



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4401

Introduced 1/14/2026, by Rep. Gregg Johnson

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-9.6 new

Amends the Criminal Code of 2012. Creates the offense of criminal firearm negligence. Provides that a person commits the offense when: (1) the person owns, possesses, or controls a firearm; (2) the person knows or reasonably should know that a prohibited person resides in or regularly accesses the premises; (3) the person fails to securely store the firearm as required by law; and (4) the prohibited person gains access to the firearm. Establishes penalties for violation. Provides that the provision does not apply to (1) firearms secured in compliance with applicable safe storage laws; or (2) circumstances in which the firearm was accessed through unlawful entry or theft. Provides that the provision shall be construed in conjunction with existing civil penalties under the handgun safety devices statute and does not preclude the imposition of civil fines if applicable. Defines "prohibited person".

LRB104 17697 RLC 31128 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 adding
5 Section 24-9.6 as follows:

6 (720 ILCS 5/24-9.6 new)

7 Sec. 24-9.6. Firearm access by prohibited persons.

8 (a) In this Section, "prohibited person" has the meaning
9 ascribed to the term in Section 10 of the Safe Gun Storage Act.

10 (b) A person commits criminal firearm negligence when:

11 (1) the person owns, possesses, or controls a firearm;

12 (2) the person knows or reasonably should know that a
13 prohibited person resides in or regularly accesses the
14 premises;

15 (3) the person fails to securely store the firearm as
16 required by law; and

17 (4) the prohibited person gains access to the firearm.

18 (c) Sentence.

19 (1) Except as otherwise provided in paragraphs (2) and
20 (3) of this subsection, a violation of subsection (b) is a
21 Class A misdemeanor.

22 (2) A violation of subsection (b) is a Class 4 felony
23 if the firearm is used in the commission of a criminal

1 offense.

2 (3) A violation of subsection (b) is a Class 3 felony
3 if the use of the firearm results in death or great bodily
4 harm to another person.

5 (d) This Section does not apply to:

6 (1) firearms secured in compliance with applicable
7 safe storage laws; or

8 (2) circumstances in which the firearm was accessed
9 through unlawful entry or theft.

10 (e) This Section shall be construed in conjunction with
11 existing civil penalties under Section 24-9.5 and does not
12 preclude the imposition of civil fines if applicable.