

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 Firearm Owners Identification Card Act is
5 amended by changing Sections 4 and 8 as follows:

6 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

7 Sec. 4. Application for Firearm Owner's Identification
8 Cards.

9 (a) Each applicant for a Firearm Owner's Identification
10 Card must:

11 (1) Make application on blank forms prepared and
12 furnished at convenient locations throughout the State by
13 the Department of State Police, or by electronic means, if
14 and when made available by the Department of State Police;
15 and

16 (2) Submit evidence to the Department of State Police
17 that:

18 (i) This subparagraph (i) applies through the
19 180th day following the effective date of this
20 amendatory Act of the 101st General Assembly. He or she
21 is 21 years of age or over, or if he or she is under 21
22 years of age that he or she has the written consent of
23 his or her parent or legal guardian to possess and

1 acquire firearms and firearm ammunition and that he or
2 she has never been convicted of a misdemeanor other
3 than a traffic offense or adjudged delinquent,
4 provided, however, that such parent or legal guardian
5 is not an individual prohibited from having a Firearm
6 Owner's Identification Card and files an affidavit
7 with the Department as prescribed by the Department
8 stating that he or she is not an individual prohibited
9 from having a Card;

10 (i-5) This subparagraph (i-5) applies on and after
11 the 181st day following the effective date of this
12 amendatory Act of the 101st General Assembly. He or she
13 is 21 years of age or over, or if he or she is under 21
14 years of age that he or she has never been convicted of
15 a misdemeanor other than a traffic offense or adjudged
16 delinquent and is an active duty member of the United
17 States Armed Forces or has the written consent of his
18 or her parent or legal guardian to possess and acquire
19 firearms and firearm ammunition, provided, however,
20 that such parent or legal guardian is not an individual
21 prohibited from having a Firearm Owner's
22 Identification Card and files an affidavit with the
23 Department as prescribed by the Department stating
24 that he or she is not an individual prohibited from
25 having a Card or the active duty member of the United
26 States Armed Forces under 21 years of age annually

1 submits proof to the Department of State Police, in a
2 manner prescribed by the Department;

3 (ii) He or she has not been convicted of a felony
4 under the laws of this or any other jurisdiction;

5 (iii) He or she is not addicted to narcotics;

6 (iv) He or she has not been a patient in a mental
7 health facility within the past 5 years or, if he or
8 she has been a patient in a mental health facility more
9 than 5 years ago submit the certification required
10 under subsection (u) of Section 8 of this Act;

11 (v) He or she is not a person with an intellectual
12 disability;

13 (vi) He or she is not an alien who is unlawfully
14 present in the United States under the laws of the
15 United States;

16 (vii) He or she is not subject to an existing order
17 of protection prohibiting him or her from possessing a
18 firearm;

19 (viii) He or she has not been convicted within the
20 past 5 years of battery, assault, aggravated assault,
21 violation of an order of protection, or a substantially
22 similar offense in another jurisdiction, in which a
23 firearm was used or possessed;

24 (ix) He or she has not been convicted of domestic
25 battery, aggravated domestic battery, or a
26 substantially similar offense in another jurisdiction

1 committed before, on or after January 1, 2012 (the
2 effective date of Public Act 97-158). If the applicant
3 knowingly and intelligently waives the right to have an
4 offense described in this clause (ix) tried by a jury,
5 and by guilty plea or otherwise, results in a
6 conviction for an offense in which a domestic
7 relationship is not a required element of the offense
8 but in which a determination of the applicability of 18
9 U.S.C. 922(g) (9) is made under Section 112A-11.1 of the
10 Code of Criminal Procedure of 1963, an entry by the
11 court of a judgment of conviction for that offense
12 shall be grounds for denying the issuance of a Firearm
13 Owner's Identification Card under this Section;

14 (x) (Blank);

15 (xi) He or she is not an alien who has been
16 admitted to the United States under a non-immigrant
17 visa (as that term is defined in Section 101(a) (26) of
18 the Immigration and Nationality Act (8 U.S.C.
19 1101(a) (26))), or that he or she is an alien who has
20 been lawfully admitted to the United States under a
21 non-immigrant visa if that alien is:

22 (1) admitted to the United States for lawful
23 hunting or sporting purposes;

24 (2) an official representative of a foreign
25 government who is:

26 (A) accredited to the United States

1 Government or the Government's mission to an
2 international organization having its
3 headquarters in the United States; or

4 (B) en route to or from another country to
5 which that alien is accredited;

6 (3) an official of a foreign government or
7 distinguished foreign visitor who has been so
8 designated by the Department of State;

9 (4) a foreign law enforcement officer of a
10 friendly foreign government entering the United
11 States on official business; or

12 (5) one who has received a waiver from the
13 Attorney General of the United States pursuant to
14 18 U.S.C. 922 (y) (3);

15 (xii) He or she is not a minor subject to a
16 petition filed under Section 5-520 of the Juvenile
17 Court Act of 1987 alleging that the minor is a
18 delinquent minor for the commission of an offense that
19 if committed by an adult would be a felony;

20 (xiii) He or she is not an adult who had been
21 adjudicated a delinquent minor under the Juvenile
22 Court Act of 1987 for the commission of an offense that
23 if committed by an adult would be a felony;

24 (xiv) He or she is a resident of the State of
25 Illinois;

26 (xv) He or she has not been adjudicated as a person

1 with a mental disability;

2 (xvi) He or she has not been involuntarily admitted
3 into a mental health facility; and

4 (xvii) He or she is not a person with a
5 developmental disability; and

6 (3) Upon request by the Department of State Police,
7 sign a release on a form prescribed by the Department of
8 State Police waiving any right to confidentiality and
9 requesting the disclosure to the Department of State Police
10 of limited mental health institution admission information
11 from another state, the District of Columbia, any other
12 territory of the United States, or a foreign nation
13 concerning the applicant for the sole purpose of
14 determining whether the applicant is or was a patient in a
15 mental health institution and disqualified because of that
16 status from receiving a Firearm Owner's Identification
17 Card. No mental health care or treatment records may be
18 requested. The information received shall be destroyed
19 within one year of receipt.

20 (a-5) Each applicant for a Firearm Owner's Identification
21 Card who is over the age of 18 shall furnish to the Department
22 of State Police either his or her Illinois driver's license
23 number or Illinois Identification Card number, except as
24 provided in subsection (a-10).

25 (a-10) Each applicant for a Firearm Owner's Identification
26 Card, who is employed as a law enforcement officer, an armed

1 security officer in Illinois, or by the United States Military
2 permanently assigned in Illinois and who is not an Illinois
3 resident, shall furnish to the Department of State Police his
4 or her driver's license number or state identification card
5 number from his or her state of residence. The Department of
6 State Police may adopt rules to enforce the provisions of this
7 subsection (a-10).

8 (a-15) If an applicant applying for a Firearm Owner's
9 Identification Card moves from the residence address named in
10 the application, he or she shall immediately notify in a form
11 and manner prescribed by the Department of State Police of that
12 change of address.

13 (a-20) Each applicant for a Firearm Owner's Identification
14 Card shall furnish to the Department of State Police his or her
15 photograph. An applicant who is 21 years of age or older
16 seeking a religious exemption to the photograph requirement
17 must furnish with the application an approved copy of United
18 States Department of the Treasury Internal Revenue Service Form
19 4029. In lieu of a photograph, an applicant regardless of age
20 seeking a religious exemption to the photograph requirement
21 shall submit fingerprints on a form and manner prescribed by
22 the Department with his or her application.

23 (b) Each application form shall include the following
24 statement printed in bold type: "Warning: Entering false
25 information on an application for a Firearm Owner's
26 Identification Card is punishable as a Class 2 felony in

1 accordance with subsection (d-5) of Section 14 of the Firearm
2 Owners Identification Card Act.".

3 (c) Upon such written consent, pursuant to Section 4,
4 paragraph (a)(2)(i), the parent or legal guardian giving the
5 consent shall be liable for any damages resulting from the
6 applicant's use of firearms or firearm ammunition.

7 (Source: P.A. 98-63, eff. 7-9-13; 99-143, eff. 7-27-15.)

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

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

15 (a) A person under 21 years of age who has been
16 convicted of a misdemeanor other than a traffic offense or
17 adjudged delinquent;

18 (b) This subsection (b) applies through the 180th day
19 following the effective date of this amendatory Act of the
20 101st General Assembly. A person under 21 years of age who
21 does not have the written consent of his parent or guardian
22 to acquire and possess firearms and firearm ammunition, or
23 whose parent or guardian has revoked such written consent,
24 or where such parent or guardian does not qualify to have a
25 Firearm Owner's Identification Card;

1 (b-5) This subsection (b-5) applies on and after the
2 181st day following the effective date of this amendatory
3 Act of the 101st General Assembly. A person under 21 years
4 of age who is not an active duty member of the United
5 States Armed Forces and does not have the written consent
6 of his or her parent or guardian to acquire and possess
7 firearms and firearm ammunition, or whose parent or
8 guardian has revoked such written consent, or where such
9 parent or guardian does not qualify to have a Firearm
10 Owner's Identification Card;

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

13 (d) A person addicted to narcotics;

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

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

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

5 (h) A person who intentionally makes a false statement
6 in the Firearm Owner's Identification Card application;

7 (i) An alien who is unlawfully present in the United
8 States under the laws of the United States;

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

16 (1) admitted to the United States for lawful
17 hunting or sporting purposes;

18 (2) an official representative of a foreign
19 government who is:

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

24 (B) en route to or from another country to
25 which that alien is accredited;

26 (3) an official of a foreign government or

1 distinguished foreign visitor who has been so
2 designated by the Department of State;

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

6 (5) one who has received a waiver from the Attorney
7 General of the United States pursuant to 18 U.S.C.
8 922(y) (3);

9 (j) (Blank);

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

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

1 is made under Section 112A-11.1 of the Code of Criminal
2 Procedure of 1963, an entry by the court of a judgment of
3 conviction for that offense shall be grounds for denying an
4 application for and for revoking and seizing a Firearm
5 Owner's Identification Card previously issued to the
6 person under this Act;

7 (m) (Blank);

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

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

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

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

22 (r) A person who has been adjudicated as a person with
23 a mental disability;

24 (s) A person who has been found to have a developmental
25 disability;

26 (t) A person involuntarily admitted into a mental

1 health facility; or

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

24 Upon revocation of a person's Firearm Owner's
25 Identification Card, the Department of State Police shall
26 provide notice to the person and the person shall comply with

1 Section 9.5 of this Act.

2 (Source: P.A. 98-63, eff. 7-9-13; 98-508, eff. 8-19-13; 98-756,
3 eff. 7-16-14; 99-143, eff. 7-27-15.)

4 Section 10. The Firearm Concealed Carry Act is amended by
5 changing Section 50 as follows:

6 (430 ILCS 66/50)

7 Sec. 50. License renewal.

8 (a) This subsection (a) applies through the 180th day
9 following the effective date of this amendatory Act of the
10 101st General Assembly. Applications for renewal of a license
11 shall be made to the Department. A license shall be renewed for
12 a period of 5 years upon receipt of a completed renewal
13 application, completion of 3 hours of training required under
14 Section 75 of this Act, payment of the applicable renewal fee,
15 and completion of an investigation under Section 35 of this
16 Act. The renewal application shall contain the information
17 required in Section 30 of this Act, except that the applicant
18 need not resubmit a full set of fingerprints.

19 (b) This subsection (b) applies on and after the 181st day
20 following the effective date of this amendatory Act of the
21 101st General Assembly. Applications for renewal of a license
22 shall be made to the Department. A license shall be renewed for
23 a period of 5 years from the date of expiration on the
24 applicant's current license upon the receipt of a completed

1 renewal application, completion of 3 hours of training required
2 under Section 75 of this Act, payment of the applicable renewal
3 fee, and completion of an investigation under Section 35 of
4 this Act. The renewal application shall contain the information
5 required in Section 30 of this Act, except that the applicant
6 need not resubmit a full set of fingerprints.

7 (Source: P.A. 98-63, eff. 7-9-13; 98-756, eff. 7-16-14.)

8 Section 15. The Firearm Dealer License Certification Act is
9 amended by changing Sections 5-5 and 5-25 as follows:

10 (430 ILCS 68/5-5)

11 Sec. 5-5. Definitions. In this Act:

12 "Certified licensee" means a licensee that has previously
13 certified its license with the Department under this Act.

14 "Department" means the Department of State Police.

15 "Director" means the Director of State Police.

16 "Entity" means any person, firm, corporation, group of
17 individuals, or other legal entity.

18 "Inventory" means firearms in the possession of an
19 individual or entity for the purpose of sale or transfer.

20 "License" means a Federal Firearms License authorizing a
21 person or entity to engage in the business of dealing firearms.

22 "Licensee" means a person, firm, corporation, or other
23 entity who has been given, and is currently in possession of, a
24 valid Federal Firearms License.

1 "Retail location" means a store open to the public from
2 which a certified licensee engages in the business of selling,
3 transferring, or facilitating a sale or transfer of a firearm.
4 For purposes of this Act, the World Shooting and Recreational
5 Complex, a gun show, or similar event at which a certified
6 licensee engages in business from time to time is not a retail
7 location.

8 (Source: P.A. 100-1178, eff. 1-18-19.)

9 (430 ILCS 68/5-25)

10 Sec. 5-25. Exemptions.

11 The provisions of this Act related to the certification of
12 a license do not apply to a person or entity that engages in
13 the following activities:

14 (1) temporary transfers of firearms solely for use at
15 the location or on the premises where the transfer takes
16 place, such as transfers at a shooting range for use at
17 that location;

18 (2) temporary transfers of firearms solely for use
19 while in the presence of the transferor or transfers for
20 the purposes of firearm safety training by a firearms
21 safety training instructor;

22 (3) transfers of firearms among immediate family or
23 household members, as "immediate family or household
24 member" is defined in Section 3-2.7-10 of the Unified Code
25 of Corrections, provided that both the transferor and

1 transferee have a currently valid Firearm Owner's
2 Identification Card; however, this paragraph (3) does not
3 limit the familial gift exemption under paragraph (2) of
4 subsection (a-15) of Section 3 of the Firearm Owners
5 Identification Card Act;

6 (4) transfers by persons or entities acting under
7 operation of law or a court order;

8 (5) transfers by persons or entities liquidating all or
9 part of a collection. For purposes of this paragraph (5),
10 "collection" means 2 or more firearms which are of special
11 interest to collectors by reason of some quality other than
12 is associated with firearms intended for sporting use or as
13 offensive or defensive weapons;

14 (6) transfers of firearms that have been rendered
15 permanently inoperable to a nonprofit historical society,
16 museum, or institutional collection;

17 (7) transfers by a law enforcement or corrections
18 agency or a law enforcement or corrections officer acting
19 within the course and scope of his or her official duties;

20 (8) transfers to a State or local law enforcement
21 agency by a person who has his or her Firearm Owner's
22 Identification Card revoked;

23 (9) transfers of curios and relics, as defined under
24 federal law, between collectors licensed under subsection
25 (b) of Section 923 of the federal Gun Control Act of 1968;

26 (10) transfers by a person or entity licensed as an

1 auctioneer under the Auction License Act; ~~or~~
2 (10.5) transfers of firearms to a resident registered
3 competitor or attendee or non-resident registered
4 competitor or attendee by a licensed federal firearms
5 dealer under Section 923 of the federal Gun Control Act of
6 1968 at a competitive shooting event held at the World
7 Shooting and Recreational Complex that is sanctioned by a
8 national governing body; or

9 (11) transfers between a pawnshop and a customer which
10 amount to a bailment. For purposes of this paragraph (11),
11 "bailment" means the act of placing property in the custody
12 and control of another, by agreement in which the holder is
13 responsible for the safekeeping and return of the property.
14 (Source: P.A. 100-1178, eff. 1-18-19.)

15 Section 20. The Wildlife Code is amended by adding Section
16 3.4b as follows:

17 (520 ILCS 5/3.4b new)
18 Sec. 3.4b. Concealed firearm exemption. A current or
19 retired law enforcement officer authorized by law to possess a
20 concealed firearm shall be exempt from the provisions of this
21 Code prohibiting possession of those firearms. However,
22 nothing in this Section authorizes the use of those firearms
23 except as authorized by law.

1 Section 25. The Criminal Code of 2012 is amended by
2 changing Sections 14-3 and 24-2 as follows:

3 (720 ILCS 5/14-3)

4 Sec. 14-3. Exemptions. The following activities shall be
5 exempt from the provisions of this Article:

6 (a) Listening to radio, wireless electronic
7 communications, and television communications of any sort
8 where the same are publicly made;

9 (b) Hearing conversation when heard by employees of any
10 common carrier by wire incidental to the normal course of their
11 employment in the operation, maintenance or repair of the
12 equipment of such common carrier by wire so long as no
13 information obtained thereby is used or divulged by the hearer;

14 (c) Any broadcast by radio, television or otherwise whether
15 it be a broadcast or recorded for the purpose of later
16 broadcasts of any function where the public is in attendance
17 and the conversations are overheard incidental to the main
18 purpose for which such broadcasts are then being made;

19 (d) Recording or listening with the aid of any device to
20 any emergency communication made in the normal course of
21 operations by any federal, state or local law enforcement
22 agency or institutions dealing in emergency services,
23 including, but not limited to, hospitals, clinics, ambulance
24 services, fire fighting agencies, any public utility,
25 emergency repair facility, civilian defense establishment or

1 military installation;

2 (e) Recording the proceedings of any meeting required to be
3 open by the Open Meetings Act, as amended;

4 (f) Recording or listening with the aid of any device to
5 incoming telephone calls of phone lines publicly listed or
6 advertised as consumer "hotlines" by manufacturers or
7 retailers of food and drug products. Such recordings must be
8 destroyed, erased or turned over to local law enforcement
9 authorities within 24 hours from the time of such recording and
10 shall not be otherwise disseminated. Failure on the part of the
11 individual or business operating any such recording or
12 listening device to comply with the requirements of this
13 subsection shall eliminate any civil or criminal immunity
14 conferred upon that individual or business by the operation of
15 this Section;

16 (g) With prior notification to the State's Attorney of the
17 county in which it is to occur, recording or listening with the
18 aid of any device to any conversation where a law enforcement
19 officer, or any person acting at the direction of law
20 enforcement, is a party to the conversation and has consented
21 to it being intercepted or recorded under circumstances where
22 the use of the device is necessary for the protection of the
23 law enforcement officer or any person acting at the direction
24 of law enforcement, in the course of an investigation of a
25 forcible felony, a felony offense of involuntary servitude,
26 involuntary sexual servitude of a minor, or trafficking in

1 persons under Section 10-9 of this Code, an offense involving
2 prostitution, solicitation of a sexual act, or pandering, a
3 felony violation of the Illinois Controlled Substances Act, a
4 felony violation of the Cannabis Control Act, a felony
5 violation of the Methamphetamine Control and Community
6 Protection Act, any "streetgang related" or "gang-related"
7 felony as those terms are defined in the Illinois Streetgang
8 Terrorism Omnibus Prevention Act, or any felony offense
9 involving any weapon listed in paragraphs (1) through (11) of
10 subsection (a) of Section 24-1 of this Code. Any recording or
11 evidence derived as the result of this exemption shall be
12 inadmissible in any proceeding, criminal, civil or
13 administrative, except (i) where a party to the conversation
14 suffers great bodily injury or is killed during such
15 conversation, or (ii) when used as direct impeachment of a
16 witness concerning matters contained in the interception or
17 recording. The Director of the Department of State Police shall
18 issue regulations as are necessary concerning the use of
19 devices, retention of tape recordings, and reports regarding
20 their use;

21 (g-5) (Blank);

22 (g-6) With approval of the State's Attorney of the county
23 in which it is to occur, recording or listening with the aid of
24 any device to any conversation where a law enforcement officer,
25 or any person acting at the direction of law enforcement, is a
26 party to the conversation and has consented to it being

1 intercepted or recorded in the course of an investigation of
2 child pornography, aggravated child pornography, indecent
3 solicitation of a child, luring of a minor, sexual exploitation
4 of a child, aggravated criminal sexual abuse in which the
5 victim of the offense was at the time of the commission of the
6 offense under 18 years of age, or criminal sexual abuse by
7 force or threat of force in which the victim of the offense was
8 at the time of the commission of the offense under 18 years of
9 age. In all such cases, an application for an order approving
10 the previous or continuing use of an eavesdropping device must
11 be made within 48 hours of the commencement of such use. In the
12 absence of such an order, or upon its denial, any continuing
13 use shall immediately terminate. The Director of State Police
14 shall issue rules as are necessary concerning the use of
15 devices, retention of recordings, and reports regarding their
16 use. Any recording or evidence obtained or derived in the
17 course of an investigation of child pornography, aggravated
18 child pornography, indecent solicitation of a child, luring of
19 a minor, sexual exploitation of a child, aggravated criminal
20 sexual abuse in which the victim of the offense was at the time
21 of the commission of the offense under 18 years of age, or
22 criminal sexual abuse by force or threat of force in which the
23 victim of the offense was at the time of the commission of the
24 offense under 18 years of age shall, upon motion of the State's
25 Attorney or Attorney General prosecuting any case involving
26 child pornography, aggravated child pornography, indecent

1 solicitation of a child, luring of a minor, sexual exploitation
2 of a child, aggravated criminal sexual abuse in which the
3 victim of the offense was at the time of the commission of the
4 offense under 18 years of age, or criminal sexual abuse by
5 force or threat of force in which the victim of the offense was
6 at the time of the commission of the offense under 18 years of
7 age be reviewed in camera with notice to all parties present by
8 the court presiding over the criminal case, and, if ruled by
9 the court to be relevant and otherwise admissible, it shall be
10 admissible at the trial of the criminal case. Absent such a
11 ruling, any such recording or evidence shall not be admissible
12 at the trial of the criminal case;

13 (h) Recordings made simultaneously with the use of an
14 in-car video camera recording of an oral conversation between a
15 uniformed peace officer, who has identified his or her office,
16 and a person in the presence of the peace officer whenever (i)
17 an officer assigned a patrol vehicle is conducting an
18 enforcement stop; or (ii) patrol vehicle emergency lights are
19 activated or would otherwise be activated if not for the need
20 to conceal the presence of law enforcement.

21 For the purposes of this subsection (h), "enforcement stop"
22 means an action by a law enforcement officer in relation to
23 enforcement and investigation duties, including but not
24 limited to, traffic stops, pedestrian stops, abandoned vehicle
25 contacts, motorist assists, commercial motor vehicle stops,
26 roadside safety checks, requests for identification, or

1 responses to requests for emergency assistance;

2 (h-5) Recordings of utterances made by a person while in
3 the presence of a uniformed peace officer and while an occupant
4 of a police vehicle including, but not limited to, (i)
5 recordings made simultaneously with the use of an in-car video
6 camera and (ii) recordings made in the presence of the peace
7 officer utilizing video or audio systems, or both, authorized
8 by the law enforcement agency;

9 (h-10) Recordings made simultaneously with a video camera
10 recording during the use of a taser or similar weapon or device
11 by a peace officer if the weapon or device is equipped with
12 such camera;

13 (h-15) Recordings made under subsection (h), (h-5), or
14 (h-10) shall be retained by the law enforcement agency that
15 employs the peace officer who made the recordings for a storage
16 period of 90 days, unless the recordings are made as a part of
17 an arrest or the recordings are deemed evidence in any
18 criminal, civil, or administrative proceeding and then the
19 recordings must only be destroyed upon a final disposition and
20 an order from the court. Under no circumstances shall any
21 recording be altered or erased prior to the expiration of the
22 designated storage period. Upon completion of the storage
23 period, the recording medium may be erased and reissued for
24 operational use;

25 (i) Recording of a conversation made by or at the request
26 of a person, not a law enforcement officer or agent of a law

1 enforcement officer, who is a party to the conversation, under
2 reasonable suspicion that another party to the conversation is
3 committing, is about to commit, or has committed a criminal
4 offense against the person or a member of his or her immediate
5 household, and there is reason to believe that evidence of the
6 criminal offense may be obtained by the recording;

7 (j) The use of a telephone monitoring device by either (1)
8 a corporation or other business entity engaged in marketing or
9 opinion research or (2) a corporation or other business entity
10 engaged in telephone solicitation, as defined in this
11 subsection, to record or listen to oral telephone solicitation
12 conversations or marketing or opinion research conversations
13 by an employee of the corporation or other business entity
14 when:

15 (i) the monitoring is used for the purpose of service
16 quality control of marketing or opinion research or
17 telephone solicitation, the education or training of
18 employees or contractors engaged in marketing or opinion
19 research or telephone solicitation, or internal research
20 related to marketing or opinion research or telephone
21 solicitation; and

22 (ii) the monitoring is used with the consent of at
23 least one person who is an active party to the marketing or
24 opinion research conversation or telephone solicitation
25 conversation being monitored.

26 No communication or conversation or any part, portion, or

1 aspect of the communication or conversation made, acquired, or
2 obtained, directly or indirectly, under this exemption (j), may
3 be, directly or indirectly, furnished to any law enforcement
4 officer, agency, or official for any purpose or used in any
5 inquiry or investigation, or used, directly or indirectly, in
6 any administrative, judicial, or other proceeding, or divulged
7 to any third party.

8 When recording or listening authorized by this subsection
9 (j) on telephone lines used for marketing or opinion research
10 or telephone solicitation purposes results in recording or
11 listening to a conversation that does not relate to marketing
12 or opinion research or telephone solicitation; the person
13 recording or listening shall, immediately upon determining
14 that the conversation does not relate to marketing or opinion
15 research or telephone solicitation, terminate the recording or
16 listening and destroy any such recording as soon as is
17 practicable.

18 Business entities that use a telephone monitoring or
19 telephone recording system pursuant to this exemption (j) shall
20 provide current and prospective employees with notice that the
21 monitoring or recordings may occur during the course of their
22 employment. The notice shall include prominent signage
23 notification within the workplace.

24 Business entities that use a telephone monitoring or
25 telephone recording system pursuant to this exemption (j) shall
26 provide their employees or agents with access to personal-only

1 telephone lines which may be pay telephones, that are not
2 subject to telephone monitoring or telephone recording.

3 For the purposes of this subsection (j), "telephone
4 solicitation" means a communication through the use of a
5 telephone by live operators:

6 (i) soliciting the sale of goods or services;

7 (ii) receiving orders for the sale of goods or
8 services;

9 (iii) assisting in the use of goods or services; or

10 (iv) engaging in the solicitation, administration, or
11 collection of bank or retail credit accounts.

12 For the purposes of this subsection (j), "marketing or
13 opinion research" means a marketing or opinion research
14 interview conducted by a live telephone interviewer engaged by
15 a corporation or other business entity whose principal business
16 is the design, conduct, and analysis of polls and surveys
17 measuring the opinions, attitudes, and responses of
18 respondents toward products and services, or social or
19 political issues, or both;

20 (k) Electronic recordings, including but not limited to, a
21 motion picture, videotape, digital, or other visual or audio
22 recording, made of a custodial interrogation of an individual
23 at a police station or other place of detention by a law
24 enforcement officer under Section 5-401.5 of the Juvenile Court
25 Act of 1987 or Section 103-2.1 of the Code of Criminal
26 Procedure of 1963;

1 (1) Recording the interview or statement of any person when
2 the person knows that the interview is being conducted by a law
3 enforcement officer or prosecutor and the interview takes place
4 at a police station that is currently participating in the
5 Custodial Interview Pilot Program established under the
6 Illinois Criminal Justice Information Act;

7 (m) An electronic recording, including but not limited to,
8 a motion picture, videotape, digital, or other visual or audio
9 recording, made of the interior of a school bus while the
10 school bus is being used in the transportation of students to
11 and from school and school-sponsored activities, when the
12 school board has adopted a policy authorizing such recording,
13 notice of such recording policy is included in student
14 handbooks and other documents including the policies of the
15 school, notice of the policy regarding recording is provided to
16 parents of students, and notice of such recording is clearly
17 posted on the door of and inside the school bus.

18 Recordings made pursuant to this subsection (m) shall be
19 confidential records and may only be used by school officials
20 (or their designees) and law enforcement personnel for
21 investigations, school disciplinary actions and hearings,
22 proceedings under the Juvenile Court Act of 1987, and criminal
23 prosecutions, related to incidents occurring in or around the
24 school bus;

25 (n) Recording or listening to an audio transmission from a
26 microphone placed by a person under the authority of a law

1 enforcement agency inside a bait car surveillance vehicle while
2 simultaneously capturing a photographic or video image;

3 (o) The use of an eavesdropping camera or audio device
4 during an ongoing hostage or barricade situation by a law
5 enforcement officer or individual acting on behalf of a law
6 enforcement officer when the use of such device is necessary to
7 protect the safety of the general public, hostages, or law
8 enforcement officers or anyone acting on their behalf;

9 (p) Recording or listening with the aid of any device to
10 incoming telephone calls of phone lines publicly listed or
11 advertised as the "CPS Violence Prevention Hotline", but only
12 where the notice of recording is given at the beginning of each
13 call as required by Section 34-21.8 of the School Code. The
14 recordings may be retained only by the Chicago Police
15 Department or other law enforcement authorities, and shall not
16 be otherwise retained or disseminated;

17 (q) (1) With prior request to and written or verbal approval
18 of the State's Attorney of the county in which the conversation
19 is anticipated to occur, recording or listening with the aid of
20 an eavesdropping device to a conversation in which a law
21 enforcement officer, or any person acting at the direction of a
22 law enforcement officer, is a party to the conversation and has
23 consented to the conversation being intercepted or recorded in
24 the course of an investigation of a qualified offense. The
25 State's Attorney may grant this approval only after determining
26 that reasonable cause exists to believe that inculpatory

1 conversations concerning a qualified offense will occur with a
2 specified individual or individuals within a designated period
3 of time.

4 (2) Request for approval. To invoke the exception contained
5 in this subsection (q), a law enforcement officer shall make a
6 request for approval to the appropriate State's Attorney. The
7 request may be written or verbal; however, a written
8 memorialization of the request must be made by the State's
9 Attorney. This request for approval shall include whatever
10 information is deemed necessary by the State's Attorney but
11 shall include, at a minimum, the following information about
12 each specified individual whom the law enforcement officer
13 believes will commit a qualified offense:

14 (A) his or her full or partial name, nickname or alias;

15 (B) a physical description; or

16 (C) failing either (A) or (B) of this paragraph (2),
17 any other supporting information known to the law
18 enforcement officer at the time of the request that gives
19 rise to reasonable cause to believe that the specified
20 individual will participate in an inculpatory conversation
21 concerning a qualified offense.

22 (3) Limitations on approval. Each written approval by the
23 State's Attorney under this subsection (q) shall be limited to:

24 (A) a recording or interception conducted by a
25 specified law enforcement officer or person acting at the
26 direction of a law enforcement officer;

1 (B) recording or intercepting conversations with the
2 individuals specified in the request for approval,
3 provided that the verbal approval shall be deemed to
4 include the recording or intercepting of conversations
5 with other individuals, unknown to the law enforcement
6 officer at the time of the request for approval, who are
7 acting in conjunction with or as co-conspirators with the
8 individuals specified in the request for approval in the
9 commission of a qualified offense;

10 (C) a reasonable period of time but in no event longer
11 than 24 consecutive hours;

12 (D) the written request for approval, if applicable, or
13 the written memorialization must be filed, along with the
14 written approval, with the circuit clerk of the
15 jurisdiction on the next business day following the
16 expiration of the authorized period of time, and shall be
17 subject to review by the Chief Judge or his or her designee
18 as deemed appropriate by the court.

19 (3.5) The written memorialization of the request for
20 approval and the written approval by the State's Attorney may
21 be in any format, including via facsimile, email, or otherwise,
22 so long as it is capable of being filed with the circuit clerk.

23 (3.10) Beginning March 1, 2015, each State's Attorney shall
24 annually submit a report to the General Assembly disclosing:

25 (A) the number of requests for each qualified offense
26 for approval under this subsection; and

1 (B) the number of approvals for each qualified offense
2 given by the State's Attorney.

3 (4) Admissibility of evidence. No part of the contents of
4 any wire, electronic, or oral communication that has been
5 recorded or intercepted as a result of this exception may be
6 received in evidence in any trial, hearing, or other proceeding
7 in or before any court, grand jury, department, officer,
8 agency, regulatory body, legislative committee, or other
9 authority of this State, or a political subdivision of the
10 State, other than in a prosecution of:

11 (A) the qualified offense for which approval was given
12 to record or intercept a conversation under this subsection
13 (q);

14 (B) a forcible felony committed directly in the course
15 of the investigation of the qualified offense for which
16 approval was given to record or intercept a conversation
17 under this subsection (q); or

18 (C) any other forcible felony committed while the
19 recording or interception was approved in accordance with
20 this subsection (q), but for this specific category of
21 prosecutions, only if the law enforcement officer or person
22 acting at the direction of a law enforcement officer who
23 has consented to the conversation being intercepted or
24 recorded suffers great bodily injury or is killed during
25 the commission of the charged forcible felony.

26 (5) Compliance with the provisions of this subsection is a

1 prerequisite to the admissibility in evidence of any part of
2 the contents of any wire, electronic or oral communication that
3 has been intercepted as a result of this exception, but nothing
4 in this subsection shall be deemed to prevent a court from
5 otherwise excluding the evidence on any other ground recognized
6 by State or federal law, nor shall anything in this subsection
7 be deemed to prevent a court from independently reviewing the
8 admissibility of the evidence for compliance with the Fourth
9 Amendment to the U.S. Constitution or with Article I, Section 6
10 of the Illinois Constitution.

11 (6) Use of recordings or intercepts unrelated to qualified
12 offenses. Whenever any private conversation or private
13 electronic communication has been recorded or intercepted as a
14 result of this exception that is not related to an offense for
15 which the recording or intercept is admissible under paragraph
16 (4) of this subsection (q), no part of the contents of the
17 communication and evidence derived from the communication may
18 be received in evidence in any trial, hearing, or other
19 proceeding in or before any court, grand jury, department,
20 officer, agency, regulatory body, legislative committee, or
21 other authority of this State, or a political subdivision of
22 the State, nor may it be publicly disclosed in any way.

23 (6.5) The Department of State Police shall adopt rules as
24 are necessary concerning the use of devices, retention of
25 recordings, and reports regarding their use under this
26 subsection (q).

1 (7) Definitions. For the purposes of this subsection (q)
2 only:

3 "Forcible felony" includes and is limited to those
4 offenses contained in Section 2-8 of the Criminal Code of
5 1961 as of the effective date of this amendatory Act of the
6 97th General Assembly, and only as those offenses have been
7 defined by law or judicial interpretation as of that date.

8 "Qualified offense" means and is limited to:

9 (A) a felony violation of the Cannabis Control Act,
10 the Illinois Controlled Substances Act, or the
11 Methamphetamine Control and Community Protection Act,
12 except for violations of:

13 (i) Section 4 of the Cannabis Control Act;

14 (ii) Section 402 of the Illinois Controlled
15 Substances Act; and

16 (iii) Section 60 of the Methamphetamine
17 Control and Community Protection Act; and

18 (B) first degree murder, solicitation of murder
19 for hire, predatory criminal sexual assault of a child,
20 criminal sexual assault, aggravated criminal sexual
21 assault, aggravated arson, kidnapping, aggravated
22 kidnapping, child abduction, trafficking in persons,
23 involuntary servitude, involuntary sexual servitude of
24 a minor, or gunrunning.

25 "State's Attorney" includes and is limited to the
26 State's Attorney or an assistant State's Attorney

1 designated by the State's Attorney to provide verbal
2 approval to record or intercept conversations under this
3 subsection (q).

4 (8) Sunset. This subsection (q) is inoperative on and after
5 January 1, 2023 ~~2020~~. No conversations intercepted pursuant to
6 this subsection (q), while operative, shall be inadmissible in
7 a court of law by virtue of the inoperability of this
8 subsection (q) on January 1, 2023 ~~2020~~.

9 (9) Recordings, records, and custody. Any private
10 conversation or private electronic communication intercepted
11 by a law enforcement officer or a person acting at the
12 direction of law enforcement shall, if practicable, be recorded
13 in such a way as will protect the recording from editing or
14 other alteration. Any and all original recordings made under
15 this subsection (q) shall be inventoried without unnecessary
16 delay pursuant to the law enforcement agency's policies for
17 inventorying evidence. The original recordings shall not be
18 destroyed except upon an order of a court of competent
19 jurisdiction; and

20 (r) Electronic recordings, including but not limited to,
21 motion picture, videotape, digital, or other visual or audio
22 recording, made of a lineup under Section 107A-2 of the Code of
23 Criminal Procedure of 1963.

24 (Source: P.A. 100-572, eff. 12-29-17.)

25 (720 ILCS 5/24-2)

1 Sec. 24-2. Exemptions.

2 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
3 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
4 the following:

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

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

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

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

24 (5) Persons licensed as private security contractors,
25 private detectives, or private alarm contractors, or
26 employed by a private security contractor, private

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

1 his or her firearm control card.

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

1 times when he or she is in possession of a concealable
2 weapon permitted by his or her firearm control card.

3 (7) Agents and investigators of the Illinois
4 Legislative Investigating Commission authorized by the
5 Commission to carry the weapons specified in subsections
6 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
7 any investigation for the Commission.

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

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

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

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

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

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

24 (12.5) Probation officers while in the performance of
25 their duties, or while commuting between their homes,
26 places of employment or specific locations that are part of

1 their assigned duties, with the consent of the chief judge
2 of the circuit for which they are employed, if they have
3 received weapons training according to requirements of the
4 Peace Officer and Probation Officer Firearm Training Act.

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

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

15 (14) Manufacture, transportation, or sale of weapons
16 to persons authorized under subdivisions (1) through
17 (13.5) of this subsection to possess those weapons.

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

23 (a-6) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply
24 to or affect a qualified current or retired law enforcement
25 officer qualified under the laws of this State or under the
26 federal Law Enforcement Officers Safety Act.

1 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
2 24-1.6 do not apply to or affect any of the following:

3 (1) Members of any club or organization organized for
4 the purpose of practicing shooting at targets upon
5 established target ranges, whether public or private, and
6 patrons of such ranges, while such members or patrons are
7 using their firearms on those target ranges.

8 (2) Duly authorized military or civil organizations
9 while parading, with the special permission of the
10 Governor.

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

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

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

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

21 (1) Peace officers while in performance of their
22 official duties.

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

26 (3) Members of the Armed Services or Reserve Forces of

1 the United States or the Illinois National Guard, while in
2 the performance of their official duty.

3 (4) Manufacture, transportation, or sale of machine
4 guns to persons authorized under subdivisions (1) through
5 (3) of this subsection to possess machine guns, if the
6 machine guns are broken down in a non-functioning state or
7 are not immediately accessible.

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

22 During transportation, such weapons shall be broken
23 down in a non-functioning state or not immediately
24 accessible.

25 (6) The manufacture, transport, testing, delivery,
26 transfer or sale, and all lawful commercial or experimental

1 activities necessary thereto, of rifles, shotguns, and
2 weapons made from rifles or shotguns, or ammunition for
3 such rifles, shotguns or weapons, where engaged in by a
4 person operating as a contractor or subcontractor pursuant
5 to a contract or subcontract for the development and supply
6 of such rifles, shotguns, weapons or ammunition to the
7 United States government or any branch of the Armed Forces
8 of the United States, when such activities are necessary
9 and incident to fulfilling the terms of such contract.

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

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

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

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

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

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

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

17 (2) Bonafide collectors of antique or surplus military
18 ordnance.

19 (3) Laboratories having a department of forensic
20 ballistics, or specializing in the development of
21 ammunition or explosive ordnance.

22 (4) Commerce, preparation, assembly or possession of
23 explosive bullets by manufacturers of ammunition licensed
24 by the federal government, in connection with the supply of
25 those organizations and persons exempted by subdivision
26 (g)(1) of this Section, or like organizations and persons

1 outside this State, or the transportation of explosive
2 bullets to any organization or person exempted in this
3 Section by a common carrier or by a vehicle owned or leased
4 by an exempted manufacturer.

5 (g-5) Subsection 24-1(a)(6) does not apply to or affect
6 persons licensed under federal law to manufacture any device or
7 attachment of any kind designed, used, or intended for use in
8 silencing the report of any firearm, firearms, or ammunition
9 for those firearms equipped with those devices, and actually
10 engaged in the business of manufacturing those devices,
11 firearms, or ammunition, but only with respect to activities
12 that are within the lawful scope of that business, such as the
13 manufacture, transportation, or testing of those devices,
14 firearms, or ammunition. This exemption does not authorize the
15 general private possession of any device or attachment of any
16 kind designed, used, or intended for use in silencing the
17 report of any firearm, but only such possession and activities
18 as are within the lawful scope of a licensed manufacturing
19 business described in this subsection (g-5). During
20 transportation, these devices shall be detached from any weapon
21 or not immediately accessible.

22 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
23 24-1.6 do not apply to or affect any parole agent or parole
24 supervisor who meets the qualifications and conditions
25 prescribed in Section 3-14-1.5 of the Unified Code of
26 Corrections.

1 (g-7) Subsection 24-1(a)(6) does not apply to a peace
2 officer while serving as a member of a tactical response team
3 or special operations team. A peace officer may not personally
4 own or apply for ownership of a device or attachment of any
5 kind designed, used, or intended for use in silencing the
6 report of any firearm. These devices shall be owned and
7 maintained by lawfully recognized units of government whose
8 duties include the investigation of criminal acts.

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

20 (h) An information or indictment based upon a violation of
21 any subsection of this Article need not negative any exemptions
22 contained in this Article. The defendant shall have the burden
23 of proving such an exemption.

24 (i) Nothing in this Article shall prohibit, apply to, or
25 affect the transportation, carrying, or possession, of any
26 pistol or revolver, stun gun, taser, or other firearm consigned

1 to a common carrier operating under license of the State of
2 Illinois or the federal government, where such transportation,
3 carrying, or possession is incident to the lawful
4 transportation in which such common carrier is engaged; and
5 nothing in this Article shall prohibit, apply to, or affect the
6 transportation, carrying, or possession of any pistol,
7 revolver, stun gun, taser, or other firearm, not the subject of
8 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of
9 this Article, which is unloaded and enclosed in a case, firearm
10 carrying box, shipping box, or other container, by the
11 possessor of a valid Firearm Owners Identification Card.
12 (Source: P.A. 99-174, eff. 7-29-15; 100-201, eff. 8-18-17.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.