



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2136

Introduced 2/7/2025, by Sen. Chapin Rose

SYNOPSIS AS INTRODUCED:

| | |
|-------------------------|------------------------|
| 5 ILCS 140/7.5 | |
| 430 ILCS 65/8 | from Ch. 38, par. 83-8 |
| 430 ILCS 65/8.6 new | |
| 430 ILCS 65/4.1 rep. | |
| 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. | |

Amends the Firearm Owners Identification Card Act. Provides that, on the effective date of the amendatory Act or as soon thereafter as practicable, the Illinois State Police shall immediately and permanently destroy every endorsement affidavit that was provided to the Illinois State Police under the Firearm Owners Identification Card Act and the Criminal Code of 2012 and all information collected from the endorsement affidavit in possession of the Illinois State Police and any law enforcement agency. Repeals amendatory provisions of the Criminal Code of 2012 that beginning January 1, 2024, make it is 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, and provides penalties and 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, and which provide penalties for those actions. Repeals amendatory provisions of the Criminal Code of 2012 that prohibits the manufacture, possession, sale, or offers 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 03597 RLC 13621 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) ~~(mmm)~~ 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 and by adding Section 8.6 as
2 follows:

3 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

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

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

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

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

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

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

8 (d) A person addicted to narcotics;

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

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

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

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

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

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

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

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

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

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

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

1 (4) a foreign law enforcement officer of a
2 friendly foreign government entering the United States
3 on official business; or

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

7 (j) (Blank);

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

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

1 judgment of conviction for that offense shall be grounds
2 for denying an application for and for revoking and
3 seizing a Firearm Owner's Identification Card previously
4 issued to the person under this Act;

5 (m) (Blank);

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

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

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

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

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

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

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

26 (u) A person who has had his or her Firearm Owner's

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

22 Upon revocation of a person's Firearm Owner's
23 Identification Card, the Illinois State Police shall provide
24 notice to the person and the person shall comply with Section
25 9.5 of this Act.

26 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;

1 102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.
2 5-27-22; 102-1116, eff. 1-10-23.)

3 (430 ILCS 65/8.6 new)

4 Sec. 8.6. Destruction of endorsement affidavits. On the
5 effective date of this amendatory Act of the 104th General
6 Assembly or as soon thereafter as practicable, the Illinois
7 State Police shall immediately and permanently destroy every
8 endorsement affidavit that was provided to the Illinois State
9 Police under Section 4.1 of this Act and subsection (d) of
10 Section 24-1.9 of the Criminal Code of 2012 and all
11 information collected from the endorsement affidavit in
12 possession of the Illinois State Police and any law
13 enforcement agency.

14 (430 ILCS 65/4.1 rep.)

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

17 Section 20. The Criminal Code of 2012 is amended by
18 changing Section 24-1 as follows:

19 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

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

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

16 (2.5) Carries or possesses with intent to use the same
17 unlawfully against another, any firearm in a church,
18 synagogue, mosque, or other building, structure, or place
19 used for religious worship; or

20 (3) Carries on or about his person or in any vehicle, a
21 tear gas gun projector or bomb or any object containing
22 noxious liquid gas or substance, other than an object
23 containing a non-lethal noxious liquid gas or substance
24 designed solely for personal defense carried by a person
25 18 years of age or older; or

26 (4) Carries or possesses in any vehicle or concealed

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

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

10 (ii) are not immediately accessible; or

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

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

19 (5) Sets a spring gun; or

20 (6) Possesses any device or attachment of any kind
21 designed, used or intended for use in silencing the report
22 of any firearm; or

23 (7) Sells, manufactures, purchases, possesses or
24 carries:

25 (i) a machine gun, which shall be defined for the
26 purposes of this subsection as any weapon, which

1 shoots, is designed to shoot, or can be readily
2 restored to shoot, automatically more than one shot
3 without manually reloading by a single function of the
4 trigger, including the frame or receiver of any such
5 weapon, or sells, manufactures, purchases, possesses,
6 or carries any combination of parts designed or
7 intended for use in converting any weapon into a
8 machine gun, or any combination or parts from which a
9 machine gun can be assembled if such parts are in the
10 possession or under the control of a person;

11 (ii) any rifle having one or more barrels less
12 than 16 inches in length or a shotgun having one or
13 more barrels less than 18 inches in length or any
14 weapon made from a rifle or shotgun, whether by
15 alteration, modification, or otherwise, if such a
16 weapon as modified has an overall length of less than
17 26 inches; or

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

23 (8) Carries or possesses any firearm, stun gun or
24 taser or other deadly weapon in any place which is
25 licensed to sell intoxicating beverages, or at any public
26 gathering held pursuant to a license issued by any

1 governmental body or any public gathering at which an
2 admission is charged, excluding a place where a showing,
3 demonstration or lecture involving the exhibition of
4 unloaded firearms is conducted.

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

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

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

1 (i) are broken down in a non-functioning state; or
2 (ii) are not immediately accessible; or
3 (iii) are unloaded and enclosed in a case, firearm
4 carrying box, shipping box, or other container by a
5 person who has been issued a currently valid Firearm
6 Owner's Identification Card; or
7 (iv) are carried or possessed in accordance with
8 the Firearm Concealed Carry Act by a person who has
9 been issued a currently valid license under the
10 Firearm Concealed Carry Act.

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

23 (11) Sells, manufactures, ~~delivers, imports,~~
24 ~~possesses,~~ or purchases any ~~assault weapon attachment or~~
25 ~~.50 caliber cartridge in violation of Section 24-1.9 or~~
26 ~~any~~ explosive bullet. For purposes of this paragraph (a)

1 "explosive bullet" means the projectile portion of an
2 ammunition cartridge which contains or carries an
3 explosive charge which will explode upon contact with the
4 flesh of a human or an animal. "Cartridge" means a tubular
5 metal case having a projectile affixed at the front
6 thereof and a cap or primer at the rear end thereof, with
7 the propellant contained in such tube between the
8 projectile and the cap; or

9 (12) (Blank); or

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

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

26 ~~(15) Carries or possesses any assault weapon or .50~~

1 ~~caliber rifle in violation of Section 24-1.9; or~~

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

5 (b) Sentence. A person convicted of a violation of
6 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),
7 subsection 24-1(a)(11), or subsection 24-1(a)(13), ~~or~~
8 ~~24-1(a)(15)~~ commits a Class A misdemeanor. A person convicted
9 of a violation of subsection 24-1(a)(8) or 24-1(a)(9) commits
10 a Class 4 felony; a person convicted of a violation of
11 subsection 24-1(a)(6), or 24-1(a)(7)(ii), ~~24-1(a)(7)(iii), or~~
12 ~~24-1(a)(16)~~ or (iii) commits a Class 3 felony. A person
13 convicted of a violation of subsection 24-1(a)(7)(i) commits a
14 Class 2 felony and shall be sentenced to a term of imprisonment
15 of not less than 3 years and not more than 7 years, unless the
16 weapon is possessed in the passenger compartment of a motor
17 vehicle as defined in Section 1-146 of the Illinois Vehicle
18 Code, or on the person, while the weapon is loaded, in which
19 case it shall be a Class X felony. A person convicted of a
20 second or subsequent violation of subsection 24-1(a)(4),
21 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10), ~~or 24-1(a)(15)~~ commits
22 a Class 3 felony. A person convicted of a violation of
23 subsection 24-1(a)(2.5) ~~or 24-1(a)(14)~~ commits a Class 2
24 felony. The possession of each weapon ~~or device~~ in violation
25 of this Section constitutes a single and separate violation.

26 (c) Violations in specific places.

1 (1) A person who violates subsection 24-1(a)(6) or
2 24-1(a)(7) in any school, regardless of the time of day or
3 the time of year, in residential property owned, operated
4 or managed by a public housing agency or leased by a public
5 housing agency as part of a scattered site or mixed-income
6 development, in a public park, in a courthouse, on the
7 real property comprising any school, regardless of the
8 time of day or the time of year, on residential property
9 owned, operated or managed by a public housing agency or
10 leased by a public housing agency as part of a scattered
11 site or mixed-income development, on the real property
12 comprising any public park, on the real property
13 comprising any courthouse, in any conveyance owned, leased
14 or contracted by a school to transport students to or from
15 school or a school related activity, in any conveyance
16 owned, leased, or contracted by a public transportation
17 agency, or on any public way within 1,000 feet of the real
18 property comprising any school, public park, courthouse,
19 public transportation facility, or 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 commits a Class 2 felony
23 and shall be sentenced to a term of imprisonment of not
24 less than 3 years and not more than 7 years.

25 (1.5) A person who violates subsection 24-1(a)(4),
26 24-1(a)(9), or 24-1(a)(10) in any school, regardless of

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

22 (2) A person who violates subsection 24-1(a)(1),
23 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the
24 time of day or the time of year, in residential property
25 owned, operated or managed by a public housing agency or
26 leased by a public housing agency as part of a scattered

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

21 (3) Paragraphs (1), (1.5), and (2) of this subsection
22 (c) shall not apply to law enforcement officers or
23 security officers of such school, college, or university
24 or to students carrying or possessing firearms for use in
25 training courses, parades, hunting, target shooting on
26 school ranges, or otherwise with the consent of school

1 authorities and which firearms are transported unloaded
2 enclosed in a suitable case, box, or transportation
3 package.

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

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

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

1 (e) Exemptions.

2 (1) Crossbows, Common or Compound bows and Underwater
3 Spearguns are exempted from the definition of ballistic
4 knife as defined in paragraph (1) of subsection (a) of
5 this Section.

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

17 (Source: P.A. 102-538, eff. 8-20-21; 102-1116, eff. 1-10-23;
18 103-822, eff. 1-1-25.)

19 (720 ILCS 5/24-1.9 rep.)

20 (720 ILCS 5/24-1.10 rep.)

21 Section 25. The Criminal Code of 2012 is amended by
22 repealing Sections 24-1.9 and 24-1.10.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.