwise authorized by the  
21 Firearm Concealed Carry Act; and databases under the  
22 Firearm Concealed Carry Act, records of the Concealed  
23 Carry Licensing Review Board under the Firearm Concealed  
24 Carry Act, and law enforcement agency objections under the  
25 Firearm Concealed Carry Act.

26 (v-5) Records of the Firearm Owner's Identification

1 Card Review Board that are exempted from disclosure under  
2 Section 10 of the Firearm Owners Identification Card Act.

3 (w) Personally identifiable information which is  
4 exempted from disclosure under subsection (g) of Section  
5 19.1 of the Toll Highway Act.

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

9 (y) Confidential information under the Adult  
10 Protective Services Act and its predecessor enabling  
11 statute, the Elder Abuse and Neglect Act, including  
12 information about the identity and administrative finding  
13 against any caregiver of a verified and substantiated  
14 decision of abuse, neglect, or financial exploitation of  
15 an eligible adult maintained in the Registry established  
16 under Section 7.5 of the Adult Protective Services Act.

17 (z) Records and information provided to a fatality  
18 review team or the Illinois Fatality Review Team Advisory  
19 Council under Section 15 of the Adult Protective Services  
20 Act.

21 (aa) Information which is exempted from disclosure  
22 under Section 2.37 of the Wildlife Code.

23 (bb) Information which is or was prohibited from  
24 disclosure by the Juvenile Court Act of 1987.

25 (cc) Recordings made under the Law Enforcement  
26 Officer-Worn Body Camera Act, except to the extent

1 authorized under that Act.

2 (dd) Information that is prohibited from being  
3 disclosed under Section 45 of the Condominium and Common  
4 Interest Community Ombudsperson Act.

5 (ee) Information that is exempted from disclosure  
6 under Section 30.1 of the Pharmacy Practice Act.

7 (ff) Information that is exempted from disclosure  
8 under the Revised Uniform Unclaimed Property Act.

9 (gg) Information that is prohibited from being  
10 disclosed under Section 7-603.5 of the Illinois Vehicle  
11 Code.

12 (hh) Records that are exempt from disclosure under  
13 Section 1A-16.7 of the Election Code.

14 (ii) Information which is exempted from disclosure  
15 under Section 2505-800 of the Department of Revenue Law of  
16 the Civil Administrative Code of Illinois.

17 (jj) Information and reports that are required to be  
18 submitted to the Department of Labor by registering day  
19 and temporary labor service agencies but are exempt from  
20 disclosure under subsection (a-1) of Section 45 of the Day  
21 and Temporary Labor Services Act.

22 (kk) Information prohibited from disclosure under the  
23 Seizure and Forfeiture Reporting Act.

24 (ll) Information the disclosure of which is restricted  
25 and exempted under Section 5-30.8 of the Illinois Public  
26 Aid Code.

1 (mm) Records that are exempt from disclosure under  
2 Section 4.2 of the Crime Victims Compensation Act.

3 (nn) Information that is exempt from disclosure under  
4 Section 70 of the Higher Education Student Assistance Act.

5 (oo) Communications, notes, records, and reports  
6 arising out of a peer support counseling session  
7 prohibited from disclosure under the First Responders  
8 Suicide Prevention Act.

9 (pp) Names and all identifying information relating to  
10 an employee of an emergency services provider or law  
11 enforcement agency under the First Responders Suicide  
12 Prevention Act.

13 (qq) Information and records held by the Department of  
14 Public Health and its authorized representatives collected  
15 under the Reproductive Health Act.

16 (rr) Information that is exempt from disclosure under  
17 the Cannabis Regulation and Tax Act.

18 (ss) Data reported by an employer to the Department of  
19 Human Rights pursuant to Section 2-108 of the Illinois  
20 Human Rights Act.

21 (tt) Recordings made under the Children's Advocacy  
22 Center Act, except to the extent authorized under that  
23 Act.

24 (uu) Information that is exempt from disclosure under  
25 Section 50 of the Sexual Assault Evidence Submission Act.

26 (vv) Information that is exempt from disclosure under

1 subsections (f) and (j) of Section 5-36 of the Illinois  
2 Public Aid Code.

3 (ww) Information that is exempt from disclosure under  
4 Section 16.8 of the State Treasurer Act.

5 (xx) Information that is exempt from disclosure or  
6 information that shall not be made public under the  
7 Illinois Insurance Code.

8 (yy) Information prohibited from being disclosed under  
9 the Illinois Educational Labor Relations Act.

10 (zz) Information prohibited from being disclosed under  
11 the Illinois Public Labor Relations Act.

12 (aaa) Information prohibited from being disclosed  
13 under Section 1-167 of the Illinois Pension Code.

14 (bbb) Information that is prohibited from disclosure  
15 by the Illinois Police Training Act and the Illinois State  
16 Police Act.

17 (ccc) Records exempt from disclosure under Section  
18 2605-304 of the Illinois State Police Law of the Civil  
19 Administrative Code of Illinois.

20 (ddd) Information prohibited from being disclosed  
21 under Section 35 of the Address Confidentiality for  
22 Victims of Domestic Violence, Sexual Assault, Human  
23 Trafficking, or Stalking Act.

24 (eee) Information prohibited from being disclosed  
25 under subsection (b) of Section 75 of the Domestic  
26 Violence Fatality Review Act.

1 (fff) Images from cameras under the Expressway Camera  
2 Act. This subsection (fff) is inoperative on and after  
3 July 1, 2025.

4 (ggg) Information prohibited from disclosure under  
5 paragraph (3) of subsection (a) of Section 14 of the Nurse  
6 Agency Licensing Act.

7 (hhh) (Blank). ~~Information submitted to the Illinois~~  
8 ~~State Police in an affidavit or application for an assault~~  
9 ~~weapon endorsement, assault weapon attachment endorsement,~~  
10 ~~.50 caliber rifle endorsement, or .50 caliber cartridge~~  
11 ~~endorsement under the Firearm Owners Identification Card~~  
12 ~~Act.~~

13 (iii) Data exempt from disclosure under Section 50 of  
14 the School Safety Drill Act.

15 (jjj) Information exempt from disclosure under Section  
16 30 of the Insurance Data Security Law.

17 (kkk) Confidential business information prohibited  
18 from disclosure under Section 45 of the Paint Stewardship  
19 Act.

20 (lll) Data exempt from disclosure under Section  
21 2-3.196 of the School Code.

22 (mmm) Information prohibited from being disclosed  
23 under subsection (e) of Section 1-129 of the Illinois  
24 Power Agency Act.

25 (nnn) Materials received by the Department of Commerce  
26 and Economic Opportunity that are confidential under the

1 Music and Musicians Tax Credit and Jobs Act.

2 (ooo) ~~(nnn)~~ Data or information provided pursuant to  
3 Section 20 of the Statewide Recycling Needs and Assessment  
4 Act.

5 (ppp) ~~(nnn)~~ Information that is exempt from disclosure  
6 under Section 28-11 of the Lawful Health Care Activity  
7 Act.

8 (qqq) ~~(nnn)~~ Information that is exempt from disclosure  
9 under Section 7-101 of the Illinois Human Rights Act.

10 (rrr) ~~(mmmm)~~ Information prohibited from being  
11 disclosed under Section 4-2 of the Uniform Money  
12 Transmission Modernization Act.

13 (sss) ~~(nnn)~~ Information exempt from disclosure under  
14 Section 40 of the Student-Athlete Endorsement Rights Act.

15 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;  
16 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.  
17 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;  
18 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.  
19 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,  
20 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;  
21 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff.  
22 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786,  
23 eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24;  
24 103-1049, eff. 8-9-24; revised 11-26-24.)

25 Section 10. The Firearm Owners Identification Card Act is

1 amended by changing Section 8 as follows:

2 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

3 Sec. 8. Grounds for denial and revocation. The Illinois  
4 State Police has authority to deny an application for or to  
5 revoke and seize a Firearm Owner's Identification Card  
6 previously issued under this Act only if the Illinois State  
7 Police finds that the applicant or the person to whom such card  
8 was issued is or was at the time of issuance:

9 (a) A person under 21 years of age who has been  
10 convicted of a misdemeanor other than a traffic offense or  
11 adjudged delinquent;

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

20 (b-5) This subsection (b-5) applies on and after the  
21 181st day following July 12, 2019 (the effective date of  
22 Public Act 101-80). A person under 21 years of age who is  
23 not an active duty member of the United States Armed  
24 Forces or the Illinois National Guard and does not have  
25 the written consent of his or her parent or guardian to

1       acquire and possess firearms and firearm ammunition, or  
2       whose parent or guardian has revoked such written consent,  
3       or where such parent or guardian does not qualify to have a  
4       Firearm Owner's Identification Card;

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

7           (d) A person addicted to narcotics;

8           (e) A person who has been a patient of a mental health  
9       facility within the past 5 years or a person who has been a  
10      patient in a mental health facility more than 5 years ago  
11      who has not received the certification required under  
12      subsection (u) of this Section. An active law enforcement  
13      officer employed by a unit of government or a Department  
14      of Corrections employee authorized to possess firearms who  
15      is denied, revoked, or has his or her Firearm Owner's  
16      Identification Card seized under this subsection (e) may  
17      obtain relief as described in subsection (c-5) of Section  
18      10 of this Act if the officer or employee did not act in a  
19      manner threatening to the officer or employee, another  
20      person, or the public as determined by the treating  
21      clinical psychologist or physician, and the officer or  
22      employee seeks mental health treatment;

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

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

1 (h) A person who intentionally makes a false statement  
2 in the Firearm Owner's Identification Card application ~~or~~  
3 ~~endorsement affidavit;~~

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

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

13 (1) admitted to the United States for lawful  
14 hunting or sporting purposes;

15 (2) an official representative of a foreign  
16 government who is:

17 (A) accredited to the United States Government  
18 or the Government's mission to an international  
19 organization having its headquarters in the United  
20 States; or

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

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

26 (4) a foreign law enforcement officer of a

1 friendly foreign government entering the United States  
2 on official business; or

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

6 (j) (Blank);

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

12 (l) A person who has been convicted of domestic  
13 battery, aggravated domestic battery, or a substantially  
14 similar offense in another jurisdiction committed before,  
15 on or after January 1, 2012 (the effective date of Public  
16 Act 97-158). If the applicant or person who has been  
17 previously issued a Firearm Owner's Identification Card  
18 under this Act knowingly and intelligently waives the  
19 right to have an offense described in this paragraph (l)  
20 tried by a jury, and by guilty plea or otherwise, results  
21 in a conviction for an offense in which a domestic  
22 relationship is not a required element of the offense but  
23 in which a determination of the applicability of 18 U.S.C.  
24 922(g) (9) is made under Section 112A-11.1 of the Code of  
25 Criminal Procedure of 1963, an entry by the court of a  
26 judgment of conviction for that offense shall be grounds

1 for denying an application for and for revoking and  
2 seizing a Firearm Owner's Identification Card previously  
3 issued to the person under this Act;

4 (m) (Blank);

5 (n) A person who is prohibited from acquiring or  
6 possessing firearms or firearm ammunition by any Illinois  
7 State statute or by federal law;

8 (o) A minor subject to a petition filed under Section  
9 5-520 of the Juvenile Court Act of 1987 alleging that the  
10 minor is a delinquent minor for the commission of an  
11 offense that if committed by an adult would be a felony;

12 (p) An adult who had been adjudicated a delinquent  
13 minor under the Juvenile Court Act of 1987 for the  
14 commission of an offense that if committed by an adult  
15 would be a felony;

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

19 (r) A person who has been adjudicated as a person with  
20 a mental disability;

21 (s) A person who has been found to have a  
22 developmental disability;

23 (t) A person involuntarily admitted into a mental  
24 health facility; or

25 (u) A person who has had his or her Firearm Owner's  
26 Identification Card revoked or denied under subsection (e)

1 of this Section or item (iv) of paragraph (2) of  
2 subsection (a) of Section 4 of this Act because he or she  
3 was a patient in a mental health facility as provided in  
4 subsection (e) of this Section, shall not be permitted to  
5 obtain a Firearm Owner's Identification Card, after the  
6 5-year period has lapsed, unless he or she has received a  
7 mental health evaluation by a physician, clinical  
8 psychologist, or qualified examiner as those terms are  
9 defined in the Mental Health and Developmental  
10 Disabilities Code, and has received a certification that  
11 he or she is not a clear and present danger to himself,  
12 herself, or others. The physician, clinical psychologist,  
13 or qualified examiner making the certification and his or  
14 her employer shall not be held criminally, civilly, or  
15 professionally liable for making or not making the  
16 certification required under this subsection, except for  
17 willful or wanton misconduct. This subsection does not  
18 apply to a person whose firearm possession rights have  
19 been restored through administrative or judicial action  
20 under Section 10 or 11 of this Act.

21 Upon revocation of a person's Firearm Owner's  
22 Identification Card, the Illinois State Police shall provide  
23 notice to the person and the person shall comply with Section  
24 9.5 of this Act.

25 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;  
26 102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.

1 5-27-22; 102-1116, eff. 1-10-23.)

2 (430 ILCS 65/4.1 rep.)

3 Section 15. The Firearm Owners Identification Card Act is  
4 amended by repealing Section 4.1.

5 Section 20. The Firearms Restraining Order Act is amended  
6 by changing Sections 40, 45, and 55 as follows:

7 (430 ILCS 67/40)

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

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

23 (b) If the respondent is alleged to pose a significant

1 danger of causing personal injury to an intimate partner, or  
2 an intimate partner is alleged to have been the target of a  
3 threat or act of violence by the respondent, the petitioner  
4 shall make a good faith effort to provide notice to any and all  
5 intimate partners of the respondent. The notice must include  
6 ~~the duration of time~~ that the petitioner intends to petition  
7 the court for a 6-month firearms restraining order, and, if  
8 the petitioner is a law enforcement officer, referral to  
9 relevant domestic violence or stalking advocacy or counseling  
10 resources, if appropriate. The petitioner shall attest to  
11 having provided the notice in the filed affidavit or verified  
12 pleading. If, after making a good faith effort, the petitioner  
13 is unable to provide notice to any or all intimate partners,  
14 the affidavit or verified pleading should describe what  
15 efforts were made.

16 (c) Every person who files a petition for a ~~plenary~~  
17 6-month firearms restraining order, knowing the information  
18 provided to the court at any hearing or in the affidavit or  
19 verified pleading to be false, is guilty of perjury under  
20 Section 32-2 of the Criminal Code of 2012.

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

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

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

5           (2) The history of use, attempted use, or threatened  
6 use of physical force by the respondent against another  
7 person.

8           (3) Any prior arrest of the respondent for a felony  
9 offense.

10          (4) Evidence of the abuse of controlled substances or  
11 alcohol by the respondent.

12          (5) A recent threat of violence or act of violence by  
13 the respondent directed toward himself, herself, or  
14 another.

15          (6) A violation of an emergency order of protection  
16 issued under Section 217 of the Illinois Domestic Violence  
17 Act of 1986 or Section 112A-17 of the Code of Criminal  
18 Procedure of 1963 or of an order of protection issued  
19 under Section 214 of the Illinois Domestic Violence Act of  
20 1986 or Section 112A-14 of the Code of Criminal Procedure  
21 of 1963.

22          (7) A pattern of violent acts or violent threats,  
23 including, but not limited to, threats of violence or acts  
24 of violence by the respondent directed toward himself,  
25 herself, or another.

26          (f) At the hearing, the petitioner shall have the burden

1 of proving, by clear and convincing evidence, that the  
2 respondent poses a significant danger of personal injury to  
3 himself, herself, or another by having in his or her custody or  
4 control, purchasing, possessing, or receiving a firearm,  
5 ammunition, and firearm parts that could be assembled to make  
6 an operable firearm.

7 (g) If the court finds that there is clear and convincing  
8 evidence to issue a ~~plenary~~ firearms restraining order, the  
9 court shall issue a firearms restraining order that shall be  
10 in effect for ~~up to one year, but not less than 6 months,~~ 6  
11 months subject to renewal under Section 45 of this Act or  
12 termination under that Section.

13 (g-5) If the court issues a ~~plenary~~ 6-month firearms  
14 restraining order, it shall, upon a finding of probable cause  
15 that the respondent possesses firearms, ammunition, and  
16 firearm parts that could be assembled to make an operable  
17 firearm, issue a search warrant directing a law enforcement  
18 agency to seize the respondent's firearms, ammunition, and  
19 firearm parts that could be assembled to make an operable  
20 firearm. The court may, as part of that warrant, direct the law  
21 enforcement agency to search the respondent's residence and  
22 other places where the court finds there is probable cause to  
23 believe he or she is likely to possess the firearms,  
24 ammunition, and firearm parts that could be assembled to make  
25 an operable firearm. A return of the search warrant shall be  
26 filed by the law enforcement agency within 4 days thereafter,

1 setting forth the time, date, and location that the search  
2 warrant was executed and what items, if any, were seized.

3 (h) A ~~plenary~~ 6-month firearms restraining order shall  
4 require:

5 (1) the respondent to refrain from having in his or  
6 her custody or control, purchasing, possessing, or  
7 receiving additional firearms, ammunition, and firearm  
8 parts that could be assembled to make an operable firearm  
9 for the duration of the order under Section 8.2 of the  
10 Firearm Owners Identification Card Act; and

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

14 (i) Except as otherwise provided in subsection (i-5) of  
15 this Section, upon expiration of the period of safekeeping, if  
16 the firearms, ammunition, and firearm parts that could be  
17 assembled to make an operable firearm or Firearm Owner's  
18 Identification Card cannot be returned to the respondent  
19 because the respondent cannot be located, fails to respond to  
20 requests to retrieve the firearms, ammunition, and firearm  
21 parts that could be assembled to make an operable firearm, or  
22 is not lawfully eligible to possess a firearm, ammunition, and  
23 firearm parts that could be assembled to make an operable  
24 firearm, upon petition from the local law enforcement agency,  
25 the court may order the local law enforcement agency to  
26 destroy the firearms, ammunition, and firearm parts that could

1 be assembled to make an operable firearm, use the firearms,  
2 ammunition, and firearm parts that could be assembled to make  
3 an operable firearm for training purposes, or use the  
4 firearms, ammunition, and firearm parts that could be  
5 assembled to make an operable firearm for any other  
6 application as deemed appropriate by the local law enforcement  
7 agency.

8 (i-5) A respondent whose Firearm Owner's Identification  
9 Card has been revoked or suspended may petition the court, if  
10 the petitioner is present in court or has notice of the  
11 respondent's petition, to transfer the respondent's firearm,  
12 ammunition, and firearm parts that could be assembled to make  
13 an operable firearm to a person who is lawfully able to possess  
14 the firearm, ammunition, and firearm parts that could be  
15 assembled to make an operable firearm if the person does not  
16 reside at the same address as the respondent. Notice of the  
17 petition shall be served upon the person protected by the  
18 emergency firearms restraining order. While the order is in  
19 effect, the transferee who receives the respondent's firearms,  
20 ammunition, and firearm parts that could be assembled to make  
21 an operable firearm must swear or affirm by affidavit that he  
22 or she shall not transfer the firearm, ammunition, and firearm  
23 parts that could be assembled to make an operable firearm to  
24 the respondent or to anyone residing in the same residence as  
25 the respondent.

26 (i-6) If a person other than the respondent claims title

1 to any firearms, ammunition, and firearm parts that could be  
2 assembled to make an operable firearm surrendered under this  
3 Section, he or she may petition the court, if the petitioner is  
4 present in court or has notice of the petition, to have the  
5 firearm, ammunition, and firearm parts that could be assembled  
6 to make an operable firearm returned to him or her. If the  
7 court determines that person to be the lawful owner of the  
8 firearm, ammunition, and firearm parts that could be assembled  
9 to make an operable firearm, the firearm, ammunition, and  
10 firearm parts that could be assembled to make an operable  
11 firearm shall be returned to him or her, provided that:

12 (1) the firearm, ammunition, and firearm parts that  
13 could be assembled to make an operable firearm are removed  
14 from the respondent's custody, control, or possession and  
15 the lawful owner agrees to store the firearm, ammunition,  
16 and firearm parts that could be assembled to make an  
17 operable firearm in a manner such that the respondent does  
18 not have access to or control of the firearm, ammunition,  
19 and firearm parts that could be assembled to make an  
20 operable firearm; and

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

24 The person petitioning for the return of his or her  
25 firearm, ammunition, and firearm parts that could be assembled  
26 to make an operable firearm must swear or affirm by affidavit

1 that he or she: (i) is the lawful owner of the firearm,  
2 ammunition, and firearm parts that could be assembled to make  
3 an operable firearm; (ii) shall not transfer the firearm,  
4 ammunition, and firearm parts that could be assembled to make  
5 an operable firearm to the respondent; and (iii) will store  
6 the firearm, ammunition, and firearm parts that could be  
7 assembled to make an operable firearm in a manner that the  
8 respondent does not have access to or control of the firearm,  
9 ammunition, and firearm parts that could be assembled to make  
10 an operable firearm.

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

14 (k) When the court issues a firearms restraining order  
15 under this Section, the court shall inform the respondent that  
16 he or she is entitled to one hearing during the period of the  
17 order to request a termination of the order, under Section 45  
18 of this Act, and shall provide the respondent with a form to  
19 request a hearing.

20 (Source: P.A. 101-81, eff. 7-12-19; 102-237, eff. 1-1-22;  
21 102-345, eff. 6-1-22; 102-538, eff. 8-20-21; 102-813, eff.  
22 5-13-22; 102-1116, eff. 1-10-23.)

23 (430 ILCS 67/45)

24 Sec. 45. Termination and renewal.

25 (a) A person subject to a firearms restraining order

1 issued under this Act may submit one written request at any  
2 time during the effective period of the order for a hearing to  
3 terminate the order.

4 (1) The respondent shall have the burden of proving by  
5 a preponderance of the evidence that the respondent does  
6 not pose a danger of causing personal injury to himself,  
7 herself, or another in the near future by having in his or  
8 her custody or control, purchasing, possessing, or  
9 receiving a firearm, ammunition, and firearm parts that  
10 could be assembled to make an operable firearm.

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

14 (b) A petitioner may request a renewal of a firearms  
15 restraining order at any time within the 3 months before the  
16 expiration of a firearms restraining order.

17 (1) A court shall, after notice and a hearing, renew a  
18 firearms restraining order issued under this part if the  
19 petitioner proves, by clear and convincing evidence, that  
20 the respondent continues to pose a danger of causing  
21 personal injury to himself, herself, or another in the  
22 near future by having in his or her custody or control,  
23 purchasing, possessing, or receiving a firearm,  
24 ammunition, and firearm parts that could be assembled to  
25 make an operable firearm.

26 (2) In determining whether to renew a firearms

1           restraining order issued under this Act, the court shall  
2           consider evidence of the facts identified in subsection  
3           (e) of Section 40 of this Act and any other evidence of an  
4           increased risk for violence.

5           (3) At the hearing, the petitioner shall have the  
6           burden of proving by clear and convincing evidence that  
7           the respondent continues to pose a danger of causing  
8           personal injury to himself, herself, or another in the  
9           near future by having in his or her custody or control,  
10          purchasing, possessing, or receiving a firearm,  
11          ammunition, and firearm parts that could be assembled to  
12          make an operable firearm.

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

19          (Source: P.A. 101-81, eff. 7-12-19; 102-345, eff. 6-1-22;  
20          102-1116, eff. 1-10-23.)

21           (430 ILCS 67/55)

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

23           (a) All sheriffs shall furnish to the Illinois State  
24           Police, daily, in the form and detail the Illinois State  
25           Police requires, copies of any recorded firearms restraining

1 orders issued by the court, and any foreign orders of  
2 protection filed by the clerk of the court, and transmitted to  
3 the sheriff by the clerk of the court under Section 50. Each  
4 firearms restraining order shall be entered in the Law  
5 Enforcement Agencies Data System (LEADS) on the same day it is  
6 issued by the court. If an emergency firearms restraining  
7 order was issued in accordance with Section 35 of this Act, the  
8 order shall be entered in the Law Enforcement Agencies Data  
9 System (LEADS) as soon as possible after receipt from the  
10 clerk.

11 (b) The Illinois State Police shall maintain a complete  
12 and systematic record and index of all valid and recorded  
13 firearms restraining orders issued or filed under this Act.  
14 The data shall be used to inform all dispatchers and law  
15 enforcement officers at the scene of a violation of a firearms  
16 restraining order of the effective dates and terms of any  
17 recorded order of protection.

18 (c) The data, records, and transmittals required under  
19 this Section shall pertain to any valid emergency or ~~plenary~~  
20 6-month firearms restraining order, whether issued in a civil  
21 or criminal proceeding or authorized under the laws of another  
22 state, tribe, or United States territory.

23 (Source: P.A. 101-81, eff. 7-12-19; 102-538, eff. 8-20-21;  
24 102-1116, eff. 1-10-23.)

25 Section 25. The Criminal Code of 2012 is amended by

1 changing Section 24-1 as follows:

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

3 Sec. 24-1. Unlawful possession of weapons.

4 (a) A person commits the offense of unlawful possession of  
5 weapons when he knowingly:

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

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

21 (2.5) Carries or possesses with intent to use the same  
22 unlawfully against another, any firearm in a church,  
23 synagogue, mosque, or other building, structure, or place  
24 used for religious worship; or

25 (3) Carries on or about his person or in any vehicle, a

1 tear gas gun projector or bomb or any object containing  
2 noxious liquid gas or substance, other than an object  
3 containing a non-lethal noxious liquid gas or substance  
4 designed solely for personal defense carried by a person  
5 18 years of age or older; or

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

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

16 (ii) are not immediately accessible; or

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

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

25 (5) Sets a spring gun; or

26 (6) Possesses any device or attachment of any kind

1           designed, used or intended for use in silencing the report  
2           of any firearm; or

3           (7) Sells, manufactures, purchases, possesses or  
4           carries:

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

17                   (ii) any rifle having one or more barrels less  
18                   than 16 inches in length or a shotgun having one or  
19                   more barrels less than 18 inches in length or any  
20                   weapon made from a rifle or shotgun, whether by  
21                   alteration, modification, or otherwise, if such a  
22                   weapon as modified has an overall length of less than  
23                   26 inches; or

24                   (iii) any bomb, bomb-shell, grenade, bottle or  
25                   other container containing an explosive substance of  
26                   over one-quarter ounce for like purposes, such as, but

1 not limited to, black powder bombs and Molotov  
2 cocktails or artillery projectiles; or

3 (8) Carries or possesses any firearm, stun gun or  
4 taser or other deadly weapon in any place which is  
5 licensed to sell intoxicating beverages, or at any public  
6 gathering held pursuant to a license issued by any  
7 governmental body or any public gathering at which an  
8 admission is charged, excluding a place where a showing,  
9 demonstration or lecture involving the exhibition of  
10 unloaded firearms is conducted.

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

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

20 (10) Carries or possesses on or about his or her  
21 person, upon any public street, alley, or other public  
22 lands within the corporate limits of a city, village, or  
23 incorporated town, except when an invitee thereon or  
24 therein, for the purpose of the display of such weapon or  
25 the lawful commerce in weapons, or except when on his land  
26 or in his or her own abode, legal dwelling, or fixed place

1 of business, or on the land or in the legal dwelling of  
2 another person as an invitee with that person's  
3 permission, any pistol, revolver, stun gun, or taser or  
4 other firearm, except that this subsection (a)(10) does  
5 not apply to or affect transportation of weapons that meet  
6 one of the following conditions:

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

8 (ii) are not immediately accessible; or

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

13 (iv) are carried or possessed in accordance with  
14 the Firearm Concealed Carry Act by a person who has  
15 been issued a currently valid license under the  
16 Firearm Concealed Carry Act.

17 A "stun gun or taser", as used in this paragraph (a)  
18 means (i) any device which is powered by electrical  
19 charging units, such as, batteries, and which fires one or  
20 several barbs attached to a length of wire and which, upon  
21 hitting a human, can send out a current capable of  
22 disrupting the person's nervous system in such a manner as  
23 to render him incapable of normal functioning or (ii) any  
24 device which is powered by electrical charging units, such  
25 as batteries, and which, upon contact with a human or  
26 clothing worn by a human, can send out current capable of

1            disrupting the person's nervous system in such a manner as  
2            to render him incapable of normal functioning; or

3            (11)    Sells, manufactures, ~~delivers, imports,~~  
4            ~~possesses,~~ or purchases any ~~assault weapon attachment or~~  
5            ~~.50 caliber cartridge in violation of Section 24 1.9 or~~  
6            ~~any~~ explosive bullet. For purposes of this paragraph (a)  
7            "explosive bullet" means the projectile portion of an  
8            ammunition cartridge which contains or carries an  
9            explosive charge which will explode upon contact with the  
10           flesh of a human or an animal. "Cartridge" means a tubular  
11           metal case having a projectile affixed at the front  
12           thereof and a cap or primer at the rear end thereof, with  
13           the propellant contained in such tube between the  
14           projectile and the cap; or

15           (12) (Blank); or

16           (13) Carries or possesses on or about his or her  
17           person while in a building occupied by a unit of  
18           government, a billy club, other weapon of like character,  
19           or other instrument of like character intended for use as  
20           a weapon. For the purposes of this Section, "billy club"  
21           means a short stick or club commonly carried by police  
22           officers which is either telescopic or constructed of a  
23           solid piece of wood or other man-made material. ~~;~~ ~~or~~

24           ~~(14) Manufactures, possesses, sells, or offers to~~  
25           ~~sell, purchase, manufacture, import, transfer, or use any~~  
26           ~~device, part, kit, tool, accessory, or combination of~~

1 ~~parts that is designed to and functions to increase the~~  
2 ~~rate of fire of a semiautomatic firearm above the standard~~  
3 ~~rate of fire for semiautomatic firearms that is not~~  
4 ~~equipped with that device, part, or combination of parts;~~  
5 ~~or~~

6 ~~(15) Carries or possesses any assault weapon or .50~~  
7 ~~caliber rifle in violation of Section 24-1.9; or~~

8 ~~(16) Manufactures, sells, delivers, imports, or~~  
9 ~~purchases any assault weapon or .50 caliber rifle in~~  
10 ~~violation of Section 24-1.9.~~

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

1 24-1(a) (9) or, 24-1(a) (10), ~~or 24-1(a) (15)~~ commits a Class 3  
2 felony. A person convicted of a violation of subsection  
3 24-1(a) (2.5) ~~or 24-1(a) (14)~~ commits a Class 2 felony. The  
4 possession of each weapon ~~or device~~ in violation of this  
5 Section constitutes a single and separate violation.

6 (c) Violations in specific places.

7 (1) A person who violates subsection 24-1(a) (6) or  
8 24-1(a) (7) in any school, regardless of the time of day or  
9 the time of year, in residential property owned, operated  
10 or managed by a public housing agency or leased by a public  
11 housing agency as part of a scattered site or mixed-income  
12 development, in a public park, in a courthouse, on the  
13 real property comprising any school, regardless of the  
14 time of day or the time of year, on residential property  
15 owned, operated or managed by a public housing agency or  
16 leased by a public housing agency as part of a scattered  
17 site or mixed-income development, on the real property  
18 comprising any public park, on the real property  
19 comprising any courthouse, in any conveyance owned, leased  
20 or contracted by a school to transport students to or from  
21 school or a school related activity, in any conveyance  
22 owned, leased, or contracted by a public transportation  
23 agency, or on any public way within 1,000 feet of the real  
24 property comprising any school, public park, courthouse,  
25 public transportation facility, or residential property  
26 owned, operated, or managed by a public housing agency or

1 leased by a public housing agency as part of a scattered  
2 site or mixed-income development commits a Class 2 felony  
3 and shall be sentenced to a term of imprisonment of not  
4 less than 3 years and not more than 7 years.

5 (1.5) A person who violates subsection 24-1(a)(4),  
6 24-1(a)(9), or 24-1(a)(10) in any school, regardless of  
7 the time of day or the time of year, in residential  
8 property owned, operated, or managed by a public housing  
9 agency or leased by a public housing agency as part of a  
10 scattered site or mixed-income development, in a public  
11 park, in a courthouse, on the real property comprising any  
12 school, regardless of the time of day or the time of year,  
13 on 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 on the real property comprising any public park, on the  
17 real property comprising any courthouse, in any conveyance  
18 owned, leased, or contracted by a school to transport  
19 students to or from school or a school related activity,  
20 in any conveyance owned, leased, or contracted by a public  
21 transportation agency, or on any public way within 1,000  
22 feet of the real property comprising any school, public  
23 park, courthouse, public transportation facility, or  
24 residential property owned, operated, or managed by a  
25 public housing agency or leased by a public housing agency  
26 as part of a scattered site or mixed-income development

1 commits a Class 3 felony.

2 (2) A person who violates subsection 24-1(a)(1),  
3 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the  
4 time of day or the time of year, in residential property  
5 owned, operated or managed by a public housing agency or  
6 leased by a public housing agency as part of a scattered  
7 site or mixed-income development, in a public park, in a  
8 courthouse, on the real property comprising any school,  
9 regardless of the time of day or the time of year, on  
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 on the real property comprising any public park, on the  
14 real property comprising any courthouse, in any conveyance  
15 owned, leased or contracted by a school to transport  
16 students to or from school or a school related activity,  
17 in any conveyance owned, leased, or contracted by a public  
18 transportation agency, or on any public way within 1,000  
19 feet of the real property comprising any school, public  
20 park, courthouse, public transportation facility, or  
21 residential property owned, operated, or managed by a  
22 public housing agency or leased by a public housing agency  
23 as part of a scattered site or mixed-income development  
24 commits a Class 4 felony. "Courthouse" means any building  
25 that is used by the Circuit, Appellate, or Supreme Court  
26 of this State for the conduct of official business.

1           (3) Paragraphs (1), (1.5), and (2) of this subsection  
2           (c) shall not apply to law enforcement officers or  
3           security officers of such school, college, or university  
4           or to students carrying or possessing firearms for use in  
5           training courses, parades, hunting, target shooting on  
6           school ranges, or otherwise with the consent of school  
7           authorities and which firearms are transported unloaded  
8           enclosed in a suitable case, box, or transportation  
9           package.

10           (4) For the purposes of this subsection (c), "school"  
11           means any public or private elementary or secondary  
12           school, community college, college, or university.

13           (5) For the purposes of this subsection (c), "public  
14           transportation agency" means a public or private agency  
15           that provides for the transportation or conveyance of  
16           persons by means available to the general public, except  
17           for transportation by automobiles not used for conveyance  
18           of the general public as passengers; and "public  
19           transportation facility" means a terminal or other place  
20           where one may obtain public transportation.

21           (d) The presence in an automobile other than a public  
22           omnibus of any weapon, instrument or substance referred to in  
23           subsection (a)(7) is prima facie evidence that it is in the  
24           possession of, and is being carried by, all persons occupying  
25           such automobile at the time such weapon, instrument or  
26           substance is found, except under the following circumstances:

1 (i) if such weapon, instrument or instrumentality is found  
2 upon the person of one of the occupants therein; or (ii) if  
3 such weapon, instrument or substance is found in an automobile  
4 operated for hire by a duly licensed driver in the due, lawful  
5 and proper pursuit of his or her trade, then such presumption  
6 shall not apply to the driver.

7 (e) Exemptions.

8 (1) Crossbows, Common or Compound bows and Underwater  
9 Spearguns are exempted from the definition of ballistic  
10 knife as defined in paragraph (1) of subsection (a) of  
11 this Section.

12 (2) The provision of paragraph (1) of subsection (a)  
13 of this Section prohibiting the sale, manufacture,  
14 purchase, possession, or carrying of any knife, commonly  
15 referred to as a switchblade knife, which has a blade that  
16 opens automatically by hand pressure applied to a button,  
17 spring or other device in the handle of the knife, does not  
18 apply to a person who possesses a currently valid Firearm  
19 Owner's Identification Card previously issued in his or  
20 her name by the Illinois State Police or to a person or an  
21 entity engaged in the business of selling or manufacturing  
22 switchblade knives.

23 (Source: P.A. 102-538, eff. 8-20-21; 102-1116, eff. 1-10-23;  
24 103-822, eff. 1-1-25.)

25 (720 ILCS 5/24-1.9 rep.)

1           (720 ILCS 5/24-1.10 rep.)

2           Section 30. The Criminal Code of 2012 is amended by  
3   repealing Sections 24-1.9 and 24-1.10.

4           Section 99. Effective date. This Act takes effect upon  
5   becoming law.