



Sen. Don Harmon

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10200HB5471sam002

LRB102 24372 RLC 42563 a

1 AMENDMENT TO HOUSE BILL 5471

2 AMENDMENT NO. _____. Amend House Bill 5471 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. This Act may be referred to as the Protect
5 Illinois Communities Act.

6 Section 3. The Illinois Administrative Procedure Act is
7 amended by adding Section 5-45.35 as follows:

8 (5 ILCS 100/5-45.35 new)

9 Sec. 5-45.35. Emergency rulemaking. To provide for the
10 expeditious and timely implementation of this amendatory Act
11 of the 102nd General Assembly, emergency rules implementing
12 the this amendatory Act of the 102nd General Assembly may be
13 adopted in accordance with Section 5-45 by the Illinois State
14 Police. The adoption of emergency rules authorized by Section
15 5-45 and this Section is deemed to be necessary for the public

1 interest, safety, and welfare.

2 This Section is repealed one year after the effective date
3 of this amendatory Act of the 102nd General Assembly.

4 Section 5. The Illinois State Police Law of the Civil
5 Administrative Code of Illinois is amended by changing
6 Sections 2605-35 and 2605-51.1 as follows:

7 (20 ILCS 2605/2605-35) (was 20 ILCS 2605/55a-3)

8 Sec. 2605-35. Division of Criminal Investigation.

9 (a) The Division of Criminal Investigation shall exercise
10 the following functions and those in Section 2605-30:

11 (1) Exercise the rights, powers, and duties vested by
12 law in the Illinois State Police by the Illinois Horse
13 Racing Act of 1975, including those set forth in Section
14 2605-215.

15 (2) Investigate the origins, activities, personnel,
16 and incidents of crime and enforce the criminal laws of
17 this State related thereto.

18 (3) Enforce all laws regulating the production, sale,
19 prescribing, manufacturing, administering, transporting,
20 having in possession, dispensing, delivering,
21 distributing, or use of controlled substances and
22 cannabis.

23 (4) Cooperate with the police of cities, villages, and
24 incorporated towns and with the police officers of any

1 county in enforcing the laws of the State and in making
2 arrests and recovering property.

3 (5) Apprehend and deliver up any person charged in
4 this State or any other state with treason or a felony or
5 other crime who has fled from justice and is found in this
6 State.

7 (6) Investigate recipients and providers under the
8 Illinois Public Aid Code and any personnel involved in the
9 administration of the Code who are suspected of any
10 violation of the Code pertaining to fraud in the
11 administration, receipt, or provision of assistance and
12 pertaining to any violation of criminal law; and exercise
13 the functions required under Section 2605-220 in the
14 conduct of those investigations.

15 (7) Conduct other investigations as provided by law,
16 including, but not limited to, investigations of human
17 trafficking, illegal drug trafficking, and illegal
18 firearms trafficking.

19 (8) Investigate public corruption.

20 (9) Exercise other duties that may be assigned by the
21 Director in order to fulfill the responsibilities and
22 achieve the purposes of the Illinois State Police, which
23 may include the coordination of gang, terrorist, and
24 organized crime prevention, control activities, and
25 assisting local law enforcement in their crime control
26 activities.

1 (10) Conduct investigations (and cooperate with
2 federal law enforcement agencies in the investigation) of
3 any property-related crimes, such as money laundering,
4 involving individuals or entities listed on the sanctions
5 list maintained by the U.S. Department of Treasury's
6 Office of Foreign Asset Control.

7 (b) (Blank).

8 (c) The Division of Criminal Investigation shall provide
9 statewide coordination and strategy pertaining to
10 firearm-related intelligence, firearms trafficking
11 interdiction, and investigations reaching across all divisions
12 of the Illinois State Police, including providing crime gun
13 intelligence support for suspects and firearms involved in
14 firearms trafficking or the commission of a crime involving
15 firearms that is investigated by the Illinois State Police and
16 other federal, State, and local law enforcement agencies, with
17 the objective of reducing and preventing illegal possession
18 and use of firearms, firearms trafficking, firearm-related
19 homicides, and other firearm-related violent crimes in
20 Illinois.

21 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22;
22 102-1108, eff. 12-21-22.)

23 (20 ILCS 2605/2605-51.1)

24 (Section scheduled to be repealed on June 1, 2026)

25 Sec. 2605-51.1. Commission on Implementing the Firearms

1 Restraining Order Act.

2 (a) There is created the Commission on Implementing the
3 Firearms Restraining Order Act composed of at least 12 members
4 to advise on the strategies of education and implementation of
5 the Firearms Restraining Order Act. The Commission shall be
6 appointed by the Director of the Illinois State Police or his
7 or her designee and shall include a liaison or representative
8 nominated from the following:

9 (1) the Office of the Attorney General, appointed by
10 the Attorney General;

11 (2) the Director of the Illinois State Police or his
12 or her designee;

13 (3) at least 3 State's Attorneys, nominated by the
14 Director of the Office of the State's Attorneys Appellate
15 Prosecutor;

16 (4) at least 2 municipal police department
17 representatives, nominated by the Illinois Association of
18 Chiefs of Police;

19 (5) an Illinois sheriff, nominated by the Illinois
20 Sheriffs' Association;

21 (6) the Director of Public Health or his or her
22 designee;

23 (7) the Illinois Law Enforcement Training Standards
24 Board, nominated by the Executive Director of the Board;

25 (8) a representative from a public defender's office,
26 nominated by the State Appellate Defender;

1 (9) a circuit court judge, nominated by the Chief
2 Justice of the Supreme Court;

3 (10) a prosecutor with experience managing or
4 directing a program in another state where the
5 implementation of that state's extreme risk protection
6 order law has achieved high rates of petition filings
7 nominated by the National District Attorneys Association;

8 ~~and~~

9 (11) an expert from law enforcement who has experience
10 managing or directing a program in another state where the
11 implementation of that state's extreme risk protection
12 order law has achieved high rates of petition filings
13 nominated by the Director of the Illinois State Police;

14 and

15 (12) a circuit court clerk, nominated by the President
16 of the Illinois Association of Court Clerks.

17 (b) The Commission shall be chaired by the Director of the
18 Illinois State Police or his or her designee. The Commission
19 shall meet, either virtually or in person, to discuss the
20 implementation of the Firearms Restraining Order Act as
21 determined by the Commission while the strategies are being
22 established.

23 (c) The members of the Commission shall serve without
24 compensation and shall serve 3-year terms.

25 (d) An annual report shall be submitted to the General
26 Assembly by the Commission that may include summary

1 information about firearms restraining order use by county,
2 challenges to Firearms Restraining Order Act implementation,
3 and recommendations for increasing and improving
4 implementation.

5 (e) The Commission shall develop a model policy with an
6 overall framework for the timely relinquishment of firearms
7 whenever a firearms restraining order is issued. The model
8 policy shall be finalized within the first 4 months of
9 convening. In formulating the model policy, the Commission
10 shall consult counties in Illinois and other states with
11 extreme risk protection order laws which have achieved a high
12 rate of petition filings. Once approved, the Illinois State
13 Police shall work with their local law enforcement agencies
14 within their county to design a comprehensive strategy for the
15 timely relinquishment of firearms, using the model policy as
16 an overall framework. Each individual agency may make small
17 modifications as needed to the model policy and must approve
18 and adopt a policy that aligns with the model policy. The
19 Illinois State Police shall convene local police chiefs and
20 sheriffs within their county as needed to discuss the
21 relinquishment of firearms.

22 (f) The Commission shall be dissolved June 1, 2025 (3
23 years after the effective date of Public Act 102-345).

24 (g) This Section is repealed June 1, 2026 (4 years after
25 the effective date of Public Act 102-345).

26 (Source: P.A. 102-345, eff. 6-1-22; 102-813, eff. 5-13-22.)

1 Section 7. The Illinois Procurement Code is amended by
2 changing Section 1-10 as follows:

3 (30 ILCS 500/1-10)

4 Sec. 1-10. Application.

5 (a) This Code applies only to procurements for which
6 bidders, offerors, potential contractors, or contractors were
7 first solicited on or after July 1, 1998. This Code shall not
8 be construed to affect or impair any contract, or any
9 provision of a contract, entered into based on a solicitation
10 prior to the implementation date of this Code as described in
11 Article 99, including, but not limited to, any covenant
12 entered into with respect to any revenue bonds or similar
13 instruments. All procurements for which contracts are
14 solicited between the effective date of Articles 50 and 99 and
15 July 1, 1998 shall be substantially in accordance with this
16 Code and its intent.

17 (b) This Code shall apply regardless of the source of the
18 funds with which the contracts are paid, including federal
19 assistance moneys. This Code shall not apply to:

20 (1) Contracts between the State and its political
21 subdivisions or other governments, or between State
22 governmental bodies, except as specifically provided in
23 this Code.

24 (2) Grants, except for the filing requirements of

1 Section 20-80.

2 (3) Purchase of care, except as provided in Section
3 5-30.6 of the Illinois Public Aid Code and this Section.

4 (4) Hiring of an individual as an employee and not as
5 an independent contractor, whether pursuant to an
6 employment code or policy or by contract directly with
7 that individual.

8 (5) Collective bargaining contracts.

9 (6) Purchase of real estate, except that notice of
10 this type of contract with a value of more than \$25,000
11 must be published in the Procurement Bulletin within 10
12 calendar days after the deed is recorded in the county of
13 jurisdiction. The notice shall identify the real estate
14 purchased, the names of all parties to the contract, the
15 value of the contract, and the effective date of the
16 contract.

17 (7) Contracts necessary to prepare for anticipated
18 litigation, enforcement actions, or investigations,
19 provided that the chief legal counsel to the Governor
20 shall give his or her prior approval when the procuring
21 agency is one subject to the jurisdiction of the Governor,
22 and provided that the chief legal counsel of any other
23 procuring entity subject to this Code shall give his or
24 her prior approval when the procuring entity is not one
25 subject to the jurisdiction of the Governor.

26 (8) (Blank).

1 (9) Procurement expenditures by the Illinois
2 Conservation Foundation when only private funds are used.

3 (10) (Blank).

4 (11) Public-private agreements entered into according
5 to the procurement requirements of Section 20 of the
6 Public-Private Partnerships for Transportation Act and
7 design-build agreements entered into according to the
8 procurement requirements of Section 25 of the
9 Public-Private Partnerships for Transportation Act.

10 (12) (A) Contracts for legal, financial, and other
11 professional and artistic services entered into by the
12 Illinois Finance Authority in which the State of Illinois
13 is not obligated. Such contracts shall be awarded through
14 a competitive process authorized by the members of the
15 Illinois Finance Authority and are subject to Sections
16 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
17 as well as the final approval by the members of the
18 Illinois Finance Authority of the terms of the contract.

19 (B) Contracts for legal and financial services entered
20 into by the Illinois Housing Development Authority in
21 connection with the issuance of bonds in which the State
22 of Illinois is not obligated. Such contracts shall be
23 awarded through a competitive process authorized by the
24 members of the Illinois Housing Development Authority and
25 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
26 and 50-37 of this Code, as well as the final approval by

1 the members of the Illinois Housing Development Authority
2 of the terms of the contract.

3 (13) Contracts for services, commodities, and
4 equipment to support the delivery of timely forensic
5 science services in consultation with and subject to the
6 approval of the Chief Procurement Officer as provided in
7 subsection (d) of Section 5-4-3a of the Unified Code of
8 Corrections, except for the requirements of Sections
9 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
10 Code; however, the Chief Procurement Officer may, in
11 writing with justification, waive any certification
12 required under Article 50 of this Code. For any contracts
13 for services which are currently provided by members of a
14 collective bargaining agreement, the applicable terms of
15 the collective bargaining agreement concerning
16 subcontracting shall be followed.

17 On and after January 1, 2019, this paragraph (13),
18 except for this sentence, is inoperative.

19 (14) Contracts for participation expenditures required
20 by a domestic or international trade show or exhibition of
21 an exhibitor, member, or sponsor.

22 (15) Contracts with a railroad or utility that
23 requires the State to reimburse the railroad or utilities
24 for the relocation of utilities for construction or other
25 public purpose. Contracts included within this paragraph
26 (15) shall include, but not be limited to, those

1 associated with: relocations, crossings, installations,
2 and maintenance. For the purposes of this paragraph (15),
3 "railroad" means any form of non-highway ground
4 transportation that runs on rails or electromagnetic
5 guideways and "utility" means: (1) public utilities as
6 defined in Section 3-105 of the Public Utilities Act, (2)
7 telecommunications carriers as defined in Section 13-202
8 of the Public Utilities Act, (3) electric cooperatives as
9 defined in Section 3.4 of the Electric Supplier Act, (4)
10 telephone or telecommunications cooperatives as defined in
11 Section 13-212 of the Public Utilities Act, (5) rural
12 water or waste water systems with 10,000 connections or
13 less, (6) a holder as defined in Section 21-201 of the
14 Public Utilities Act, and (7) municipalities owning or
15 operating utility systems consisting of public utilities
16 as that term is defined in Section 11-117-2 of the
17 Illinois Municipal Code.

18 (16) Procurement expenditures necessary for the
19 Department of Public Health to provide the delivery of
20 timely newborn screening services in accordance with the
21 Newborn Metabolic Screening Act.

22 (17) Procurement expenditures necessary for the
23 Department of Agriculture, the Department of Financial and
24 Professional Regulation, the Department of Human Services,
25 and the Department of Public Health to implement the
26 Compassionate Use of Medical Cannabis Program and Opioid

1 Alternative Pilot Program requirements and ensure access
2 to medical cannabis for patients with debilitating medical
3 conditions in accordance with the Compassionate Use of
4 Medical Cannabis Program Act.

5 (18) This Code does not apply to any procurements
6 necessary for the Department of Agriculture, the
7 Department of Financial and Professional Regulation, the
8 Department of Human Services, the Department of Commerce
9 and Economic Opportunity, and the Department of Public
10 Health to implement the Cannabis Regulation and Tax Act if
11 the applicable agency has made a good faith determination
12 that it is necessary and appropriate for the expenditure
13 to fall within this exemption and if the process is
14 conducted in a manner substantially in accordance with the
15 requirements of Sections 20-160, 25-60, 30-22, 50-5,
16 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
17 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
18 Section 50-35, compliance applies only to contracts or
19 subcontracts over \$100,000. Notice of each contract
20 entered into under this paragraph (18) that is related to
21 the procurement of goods and services identified in
22 paragraph (1) through (9) of this subsection shall be
23 published in the Procurement Bulletin within 14 calendar
24 days after contract execution. The Chief Procurement
25 Officer shall prescribe the form and content of the
26 notice. Each agency shall provide the Chief Procurement

1 Officer, on a monthly basis, in the form and content
2 prescribed by the Chief Procurement Officer, a report of
3 contracts that are related to the procurement of goods and
4 services identified in this subsection. At a minimum, this
5 report shall include the name of the contractor, a
6 description of the supply or service provided, the total
7 amount of the contract, the term of the contract, and the
8 exception to this Code utilized. A copy of any or all of
9 these contracts shall be made available to the Chief
10 Procurement Officer immediately upon request. The Chief
11 Procurement Officer shall submit a report to the Governor
12 and General Assembly no later than November 1 of each year
13 that includes, at a minimum, an annual summary of the
14 monthly information reported to the Chief Procurement
15 Officer. This exemption becomes inoperative 5 years after
16 June 25, 2019 (the effective date of Public Act 101-27).

17 (19) Acquisition of modifications or adjustments,
18 limited to assistive technology devices and assistive
19 technology services, adaptive equipment, repairs, and
20 replacement parts to provide reasonable accommodations (i)
21 that enable a qualified applicant with a disability to
22 complete the job application process and be considered for
23 the position such qualified applicant desires, (ii) that
24 modify or adjust the work environment to enable a
25 qualified current employee with a disability to perform
26 the essential functions of the position held by that

1 employee, (iii) to enable a qualified current employee
2 with a disability to enjoy equal benefits and privileges
3 of employment as are enjoyed by other similarly situated
4 employees without disabilities, and (iv) that allow a
5 customer, client, claimant, or member of the public
6 seeking State services full use and enjoyment of and
7 access to its programs, services, or benefits.

8 For purposes of this paragraph (19):

9 "Assistive technology devices" means any item, piece
10 of equipment, or product system, whether acquired
11 commercially off the shelf, modified, or customized, that
12 is used to increase, maintain, or improve functional
13 capabilities of individuals with disabilities.

14 "Assistive technology services" means any service that
15 directly assists an individual with a disability in
16 selection, acquisition, or use of an assistive technology
17 device.

18 "Qualified" has the same meaning and use as provided
19 under the federal Americans with Disabilities Act when
20 describing an individual with a disability.

21 (20) Procurement expenditures necessary for the
22 Illinois Commerce Commission to hire third-party
23 facilitators pursuant to Sections 16-105.17 and 16-108.18
24 of the Public Utilities Act or an ombudsman pursuant to
25 Section 16-107.5 of the Public Utilities Act, a
26 facilitator pursuant to Section 16-105.17 of the Public

1 Utilities Act, or a grid auditor pursuant to Section
2 16-105.10 of the Public Utilities Act.

3 (21) Procurement expenditures for the purchase,
4 renewal, and expansion of software, software licenses, or
5 software maintenance agreements that support the efforts
6 of the Illinois State Police to enforce, regulate, and
7 administer the Firearm Owners Identification Card Act, the
8 Firearm Concealed Carry Act, the Firearms Restraining
9 Order Act, the Firearm Dealer License Certification Act,
10 the Law Enforcement Agencies Data System (LEADS), the
11 Uniform Crime Reporting Act, the Criminal Identification
12 Act, the Uniform Conviction Information Act, and the Gun
13 Trafficking Information Act, or establish or maintain
14 record management systems necessary to conduct human
15 trafficking investigations or gun trafficking or other
16 stolen firearm investigations. This paragraph (21) applies
17 to contracts entered into on or after the effective date
18 of this amendatory Act of the 102nd General Assembly and
19 the renewal of contracts that are in effect on the
20 effective date of this amendatory Act of the 102nd General
21 Assembly.

22 Notwithstanding any other provision of law, for contracts
23 with an annual value of more than \$100,000 entered into on or
24 after October 1, 2017 under an exemption provided in any
25 paragraph of this subsection (b), except paragraph (1), (2),
26 or (5), each State agency shall post to the appropriate

1 procurement bulletin the name of the contractor, a description
2 of the supply or service provided, the total amount of the
3 contract, the term of the contract, and the exception to the
4 Code utilized. The chief procurement officer shall submit a
5 report to the Governor and General Assembly no later than
6 November 1 of each year that shall include, at a minimum, an
7 annual summary of the monthly information reported to the
8 chief procurement officer.

9 (c) This Code does not apply to the electric power
10 procurement process provided for under Section 1-75 of the
11 Illinois Power Agency Act and Section 16-111.5 of the Public
12 Utilities Act.

13 (d) Except for Section 20-160 and Article 50 of this Code,
14 and as expressly required by Section 9.1 of the Illinois
15 Lottery Law, the provisions of this Code do not apply to the
16 procurement process provided for under Section 9.1 of the
17 Illinois Lottery Law.

18 (e) This Code does not apply to the process used by the
19 Capital Development Board to retain a person or entity to
20 assist the Capital Development Board with its duties related
21 to the determination of costs of a clean coal SNG brownfield
22 facility, as defined by Section 1-10 of the Illinois Power
23 Agency Act, as required in subsection (h-3) of Section 9-220
24 of the Public Utilities Act, including calculating the range
25 of capital costs, the range of operating and maintenance
26 costs, or the sequestration costs or monitoring the

1 construction of clean coal SNG brownfield facility for the
2 full duration of construction.

3 (f) (Blank).

4 (g) (Blank).

5 (h) This Code does not apply to the process to procure or
6 contracts entered into in accordance with Sections 11-5.2 and
7 11-5.3 of the Illinois Public Aid Code.

8 (i) Each chief procurement officer may access records
9 necessary to review whether a contract, purchase, or other
10 expenditure is or is not subject to the provisions of this
11 Code, unless such records would be subject to attorney-client
12 privilege.

13 (j) This Code does not apply to the process used by the
14 Capital Development Board to retain an artist or work or works
15 of art as required in Section 14 of the Capital Development
16 Board Act.

17 (k) This Code does not apply to the process to procure
18 contracts, or contracts entered into, by the State Board of
19 Elections or the State Electoral Board for hearing officers
20 appointed pursuant to the Election Code.

21 (l) This Code does not apply to the processes used by the
22 Illinois Student Assistance Commission to procure supplies and
23 services paid for from the private funds of the Illinois
24 Prepaid Tuition Fund. As used in this subsection (l), "private
25 funds" means funds derived from deposits paid into the
26 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

1 (m) This Code shall apply regardless of the source of
2 funds with which contracts are paid, including federal
3 assistance moneys. Except as specifically provided in this
4 Code, this Code shall not apply to procurement expenditures
5 necessary for the Department of Public Health to conduct the
6 Healthy Illinois Survey in accordance with Section 2310-431 of
7 the Department of Public Health Powers and Duties Law of the
8 Civil Administrative Code of Illinois.

9 (Source: P.A. 101-27, eff. 6-25-19; 101-81, eff. 7-12-19;
10 101-363, eff. 8-9-19; 102-175, eff. 7-29-21; 102-483, eff
11 1-1-22; 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662,
12 eff. 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22.)

13 Section 10. The Firearm Owners Identification Card Act is
14 amended by changing Sections 2, 3, 4, and 8 and by adding
15 Section 4.1 as follows:

16 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

17 Sec. 2. Firearm Owner's Identification Card required;
18 exceptions.

19 (a) (1) No person may acquire or possess any firearm, stun
20 gun, or taser within this State without having in his or her
21 possession a Firearm Owner's Identification Card previously
22 issued in his or her name by the Illinois State Police under
23 the provisions of this Act.

24 (2) No person may acquire or possess firearm ammunition

1 within this State without having in his or her possession a
2 Firearm Owner's Identification Card previously issued in his
3 or her name by the Illinois State Police under the provisions
4 of this Act.

5 (b) The provisions of this Section regarding the
6 possession of firearms, firearm ammunition, stun guns, and
7 tasers do not apply to:

8 (1) United States Marshals, while engaged in the
9 operation of their official duties;

10 (2) Members of the Armed Forces of the United States
11 or the National Guard, while engaged in the operation of
12 their official duties;

13 (3) Federal officials required to carry firearms,
14 while engaged in the operation of their official duties;

15 (4) Members of bona fide veterans organizations which
16 receive firearms directly from the armed forces of the
17 United States, while using the firearms for ceremonial
18 purposes with blank ammunition;

19 (5) Nonresident hunters during hunting season, with
20 valid nonresident hunting licenses and while in an area
21 where hunting is permitted; however, at all other times
22 and in all other places these persons must have their
23 firearms unloaded and enclosed in a case;

24 (6) Those hunters exempt from obtaining a hunting
25 license who are required to submit their Firearm Owner's
26 Identification Card when hunting on Department of Natural

1 Resources owned or managed sites;

2 (7) Nonresidents while on a firing or shooting range
3 recognized by the Illinois State Police; however, these
4 persons must at all other times and in all other places
5 have their firearms unloaded and enclosed in a case;

6 (8) Nonresidents while at a firearm showing or display
7 recognized by the Illinois State Police; however, at all
8 other times and in all other places these persons must
9 have their firearms unloaded and enclosed in a case;

10 (9) Nonresidents whose firearms are unloaded and
11 enclosed in a case;

12 (10) Nonresidents who are currently licensed or
13 registered to possess a firearm in their resident state;

14 (11) Unemancipated minors while in the custody and
15 immediate control of their parent or legal guardian or
16 other person in loco parentis to the minor if the parent or
17 legal guardian or other person in loco parentis to the
18 minor has a currently valid Firearm Owner's Identification
19 Card;

20 (12) Color guards of bona fide veterans organizations
21 or members of bona fide American Legion bands while using
22 firearms for ceremonial purposes with blank ammunition;

23 (13) Nonresident hunters whose state of residence does
24 not require them to be licensed or registered to possess a
25 firearm and only during hunting season, with valid hunting
26 licenses, while accompanied by, and using a firearm owned

1 by, a person who possesses a valid Firearm Owner's
2 Identification Card and while in an area within a
3 commercial club licensed under the Wildlife Code where
4 hunting is permitted and controlled, but in no instance
5 upon sites owned or managed by the Department of Natural
6 Resources;

7 (14) Resident hunters who are properly authorized to
8 hunt and, while accompanied by a person who possesses a
9 valid Firearm Owner's Identification Card, hunt in an area
10 within a commercial club licensed under the Wildlife Code
11 where hunting is permitted and controlled; and

12 (15) A person who is otherwise eligible to obtain a
13 Firearm Owner's Identification Card under this Act and is
14 under the direct supervision of a holder of a Firearm
15 Owner's Identification Card who is 21 years of age or
16 older while the person is on a firing or shooting range or
17 is a participant in a firearms safety and training course
18 recognized by a law enforcement agency or a national,
19 statewide shooting sports organization; ~~and~~

20 ~~(16) Competitive shooting athletes whose competition~~
21 ~~firearms are sanctioned by the International Olympic~~
22 ~~Committee, the International Paralympic Committee, the~~
23 ~~International Shooting Sport Federation, or USA Shooting~~
24 ~~in connection with such athletes' training for and~~
25 ~~participation in shooting competitions at the 2016 Olympic~~
26 ~~and Paralympic Games and sanctioned test events leading up~~

1 ~~to the 2016 Olympic and Paralympic Games.~~

2 (c) The provisions of this Section regarding the
3 acquisition and possession of firearms, firearm ammunition,
4 stun guns, and tasers do not apply to law enforcement
5 officials of this or any other jurisdiction, while engaged in
6 the operation of their official duties.

7 (c-5) The provisions of paragraphs (1) and (2) of
8 subsection (a) of this Section regarding the possession of
9 firearms and firearm ammunition do not apply to the holder of a
10 valid concealed carry license issued under the Firearm
11 Concealed Carry Act who is in physical possession of the
12 concealed carry license.

13 (d) Any person who becomes a resident of this State, who is
14 not otherwise prohibited from obtaining, possessing, or using
15 a firearm or firearm ammunition, shall not be required to have
16 a Firearm Owner's Identification Card to possess firearms or
17 firearms ammunition until 60 calendar days after he or she
18 obtains an Illinois driver's license or Illinois
19 Identification Card.

20 (Source: P.A. 102-538, eff. 8-20-21.)

21 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

22 (Text of Section before amendment by P.A. 102-237)

23 Sec. 3. (a) Except as provided in Section 3a, no person may
24 knowingly transfer, or cause to be transferred, any firearm,
25 firearm ammunition, stun gun, or taser to any person within

1 this State unless the transferee with whom he deals displays
2 either: (1) a currently valid Firearm Owner's Identification
3 Card which has previously been issued in his or her name by the
4 Illinois State Police under the provisions of this Act; or (2)
5 a currently valid license to carry a concealed firearm which
6 has previously been issued in his or her name by the Illinois
7 State Police under the Firearm Concealed Carry Act. In
8 addition, all firearm, stun gun, and taser transfers by
9 federally licensed firearm dealers are subject to Section 3.1.

10 (a-5) Any person who is not a federally licensed firearm
11 dealer and who desires to transfer or sell a firearm while that
12 person is on the grounds of a gun show must, before selling or
13 transferring the firearm, request the Illinois State Police to
14 conduct a background check on the prospective recipient of the
15 firearm in accordance with Section 3.1.

16 (a-10) Notwithstanding item (2) of subsection (a) of this
17 Section, any person who is not a federally licensed firearm
18 dealer and who desires to transfer or sell a firearm or
19 firearms to any person who is not a federally licensed firearm
20 dealer shall, before selling or transferring the firearms,
21 contact a federal firearm license dealer under paragraph (1)
22 of subsection (a-15) of this Section to conduct the transfer
23 or the Illinois State Police with the transferee's or
24 purchaser's Firearm Owner's Identification Card number to
25 determine the validity of the transferee's or purchaser's
26 Firearm Owner's Identification Card under State and federal

1 law including the National Instant Criminal Background Check
2 System. This subsection shall not be effective until July 1,
3 2023. Until that date the transferor shall contact the
4 Illinois State Police with the transferee's or purchaser's
5 Firearm Owner's Identification Card number to determine the
6 validity of the card ~~January 1, 2014.~~ The Illinois State
7 Police may adopt rules concerning the implementation of this
8 subsection. The Illinois State Police shall provide the seller
9 or transferor an approval number if the purchaser's Firearm
10 Owner's Identification Card is valid. Approvals issued by the
11 Illinois State Police for the purchase of a firearm pursuant
12 to this subsection are valid for 30 days from the date of
13 issue.

14 (a-15) The provisions of subsection (a-10) of this Section
15 do not apply to:

16 (1) transfers that occur at the place of business of a
17 federally licensed firearm dealer, if the federally
18 licensed firearm dealer conducts a background check on the
19 prospective recipient of the firearm in accordance with
20 Section 3.1 of this Act and follows all other applicable
21 federal, State, and local laws as if he or she were the
22 seller or transferor of the firearm, although the dealer
23 is not required to accept the firearm into his or her
24 inventory. The purchaser or transferee may be required by
25 the federally licensed firearm dealer to pay a fee not to
26 exceed \$25 ~~\$10~~ per firearm, which the dealer may retain as

1 compensation for performing the functions required under
2 this paragraph, plus the applicable fees authorized by
3 Section 3.1;

4 (2) transfers as a bona fide gift to the transferor's
5 husband, wife, son, daughter, stepson, stepdaughter,
6 father, mother, stepfather, stepmother, brother, sister,
7 nephew, niece, uncle, aunt, grandfather, grandmother,
8 grandson, granddaughter, father-in-law, mother-in-law,
9 son-in-law, or daughter-in-law;

10 (3) transfers by persons acting pursuant to operation
11 of law or a court order;

12 (4) transfers on the grounds of a gun show under
13 subsection (a-5) of this Section;

14 (5) the delivery of a firearm by its owner to a
15 gunsmith for service or repair, the return of the firearm
16 to its owner by the gunsmith, or the delivery of a firearm
17 by a gunsmith to a federally licensed firearms dealer for
18 service or repair and the return of the firearm to the
19 gunsmith;

20 (6) temporary transfers that occur while in the home
21 of the unlicensed transferee, if the unlicensed transferee
22 is not otherwise prohibited from possessing firearms and
23 the unlicensed transferee reasonably believes that
24 possession of the firearm is necessary to prevent imminent
25 death or great bodily harm to the unlicensed transferee;

26 (7) transfers to a law enforcement or corrections

1 agency or a law enforcement or corrections officer acting
2 within the course and scope of his or her official duties;

3 (8) transfers of firearms that have been rendered
4 permanently inoperable to a nonprofit historical society,
5 museum, or institutional collection; and

6 (9) transfers to a person who is exempt from the
7 requirement of possessing a Firearm Owner's Identification
8 Card under Section 2 of this Act.

9 (a-20) The Illinois State Police shall develop an
10 Internet-based system for individuals to determine the
11 validity of a Firearm Owner's Identification Card prior to the
12 sale or transfer of a firearm. The Illinois State Police shall
13 have the Internet-based system updated ~~completed~~ and available
14 for use by January 1, 2024 ~~July 1, 2015~~. The Illinois State
15 Police shall adopt rules not inconsistent with this Section to
16 implement this system; but no rule shall allow the Illinois
17 State Police to retain records in contravention of State and
18 federal law.

19 (a-25) On or before January 1, 2022, the Illinois State
20 Police shall develop an Internet-based system upon which the
21 serial numbers of firearms that have been reported stolen are
22 available for public access for individuals to ensure any
23 firearms are not reported stolen prior to the sale or transfer
24 of a firearm under this Section. The Illinois State Police
25 shall have the Internet-based system completed and available
26 for use by July 1, 2022. The Illinois State Police shall adopt

1 rules not inconsistent with this Section to implement this
2 system.

3 (b) Any person within this State who transfers or causes
4 to be transferred any firearm, stun gun, or taser shall keep a
5 record of such transfer for a period of 10 years from the date
6 of transfer. Any person within this State who receives any
7 firearm, stun gun, or taser pursuant to subsection (a-10)
8 shall provide a record of the transfer within 10 days of the
9 transfer to a federally licensed firearm dealer and shall not
10 be required to maintain a transfer record. The federally
11 licensed firearm dealer shall maintain the transfer record for
12 20 years from the date of receipt. A federally licensed
13 firearm dealer may charge a fee not to exceed \$25 to retain the
14 record. The record shall be provided and maintained in either
15 an electronic or paper format. The federally licensed firearm
16 dealer shall not be liable for the accuracy of any information
17 in the transfer record submitted pursuant to this Section.

18 Such records ~~record~~ shall contain the date of the transfer;
19 the description, serial number or other information
20 identifying the firearm, stun gun, or taser if no serial
21 number is available; and, if the transfer was completed within
22 this State, the transferee's Firearm Owner's Identification
23 Card number and any approval number or documentation provided
24 by the Illinois State Police pursuant to subsection (a-10) of
25 this Section; if the transfer was not completed within this
26 State, the record shall contain the name and address of the

1 transferee. On or after January 1, 2006, the record shall
2 contain the date of application for transfer of the firearm.
3 On demand of a peace officer such transferor shall produce for
4 inspection such record of transfer. For any transfer pursuant
5 to subsection (a-10) of this Section, on the demand of a peace
6 officer, such transferee shall identify the federally licensed
7 firearm dealer maintaining the transfer record. If the
8 transfer or sale took place at a gun show, the record shall
9 include the unique identification number. Failure to record
10 the unique identification number or approval number is a petty
11 offense. For transfers of a firearm, stun gun, or taser made on
12 or after January 18, 2019 (the effective date of Public Act
13 100-1178), failure by the private seller to maintain the
14 transfer records in accordance with this Section, or failure
15 by a transferee pursuant to subsection a-10 of this Section to
16 identify the federally licensed firearm dealer maintaining the
17 transfer record, is a Class A misdemeanor for the first
18 offense and a Class 4 felony for a second or subsequent offense
19 occurring within 10 years of the first offense and the second
20 offense was committed after conviction of the first offense.
21 Whenever any person who has not previously been convicted of
22 any violation of subsection (a-5), the court may grant
23 supervision pursuant to and consistent with the limitations of
24 Section 5-6-1 of the Unified Code of Corrections. A transferee
25 or transferor shall not be criminally liable under this
26 Section provided that he or she provides the Illinois State

1 Police with the transfer records in accordance with procedures
2 established by the Illinois State Police. The Illinois State
3 Police shall establish, by rule, a standard form on its
4 website.

5 (b-5) Any resident may purchase ammunition from a person
6 within or outside of Illinois if shipment is by United States
7 mail or by a private express carrier authorized by federal law
8 to ship ammunition. Any resident purchasing ammunition within
9 or outside the State of Illinois must provide the seller with a
10 copy of his or her valid Firearm Owner's Identification Card
11 or valid concealed carry license and either his or her
12 Illinois driver's license or Illinois State Identification
13 Card prior to the shipment of the ammunition. The ammunition
14 may be shipped only to an address on either of those 2
15 documents.

16 (c) The provisions of this Section regarding the transfer
17 of firearm ammunition shall not apply to those persons
18 specified in paragraph (b) of Section 2 of this Act.

19 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

20 (Text of Section after amendment by P.A. 102-237)

21 Sec. 3. (a) Except as provided in Section 3a, no person may
22 knowingly transfer, or cause to be transferred, any firearm,
23 firearm ammunition, stun gun, or taser to any person within
24 this State unless the transferee with whom he deals displays
25 either: (1) a currently valid Firearm Owner's Identification

1 Card which has previously been issued in his or her name by the
2 Illinois State Police under the provisions of this Act; or (2)
3 a currently valid license to carry a concealed firearm which
4 has previously been issued in his or her name by the Illinois
5 State Police under the Firearm Concealed Carry Act. In
6 addition, all firearm, stun gun, and taser transfers by
7 federally licensed firearm dealers are subject to Section 3.1.

8 (a-5) Any person who is not a federally licensed firearm
9 dealer and who desires to transfer or sell a firearm while that
10 person is on the grounds of a gun show must, before selling or
11 transferring the firearm, request the Illinois State Police to
12 conduct a background check on the prospective recipient of the
13 firearm in accordance with Section 3.1.

14 (a-10) Notwithstanding item (2) of subsection (a) of this
15 Section, any person who is not a federally licensed firearm
16 dealer and who desires to transfer or sell a firearm or
17 firearms to any person who is not a federally licensed firearm
18 dealer shall, before selling or transferring the firearms,
19 contact a federal firearm license dealer under paragraph (1)
20 of subsection (a-15) of this Section to conduct the transfer
21 or the Illinois State Police with the transferee's or
22 purchaser's Firearm Owner's Identification Card number to
23 determine the validity of the transferee's or purchaser's
24 Firearm Owner's Identification Card under State and federal
25 law, including the National Instant Criminal Background Check
26 System. This subsection shall not be effective until July 1,

1 2023 ~~January 1, 2024~~. Until that date the transferor shall
2 contact the Illinois State Police with the transferee's or
3 purchaser's Firearm Owner's Identification Card number to
4 determine the validity of the card. The Illinois State Police
5 may adopt rules concerning the implementation of this
6 subsection. The Illinois State Police shall provide the seller
7 or transferor an approval number if the purchaser's Firearm
8 Owner's Identification Card is valid. Approvals issued by the
9 Illinois State Police for the purchase of a firearm pursuant
10 to this subsection are valid for 30 days from the date of
11 issue.

12 (a-15) The provisions of subsection (a-10) of this Section
13 do not apply to:

14 (1) transfers that occur at the place of business of a
15 federally licensed firearm dealer, if the federally
16 licensed firearm dealer conducts a background check on the
17 prospective recipient of the firearm in accordance with
18 Section 3.1 of this Act and follows all other applicable
19 federal, State, and local laws as if he or she were the
20 seller or transferor of the firearm, although the dealer
21 is not required to accept the firearm into his or her
22 inventory. The purchaser or transferee may be required by
23 the federally licensed firearm dealer to pay a fee not to
24 exceed \$25 per firearm, which the dealer may retain as
25 compensation for performing the functions required under
26 this paragraph, plus the applicable fees authorized by

1 Section 3.1;

2 (2) transfers as a bona fide gift to the transferor's
3 husband, wife, son, daughter, stepson, stepdaughter,
4 father, mother, stepfather, stepmother, brother, sister,
5 nephew, niece, uncle, aunt, grandfather, grandmother,
6 grandson, granddaughter, father-in-law, mother-in-law,
7 son-in-law, or daughter-in-law;

8 (3) transfers by persons acting pursuant to operation
9 of law or a court order;

10 (4) transfers on the grounds of a gun show under
11 subsection (a-5) of this Section;

12 (5) the delivery of a firearm by its owner to a
13 gunsmith for service or repair, the return of the firearm
14 to its owner by the gunsmith, or the delivery of a firearm
15 by a gunsmith to a federally licensed firearms dealer for
16 service or repair and the return of the firearm to the
17 gunsmith;

18 (6) temporary transfers that occur while in the home
19 of the unlicensed transferee, if the unlicensed transferee
20 is not otherwise prohibited from possessing firearms and
21 the unlicensed transferee reasonably believes that
22 possession of the firearm is necessary to prevent imminent
23 death or great bodily harm to the unlicensed transferee;

24 (7) transfers to a law enforcement or corrections
25 agency or a law enforcement or corrections officer acting
26 within the course and scope of his or her official duties;

1 (8) transfers of firearms that have been rendered
2 permanently inoperable to a nonprofit historical society,
3 museum, or institutional collection; and

4 (9) transfers to a person who is exempt from the
5 requirement of possessing a Firearm Owner's Identification
6 Card under Section 2 of this Act.

7 (a-20) The Illinois State Police shall develop an
8 Internet-based system for individuals to determine the
9 validity of a Firearm Owner's Identification Card prior to the
10 sale or transfer of a firearm. The Illinois State Police shall
11 have the Internet-based system updated and available for use
12 by January 1, 2024. The Illinois State Police shall adopt
13 rules not inconsistent with this Section to implement this
14 system; but no rule shall allow the Illinois State Police to
15 retain records in contravention of State and federal law.

16 (a-25) On or before January 1, 2022, the Illinois State
17 Police shall develop an Internet-based system upon which the
18 serial numbers of firearms that have been reported stolen are
19 available for public access for individuals to ensure any
20 firearms are not reported stolen prior to the sale or transfer
21 of a firearm under this Section. The Illinois State Police
22 shall have the Internet-based system completed and available
23 for use by July 1, 2022. The Illinois State Police shall adopt
24 rules not inconsistent with this Section to implement this
25 system.

26 (b) Any person within this State who transfers or causes

1 to be transferred any firearm, stun gun, or taser shall keep a
2 record of such transfer for a period of 10 years from the date
3 of transfer. Any person within this State who receives any
4 firearm, stun gun, or taser pursuant to subsection (a-10)
5 shall provide a record of the transfer within 10 days of the
6 transfer to a federally licensed firearm dealer and shall not
7 be required to maintain a transfer record. The federally
8 licensed firearm dealer shall maintain the transfer record for
9 20 years from the date of receipt. A federally licensed
10 firearm dealer may charge a fee not to exceed \$25 to retain the
11 record. The record shall be provided and maintained in either
12 an electronic or paper format. The federally licensed firearm
13 dealer shall not be liable for the accuracy of any information
14 in the transfer record submitted pursuant to this Section.
15 Such records shall contain the date of the transfer; the
16 description, serial number or other information identifying
17 the firearm, stun gun, or taser if no serial number is
18 available; and, if the transfer was completed within this
19 State, the transferee's Firearm Owner's Identification Card
20 number and any approval number or documentation provided by
21 the Illinois State Police pursuant to subsection (a-10) of
22 this Section; if the transfer was not completed within this
23 State, the record shall contain the name and address of the
24 transferee. On or after January 1, 2006, the record shall
25 contain the date of application for transfer of the firearm.
26 On demand of a peace officer such transferor shall produce for

1 inspection such record of transfer. For any transfer pursuant
2 to subsection (a-10) of this Section, on the demand of a peace
3 officer, such transferee shall identify the federally licensed
4 firearm dealer maintaining the transfer record. If the
5 transfer or sale took place at a gun show, the record shall
6 include the unique identification number. Failure to record
7 the unique identification number or approval number is a petty
8 offense. For transfers of a firearm, stun gun, or taser made on
9 or after January 18, 2019 (the effective date of Public Act
10 100-1178), failure by the private seller to maintain the
11 transfer records in accordance with this Section, or failure
12 by a transferee pursuant to subsection a-10 of this Section to
13 identify the federally licensed firearm dealer maintaining the
14 transfer record, is a Class A misdemeanor for the first
15 offense and a Class 4 felony for a second or subsequent offense
16 occurring within 10 years of the first offense and the second
17 offense was committed after conviction of the first offense.
18 Whenever any person who has not previously been convicted of
19 any violation of subsection (a-5), the court may grant
20 supervision pursuant to and consistent with the limitations of
21 Section 5-6-1 of the Unified Code of Corrections. A transferee
22 or transferor shall not be criminally liable under this
23 Section provided that he or she provides the Illinois State
24 Police with the transfer records in accordance with procedures
25 established by the Illinois State Police. The Illinois State
26 Police shall establish, by rule, a standard form on its

1 website.

2 (b-5) Any resident may purchase ammunition from a person
3 within or outside of Illinois if shipment is by United States
4 mail or by a private express carrier authorized by federal law
5 to ship ammunition. Any resident purchasing ammunition within
6 or outside the State of Illinois must provide the seller with a
7 copy of his or her valid Firearm Owner's Identification Card
8 or valid concealed carry license and either his or her
9 Illinois driver's license or Illinois State Identification
10 Card prior to the shipment of the ammunition. The ammunition
11 may be shipped only to an address on either of those 2
12 documents.

13 (c) The provisions of this Section regarding the transfer
14 of firearm ammunition shall not apply to those persons
15 specified in paragraph (b) of Section 2 of this Act.

16 (Source: P.A. 102-237, eff. 1-1-24; 102-538, eff. 8-20-21;
17 102-813, eff. 5-13-22.)

18 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

19 Sec. 4. Application for Firearm Owner's Identification
20 Cards.

21 (a) Each applicant for a Firearm Owner's Identification
22 Card must:

23 (1) Submit an application as made available by the
24 Illinois State Police; and

25 (2) Submit evidence to the Illinois State Police that:

1 (i) This subparagraph (i) applies through the
2 180th day following July 12, 2019 (the effective date
3 of Public Act 101-80). He or she is 21 years of age or
4 over, or if he or she is under 21 years of age that he
5 or she has the written consent of his or her parent or
6 legal guardian to possess and acquire firearms and
7 firearm ammunition and that he or she has never been
8 convicted of a misdemeanor other than a traffic
9 offense or adjudged delinquent, provided, however,
10 that such parent or legal guardian is not an
11 individual prohibited from having a Firearm Owner's
12 Identification Card and files an affidavit with the
13 Department as prescribed by the Department stating
14 that he or she is not an individual prohibited from
15 having a Card;

16 (i-5) This subparagraph (i-5) applies on and after
17 the 181st day following July 12, 2019 (the effective
18 date of Public Act 101-80). He or she is 21 years of
19 age or over, or if he or she is under 21 years of age
20 that he or she has never been convicted of a
21 misdemeanor other than a traffic offense or adjudged
22 delinquent and is an active duty member of the United
23 States Armed Forces or the Illinois National Guard or
24 has the written consent of his or her parent or legal
25 guardian to possess and acquire firearms and firearm
26 ammunition, provided, however, that such parent or

1 legal guardian is not an individual prohibited from
2 having a Firearm Owner's Identification Card and files
3 an affidavit with the Illinois State Police as
4 prescribed by the Illinois State Police stating that
5 he or she is not an individual prohibited from having a
6 Card or the active duty member of the United States
7 Armed Forces or the Illinois National Guard under 21
8 years of age annually submits proof to the Illinois
9 State Police, in a manner prescribed by the Illinois
10 State Police;

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

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

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

19 (v) He or she is not a person with an intellectual
20 disability;

21 (vi) He or she is not a noncitizen who is
22 unlawfully present in the United States under the laws
23 of the United States;

24 (vii) He or she is not subject to an existing order
25 of protection prohibiting him or her from possessing a
26 firearm;

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

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

22 (x) (Blank);

23 (xi) He or she is not a noncitizen who has been
24 admitted to the United States under a non-immigrant
25 visa (as that term is defined in Section 101(a) (26) of
26 the Immigration and Nationality Act (8 U.S.C.

1 1101(a)(26))), or that he or she is a noncitizen who
2 has been lawfully admitted to the United States under
3 a non-immigrant visa if that noncitizen is:

4 (1) admitted to the United States for lawful
5 hunting or sporting purposes;

6 (2) an official representative of a foreign
7 government who is:

8 (A) accredited to the United States
9 Government or the Government's mission to an
10 international organization having its
11 headquarters in the United States; or

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

14 (3) an official of a foreign government or
15 distinguished foreign visitor who has been so
16 designated by the Department of State;

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

20 (5) one who has received a waiver from the
21 Attorney General of the United States pursuant to
22 18 U.S.C. 922(y)(3);

23 (xii) He or she is not a minor subject to a
24 petition filed under Section 5-520 of the Juvenile
25 Court Act of 1987 alleging that the minor is a
26 delinquent minor for the commission of an offense that

1 if committed by an adult would be a felony;

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

6 (xiv) He or she is a resident of the State of
7 Illinois;

8 (xv) He or she has not been adjudicated as a person
9 with a mental disability;

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

12 (xvii) He or she is not a person with a
13 developmental disability; and

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

1 receipt.

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

7 (a-10) Each applicant for a Firearm Owner's Identification
8 Card, who is employed as a law enforcement officer, an armed
9 security officer in Illinois, or by the United States Military
10 permanently assigned in Illinois and who is not an Illinois
11 resident, shall furnish to the Illinois State Police his or
12 her driver's license number or state identification card
13 number from his or her state of residence. The Illinois State
14 Police may adopt rules to enforce the provisions of this
15 subsection (a-10).

16 (a-15) If an applicant applying for a Firearm Owner's
17 Identification Card moves from the residence address named in
18 the application, he or she shall immediately notify in a form
19 and manner prescribed by the Illinois State Police of that
20 change of address.

21 (a-20) Each applicant for a Firearm Owner's Identification
22 Card shall furnish to the Illinois State Police his or her
23 photograph. An applicant who is 21 years of age or older
24 seeking a religious exemption to the photograph requirement
25 must furnish with the application an approved copy of United
26 States Department of the Treasury Internal Revenue Service

1 Form 4029. In lieu of a photograph, an applicant regardless of
2 age seeking a religious exemption to the photograph
3 requirement shall submit fingerprints on a form and manner
4 prescribed by the Illinois State Police with his or her
5 application.

6 (a-25) Beginning January 1, 2023, each applicant for the
7 issuance of a Firearm Owner's Identification Card may include
8 a full set of his or her fingerprints in electronic format to
9 the Illinois State Police, unless the applicant has previously
10 provided a full set of his or her fingerprints to the Illinois
11 State Police under this Act or the Firearm Concealed Carry
12 Act.

13 The fingerprints must be transmitted through a live scan
14 fingerprint vendor licensed by the Department of Financial and
15 Professional Regulation. The fingerprints shall be checked
16 against the fingerprint records now and hereafter filed in the
17 Illinois State Police and Federal Bureau of Investigation
18 criminal history records databases, including all available
19 State and local criminal history record information files.

20 The Illinois State Police shall charge applicants a
21 one-time fee for conducting the criminal history record check,
22 which shall be deposited into the State Police Services Fund
23 and shall not exceed the actual cost of the State and national
24 criminal history record check.

25 (a-26) The Illinois State Police shall research, explore,
26 and report to the General Assembly by January 1, 2022 on the

1 feasibility of permitting voluntarily submitted fingerprints
2 obtained for purposes other than Firearm Owner's
3 Identification Card enforcement that are contained in the
4 Illinois State Police database for purposes of this Act.

5 (b) Each application form shall include the following
6 statement printed in bold type: "Warning: Entering false
7 information on an application for a Firearm Owner's
8 Identification Card is punishable as a Class 2 felony in
9 accordance with subsection (d-5) of Section 14 of the Firearm
10 Owners Identification Card Act."

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

15 (Source: P.A. 101-80, eff. 7-12-19; 102-237, eff. 1-1-22;
16 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1030, eff.
17 5-27-22.)

18 (430 ILCS 65/4.1 new)

19 Sec. 4.1. Assault weapon, .50 caliber rifle, assault
20 weapon attachment, or .50 caliber cartridge endorsement.

21 (a) The endorsement affidavit form completed pursuant to
22 Section 24-1.9 of the Criminal Code of 2012 must be executed
23 electronically through the individual's Firearm Owner's
24 Identification Card account.

25 (b) The Illinois State Police shall adopt rules in

1 accordance with this Section for the electronic submission of
2 an endorsement affidavit.

3 (c) Entering false information on the endorsement
4 affidavit form is a violation of this Act and is also
5 punishable as perjury under Section 32-2 of the Criminal Code
6 of 2012.

7 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

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

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

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

25 (b-5) This subsection (b-5) applies on and after the

1 181st day following July 12, 2019 (the effective date of
2 Public Act 101-80). A person under 21 years of age who is
3 not an active duty member of the United States Armed
4 Forces or the Illinois National Guard and does not have
5 the written consent of his or her parent or guardian to
6 acquire and possess firearms and firearm ammunition, or
7 whose parent or guardian has revoked such written consent,
8 or where such parent or guardian does not qualify to have a
9 Firearm Owner's Identification Card;

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

12 (d) A person addicted to narcotics;

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

1 employee seeks mental health treatment;

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

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

6 (h) A person who intentionally makes a false statement
7 in the Firearm Owner's Identification Card application or
8 endorsement affidavit;

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

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

18 (1) admitted to the United States for lawful
19 hunting or sporting purposes;

20 (2) an official representative of a foreign
21 government who is:

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

26 (B) en route to or from another country to

1 which that noncitizen is accredited;

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

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

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

11 (j) (Blank);

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

17 (l) A person who has been convicted of domestic
18 battery, aggravated domestic battery, or a substantially
19 similar offense in another jurisdiction committed before,
20 on or after January 1, 2012 (the effective date of Public
21 Act 97-158). If the applicant or person who has been
22 previously issued a Firearm Owner's Identification Card
23 under this Act knowingly and intelligently waives the
24 right to have an offense described in this paragraph (l)
25 tried by a jury, and by guilty plea or otherwise, results
26 in a conviction for an offense in which a domestic

1 relationship is not a required element of the offense but
2 in which a determination of the applicability of 18 U.S.C.
3 922(g)(9) is made under Section 112A-11.1 of the Code of
4 Criminal Procedure of 1963, an entry by the court of a
5 judgment of conviction for that offense shall be grounds
6 for denying an application for and for revoking and
7 seizing a Firearm Owner's Identification Card previously
8 issued to the person under this Act;

9 (m) (Blank);

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

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

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

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

24 (r) A person who has been adjudicated as a person with
25 a mental disability;

26 (s) A person who has been found to have a

1 developmental disability;

2 (t) A person involuntarily admitted into a mental
3 health facility; or

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

26 Upon revocation of a person's Firearm Owner's

1 Identification Card, the Illinois State Police shall provide
2 notice to the person and the person shall comply with Section
3 9.5 of this Act.

4 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;
5 102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.
6 5-27-22.)

7 Section 15. The Firearms Restraining Order Act is amended
8 by changing Sections 40, 45, and 55 as follows:

9 (430 ILCS 67/40)

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

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

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

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

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

25 (e) In determining whether to issue a firearms restraining
26 order under this Section, the court shall consider evidence

1 including, but not limited to, the following:

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

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

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

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

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

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

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

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

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

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

1 filed by the law enforcement agency within 4 days thereafter,
2 setting forth the time, date, and location that the search
3 warrant was executed and what items, if any, were seized.

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

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

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

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

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

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

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

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

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

25 The person petitioning for the return of his or her
26 firearm, ammunition, and firearm parts that could be assembled

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

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

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

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

24 (430 ILCS 67/45)

25 Sec. 45. Termination and renewal.

1 (a) A person subject to a firearms restraining order
2 issued under this Act may submit one written request at any
3 time during the effective period of the order for a hearing to
4 terminate the order.

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

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

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

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

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

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

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

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

21 (430 ILCS 67/55)

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

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

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

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

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

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

24 Section 25. The Criminal Code of 2012 is amended by
25 changing Section 24-1 and by adding Sections 24-1.9 and

1 24-1.10 as follows:

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

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

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

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

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

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

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

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

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

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

16 (ii) are not immediately accessible; or

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

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

25 (5) Sets a spring gun; or

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (ii) are not immediately accessible; or

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

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

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

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

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

15 (12) (Blank); or

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

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

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

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

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

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

1 24-1(a) (8), 24-1(a) (9), ~~or~~ 24-1(a) (10), or 24-1(a) (15)
2 commits a Class 3 felony. A person convicted of a violation of
3 subsection 24-1(a) (2.5) or 24-1(a) (14) commits a Class 2
4 felony. The possession of each weapon or device in violation
5 of this Section constitutes a single and separate violation.

6 (c) Violations in specific places.

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

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

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

1 commits a Class 3 felony.

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

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

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

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

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

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

7 (e) Exemptions.

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

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

23 (Source: P.A. 101-223, eff. 1-1-20; 102-538, eff. 8-20-21.)

24 (720 ILCS 5/24-1.9 new)

25 Sec. 24-1.9. Manufacture, possession, delivery, sale, and

1 purchase of assault weapons, .50 caliber rifles, and .50
2 caliber cartridges.

3 (a) Definitions. In this Section:

4 (1) "Assault weapon" means any of the following, except as
5 provided in subdivision (2) of this subsection:

6 (A) A semiautomatic rifle that has the capacity to
7 accept a detachable magazine or that may be readily
8 modified to accept a detachable magazine, if the firearm
9 has one or more of the following:

10 (i) a pistol grip or thumbhole stock;

11 (ii) any feature capable of functioning as a
12 protruding grip that can be held by the non-trigger
13 hand;

14 (iii) a folding, telescoping, thumbhole, or
15 detachable stock, or a stock that is otherwise
16 foldable or adjustable in a manner that operates to
17 reduce the length, size, or any other dimension, or
18 otherwise enhances the concealability of, the weapon;

19 (iv) a flash suppressor;

20 (v) a grenade launcher;

21 (vi) a shroud attached to the barrel or that
22 partially or completely encircles the barrel, allowing
23 the bearer to hold the firearm with the non-trigger
24 hand without being burned, but excluding a slide that
25 encloses the barrel.

26 (B) A semiautomatic rifle that has a fixed magazine

1 with the capacity to accept more than 10 rounds, except
2 for an attached tubular device designed to accept, and
3 capable of operating only with, .22 caliber rimfire
4 ammunition.

5 (C) A semiautomatic pistol that has the capacity to
6 accept a detachable magazine or that may be readily
7 modified to accept a detachable magazine, if the firearm
8 has one or more of the following:

9 (i) a threaded barrel;

10 (ii) a second pistol grip or another feature
11 capable of functioning as a protruding grip that can
12 be held by the non-trigger hand;

13 (iii) a shroud attached to the barrel or that
14 partially or completely encircles the barrel, allowing
15 the bearer to hold the firearm with the non-trigger
16 hand without being burned, but excluding a slide that
17 encloses the barrel;

18 (iv) a flash suppressor;

19 (v) the capacity to accept a detachable magazine
20 at some location outside of the pistol grip; or

21 (vi) a buffer tube, arm brace, or other part that
22 protrudes horizontally behind the pistol grip and is
23 designed or redesigned to allow or facilitate a
24 firearm to be fired from the shoulder.

25 (D) A semiautomatic pistol that has a fixed magazine
26 with the capacity to accept more than 15 rounds.

1 (E) Any shotgun with a revolving cylinder.

2 (F) A semiautomatic shotgun that has one or more of
3 the following:

4 (i) a pistol grip or thumbhole stock;

5 (ii) any feature capable of functioning as a
6 protruding grip that can be held by the non-trigger
7 hand;

8 (iii) a folding, telescoping, or thumbhole stock;

9 (iv) a grenade launcher;

10 (v) a fixed magazine with the capacity to accept
11 or may be readily modified to accept more than five
12 rounds; or

13 (vi) the capacity to accept a detachable magazine.

14 (G) Any semiautomatic firearm that has the capacity to
15 accept a belt ammunition feeding device.

16 (H) Any firearm that has been modified to be operable
17 as an assault weapon as defined in this Section.

18 (I) Any part or combination of parts designed or
19 intended to convert a firearm into an assault weapon,
20 including any combination of parts from which an assault
21 weapon may be readily assembled if those parts are in the
22 possession or under the control of the same person.

23 (J) All of the following rifles, copies, duplicates,
24 variants, or altered facsimiles with the capability of any
25 such weapon:

26 (i) All AK types, including the following:

1 (I) AK, AK47, AK47S, AK-74, AKM, AKS, ARM,
2 MAK90, MISR, NHM90, NHM91, SA85, SA93, Vector Arms
3 AK-47, VEPR, WASR-10, and WUM.

4 (II) IZHMAASH Saiga AK.

5 (III) MAADI AK47 and ARM.

6 (IV) Norinco 56S, 56S2, 84S, and 86S.

7 (V) Poly Technologies AK47 and AKS.

8 (VI) SKS with a detachable magazine.

9 (ii) all AR types, including the following:

10 (I) AR-10.

11 (II) AR-15.

12 (III) Alexander Arms Overmatch Plus 16.

13 (IV) Armalite M15 22LR Carbine.

14 (V) Armalite M15-T.

15 (VI) Barrett REC7.

16 (VII) Beretta AR-70.

17 (VIII) Black Rain Ordnance Recon Scout.

18 (IX) Bushmaster ACR.

19 (X) Bushmaster Carbon 15.

20 (XI) Bushmaster MOE series.

21 (XII) Bushmaster XM15.

22 (XIII) Chiappa Firearms MFour rifles.

23 (XIV) Colt Match Target rifles.

24 (XV) CORE Rifle Systems CORE15 rifles.

25 (XVI) Daniel Defense M4A1 rifles.

26 (XVII) Devil Dog Arms 15 Series rifles.

- 1 (XVIII) Diamondback DB15 rifles.
- 2 (XIX) DoubleStar AR rifles.
- 3 (XX) DPMS Tactical rifles.
- 4 (XXI) DSA Inc. ZM-4 Carbine.
- 5 (XXII) Heckler & Koch MR556.
- 6 (XXIII) High Standard HSA-15 rifles.
- 7 (XXIV) Jesse James Nomad AR-15 rifle.
- 8 (XXV) Knight's Armament SR-15.
- 9 (XXVI) Lancer L15 rifles.
- 10 (XXVII) MGI Hydra Series rifles.
- 11 (XXVIII) Mossberg MMR Tactical rifles.
- 12 (XXIX) Noreen Firearms BN 36 rifle.
- 13 (XXX) Olympic Arms.
- 14 (XXXI) POF USA P415.
- 15 (XXXII) Precision Firearms AR rifles.
- 16 (XXXIII) Remington R-15 rifles.
- 17 (XXXIV) Rhino Arms AR rifles.
- 18 (XXXV) Rock River Arms LAR-15 or Rock River
- 19 Arms LAR-47.
- 20 (XXXVI) Sig Sauer SIG516 rifles and MCX
- 21 rifles.
- 22 (XXXVII) Smith & Wesson M&P15 rifles.
- 23 (XXXVIII) Stag Arms AR rifles.
- 24 (XXXIX) Sturm, Ruger & Co. SR556 and AR-556
- 25 rifles.
- 26 (XL) Uselton Arms Air-Lite M-4 rifles.

1 (XLI) Windham Weaponry AR rifles.

2 (XLII) WMD Guns Big Beast.

3 (XLIII) Yankee Hill Machine Company, Inc.

4 YHM-15 rifles.

5 (iii) Barrett M107A1.

6 (iv) Barrett M82A1.

7 (v) Beretta CX4 Storm.

8 (vi) Calico Liberty Series.

9 (vii) CETME Sporter.

10 (viii) Daewoo K-1, K-2, Max 1, Max 2, AR 100, and
11 AR 110C.

12 (ix) Fabrique Nationale/FN Herstal FAL, LAR, 22
13 FNC, 308 Match, L1A1 Sporter, PS90, SCAR, and FS2000.

14 (x) Feather Industries AT-9.

15 (xi) Galil Model AR and Model ARM.

16 (xii) Hi-Point Carbine.

17 (xiii) HK-91, HK-93, HK-94, HK-PSG-1, and HK USC.

18 (xiv) IWI TAVOR, Galil ACE rifle.

19 (xv) Kel-Tec Sub-2000, SU-16, and RFB.

20 (xvi) SIG AMT, SIG PE-57, Sig Sauer SG 550, Sig
21 Sauer SG 551, and SIG MCX.

22 (xvii) Springfield Armory SAR-48.

23 (xviii) Steyr AUG.

24 (xix) Sturm, Ruger & Co. Mini-14 Tactical Rifle
25 M-14/20CF.

26 (xx) All Thompson rifles, including the following:

1 (I) Thompson M1SB.

2 (II) Thompson T1100D.

3 (III) Thompson T150D.

4 (IV) Thompson T1B.

5 (V) Thompson T1B100D.

6 (VI) Thompson T1B50D.

7 (VII) Thompson T1BSB.

8 (VIII) Thompson T1-C.

9 (IX) Thompson T1D.

10 (X) Thompson T1SB.

11 (XI) Thompson T5.

12 (XII) Thompson T5100D.

13 (XIII) Thompson TM1.

14 (XIV) Thompson TM1C.

15 (xxi) UMAREX UZI rifle.

16 (xxii) UZI Mini Carbine, UZI Model A Carbine, and
17 UZI Model B Carbine.

18 (xxiii) Valmet M62S, M71S, and M78.

19 (xxiv) Vector Arms UZI Type.

20 (xxv) Weaver Arms Nighthawk.

21 (xxvi) Wilkinson Arms Linda Carbine.

22 (K) All of the following pistols, copies, duplicates,
23 variants, or altered facsimiles with the capability of any
24 such weapon thereof:

25 (i) All AK types, including the following:

26 (I) Centurion 39 AK pistol.

- 1 (II) CZ Scorpion pistol.
- 2 (III) Draco AK-47 pistol.
- 3 (IV) HCR AK-47 pistol.
- 4 (V) IO Inc. Hellpup AK-47 pistol.
- 5 (VI) Krinkov pistol.
- 6 (VII) Mini Draco AK-47 pistol.
- 7 (VIII) PAP M92 pistol.
- 8 (IX) Yuqo Krebs Krink pistol.
- 9 (ii) All AR types, including the following:
- 10 (I) American Spirit AR-15 pistol.
- 11 (II) Bushmaster Carbon 15 pistol.
- 12 (III) Chiappa Firearms M4 Pistol GEN II.
- 13 (IV) CORE Rifle Systems CORE15 Roscoe pistol.
- 14 (V) Daniel Defense MK18 pistol.
- 15 (VI) DoubleStar Corporation AR pistol.
- 16 (VII) DPMS AR-15 pistol.
- 17 (VIII) Jesse James Nomad AR-15 pistol.
- 18 (IX) Olympic Arms AR-15 pistol.
- 19 (X) Osprey Armament MK-18 pistol.
- 20 (XI) POF USA AR pistols.
- 21 (XII) Rock River Arms LAR 15 pistol.
- 22 (XIII) Uselton Arms Air-Lite M-4 pistol.
- 23 (iii) Calico pistols.
- 24 (iv) DSA SA58 PKP FAL pistol.
- 25 (v) Encom MP-9 and MP-45.
- 26 (vi) Heckler & Koch model SP-89 pistol.

1 (vii) Intratec AB-10, TEC-22 Scorpion, TEC-9, and
2 TEC-DC9.

3 (viii) IWI Galil Ace pistol, UZI PRO pistol.

4 (ix) Kel-Tec PLR 16 pistol.

5 (x) All MAC types, including the following:

6 (I) MAC-10.

7 (II) MAC-11.

8 (III) Masterpiece Arms MPA A930 Mini Pistol,
9 MPA460 Pistol, MPA Tactical Pistol, and MPA Mini
10 Tactical Pistol.

11 (IV) Military Armament Corp. Ingram M-11.

12 (V) Velocity Arms VMAC.

13 (xi) Sig Sauer P556 pistol.

14 (xii) Sites Spectre.

15 (xiii) All Thompson types, including the
16 following:

17 (I) Thompson TA510D.

18 (II) Thompson TA5.

19 (xiv) All UZI types, including Micro-UZI.

20 (L) All of the following shotguns, copies, duplicates,
21 variants, or altered facsimiles with the capability of any
22 such weapon thereof:

23 (i) DERYA Anakon MC-1980, Anakon SD12.

24 (ii) Doruk Lethal shotguns.

25 (iii) Franchi LAW-12 and SPAS 12.

26 (iv) All IZHMAH Saiga 12 types, including the

1 following:

2 (I) IZHMASH Saiga 12.

3 (II) IZHMASH Saiga 12S.

4 (III) IZHMASH Saiga 12S EXP-01.

5 (IV) IZHMASH Saiga 12K.

6 (V) IZHMASH Saiga 12K-030.

7 (VI) IZHMASH Saiga 12K-040 Taktika.

8 (v) Streetsweeper.

9 (vi) Striker 12.

10 (2) "Assault weapon" does not include:

11 (A) Any firearm that is an unserviceable firearm or
12 has been made permanently inoperable.

13 (B) An antique firearm or a replica of an antique
14 firearm.

15 (C) A firearm that is manually operated by bolt, pump,
16 lever or slide action, unless the firearm is a shotgun
17 with a revolving cylinder.

18 (D) Any air rifle as defined in Section 24.8-0.1 of
19 this Code.

20 (E) Any handgun, as defined under the Firearm
21 Concealed Carry Act, unless otherwise listed in this
22 Section.

23 (3) "Assault weapon attachment" means any device capable
24 of being attached to a firearm that is specifically designed
25 for making or converting a firearm into any of the firearms
26 listed in paragraph (1) of this subsection (a).

1 (4) "Antique firearm" has the meaning ascribed to it in 18
2 U.S.C. 921(a)(16).

3 (5) ".50 caliber rifle" means a centerfire rifle capable
4 of firing a .50 caliber cartridge. The term does not include
5 any antique firearm, any shotgun including a shotgun that has
6 a rifle barrel, or any muzzle-loader which uses black powder
7 for hunting or historical reenactments.

8 (6) ".50 caliber cartridge" means a cartridge in .50 BMG
9 caliber, either by designation or actual measurement, that is
10 capable of being fired from a centerfire rifle. The term ".50
11 caliber cartridge" does not include any memorabilia or display
12 item that is filled with a permanent inert substance or that is
13 otherwise permanently altered in a manner that prevents ready
14 modification for use as live ammunition or shotgun ammunition
15 with a caliber measurement that is equal to or greater than .50
16 caliber.

17 (7) "Detachable magazine" means an ammunition feeding
18 device that may be removed from a firearm without disassembly
19 of the firearm action, including an ammunition feeding device
20 that may be readily removed from a firearm with the use of a
21 bullet, cartridge, accessory, or other tool, or any other
22 object that functions as a tool.

23 (8) "Fixed magazine" means an ammunition feeding device
24 that is permanently attached to a firearm, or contained in and
25 not removable from a firearm, or that is otherwise not a
26 detachable magazine, but does not include an attached tubular

1 device designed to accept, and capable of operating only with,
2 .22 caliber rimfire ammunition.

3 (b) Except as provided in subsections (c), (d), and (e),
4 on or after the effective date of this amendatory Act of the
5 102nd General Assembly, it is unlawful for any person within
6 this State to knowingly manufacture, deliver, sell, import, or
7 purchase or cause to be manufactured, delivered, sold,
8 imported, or purchased by another, an assault weapon, assault
9 weapon attachment, .50 caliber rifle, or .50 caliber
10 cartridge.

11 (c) Except as otherwise provided in subsection (d),
12 beginning January 1, 2024, it is unlawful for any person
13 within this State to knowingly possess an assault weapon,
14 assault weapon attachment, .50 caliber rifle, or .50 caliber
15 cartridge.

16 (d) This Section does not apply to a person's possession
17 of an assault weapon, assault weapon attachment, .50 caliber
18 rifle, or .50 caliber cartridge device if the person lawfully
19 possessed that assault weapon, assault weapon attachment, .50
20 caliber rifle, or .50 caliber cartridge prohibited by
21 subsection (c) of this Section, if the person has provided in
22 an endorsement affidavit, prior to January 1, 2024, under oath
23 or affirmation and in the form and manner prescribed by the
24 Illinois State Police, no later than October 1, 2023:

25 (1) the affiant's Firearm Owner's Identification Card
26 number;

1 (2) an affirmation that the affiant: (i) possessed an
2 assault weapon, assault weapon attachment, .50 caliber
3 rifle, or .50 caliber cartridge before the effective date
4 of this amendatory Act of the 102nd General Assembly; or
5 (ii) inherited the assault weapon, assault weapon
6 attachment, .50 caliber rifle, or .50 caliber cartridge
7 from a person with an endorsement under this Section or
8 from a person authorized under subdivisions (1) through
9 (5) of subsection (e) to possess the assault weapon,
10 assault weapon attachment, .50 caliber rifle, or .50
11 caliber cartridge; and

12 (3) the make, model, caliber, and serial number of the
13 .50 caliber rifle or assault weapon or assault weapons
14 listed in paragraphs (J), (K), and (L) of subdivision (1)
15 of subsection (a) of this Section possessed by the affiant
16 prior to the effective date of this amendatory Act of the
17 102nd General Assembly. No later than October 1, 2023, and
18 every October 1 thereafter, the Illinois State Police
19 shall, via rulemaking, identify, publish, and make
20 available on its website, the list of assault weapons
21 subject to an endorsement affidavit under this subsection
22 (d). The list shall identify, but is not limited to, the
23 copies, duplicates, variants, and altered facsimiles of
24 the assault weapons identified in paragraphs (J), (K), and
25 (L) of subdivision (1) of subsection (a) of this Section
26 and shall be consistent with the definition of "assault

1 weapon" identified in this Section. The Illinois State
2 Police may adopt emergency rulemaking in accordance with
3 Section 5-45 of the Illinois Administrative Procedure Act.
4 The adoption of emergency rules authorized by Section 5-45
5 of the Illinois Administrative Procedure Act and this
6 paragraph is deemed to be necessary for the public
7 interest, safety, and welfare.

8 The affidavit form shall include the following statement
9 printed in bold type: "Warning: Entering false information on
10 this form is punishable as perjury under Section 32-2 of the
11 Criminal Code of 2012. Entering false information on this form
12 is a violation of the Firearm Owners Identification Card Act."

13 In any administrative, civil, or criminal proceeding in
14 this State, a completed endorsement affidavit submitted to the
15 Illinois State Police by a person under this Section creates a
16 rebuttable presumption that the person is entitled to possess
17 and transport the assault weapon, assault weapon attachment,
18 .50 caliber rifle, or .50 caliber cartridge.

19 Beginning 90 days after the effective date of this
20 amendatory Act of the 102nd General Assembly, a person
21 authorized under this Section to possess an assault weapon,
22 assault weapon attachment, .50 caliber rifle, or .50 caliber
23 cartridge shall possess such items only:

24 (1) on private property owned or immediately
25 controlled by the person;

26 (2) on private property that is not open to the public

1 with the express permission of the person who owns or
2 immediately controls such property;

3 (3) while on the premises of a licensed firearms
4 dealer or gunsmith for the purpose of lawful repair;

5 (4) while engaged in the legal use of the assault
6 weapon, assault weapon attachment, .50 caliber rifle, or
7 .50 caliber cartridge at a properly licensed firing range
8 or sport shooting competition venue; or

9 (5) while traveling to or from these locations,
10 provided that the assault weapon, assault weapon
11 attachment, or .50 caliber rifle is unloaded and the
12 assault weapon, assault weapon attachment, .50 caliber
13 rifle, or .50 caliber cartridge is enclosed in a case,
14 firearm carrying box, shipping box, or other container.

15 Beginning on January 1, 2024, the person with the
16 endorsement for an assault weapon, assault weapon attachment,
17 .50 caliber rifle, or .50 caliber cartridge or a person
18 authorized under subdivisions (1) through (5) of subsection
19 (e) to possess an assault weapon, assault weapon attachment,
20 .50 caliber rifle, or .50 caliber cartridge may transfer the
21 assault weapon, assault weapon attachment, .50 caliber rifle,
22 or .50 caliber cartridge only to an heir, an individual
23 residing in another state maintaining it in another state, or
24 a dealer licensed as a federal firearms dealer under Section
25 923 of the federal Gun Control Act of 1968. Within 10 days
26 after transfer of the weapon except to an heir, the person

1 shall notify the Illinois State Police of the name and address
2 of the transferee and comply with the requirements of
3 subsection (b) of Section 3 of the Firearm Owners
4 Identification Card Act. The person to whom the weapon or
5 ammunition is transferred shall, within 60 days of the
6 transfer, complete an affidavit required under this Section. A
7 person to whom the weapon is transferred may transfer it only
8 as provided in this subsection.

9 Except as provided in subsection (e) and beginning on
10 January 1, 2024, any person who moves into this State in
11 possession of an assault weapon, assault weapon attachment,
12 .50 caliber rifle, or .50 caliber cartridge shall, within 60
13 days, apply for a Firearm Owners Identification Card and
14 complete an endorsement application as outlined in subsection
15 (d).

16 Notwithstanding any other law, information contained in
17 the endorsement affidavit shall be confidential and shall not
18 be disclosed, except to law enforcement agencies acting in the
19 performance of their duties.

20 (e) The provisions of this Section regarding the purchase
21 or possession of assault weapons, assault weapon attachments,
22 .50 caliber rifles, and .50 cartridges, as well as the
23 provisions of this Section that prohibit causing those items
24 to be purchased or possessed, do not apply to:

25 (1) Peace officers, as defined in Section 2-13 of this
26 Code.

1 (2) Qualified law enforcement officers and qualified
2 retired law enforcement officers as defined in the Law
3 Enforcement Officers Safety Act of 2004 (18 USC Sections
4 926B and 926C) and as recognized under Illinois law.

5 (3) Acquisition and possession by a federal, State, or
6 local law enforcement agency for the purpose of equipping
7 the agency's peace officers as defined in paragraph (1) or
8 (2) of this subsection (e).

9 (4) Wardens, superintendents, and keepers of prisons,
10 penitentiaries, jails, and other institutions for the
11 detention of persons accused or convicted of an offense.

12 (5) Members of the Armed Services or Reserve Forces of
13 the United States or the Illinois National Guard, while
14 performing their official duties or while traveling to or
15 from their places of duty.

16 (6) Any company that employs armed security officers
17 in this State at a nuclear energy, storage, weapons, or
18 development site or facility regulated by the federal
19 Nuclear Regulatory Commission and any person employed as
20 an armed security force member at a nuclear energy,
21 storage, weapons, or development site or facility
22 regulated by the federal Nuclear Regulatory Commission who
23 has completed the background screening and training
24 mandated by the rules and regulations of the federal
25 Nuclear Regulatory Commission and while performing
26 official duties.

1 The provisions of this Section do not apply to the
2 manufacture, delivery, sale, import, purchase, or possession
3 of an assault weapon, assault weapon attachment, .50 caliber
4 rifle, or .50 caliber cartridge or causing the manufacture,
5 delivery, sale, importation, purchase, or possession of those
6 items:

7 (A) for sale or transfer to persons authorized under
8 subdivisions (1) through (6) of this subsection (e) to
9 possess those items;

10 (B) for sale or transfer to the United States or any
11 department or agency thereof; or

12 (C) for sale or transfer in another state or for
13 export.

14 This Section does not apply to or affect any of the
15 following:

16 (i) Possession of any firearm if that firearm is
17 sanctioned by the International Olympic Committee and by
18 USA Shooting, the national governing body for
19 international shooting competition in the United States,
20 but only when the firearm is in the actual possession of an
21 Olympic target shooting competitor or target shooting
22 coach for the purpose of storage, transporting to and from
23 Olympic target shooting practice or events if the firearm
24 is broken down in a nonfunctioning state, is not
25 immediately accessible, or is unloaded and enclosed in a
26 firearm case, carrying box, shipping box, or other similar

1 portable container designed for the safe transportation of
2 firearms, and when the Olympic target shooting competitor
3 or target shooting coach is engaging in those practices or
4 events. For the purposes of this paragraph (8), "firearm"
5 has the meaning provided in Section 1.1 of the Firearm
6 Owners Identification Card Act.

7 (ii) Any nonresident who transports, within 24 hours,
8 a weapon for any lawful purpose from any place where the
9 nonresident may lawfully possess and carry that weapon to
10 any other place where the nonresident may lawfully possess
11 and carry that weapon if, during the transportation, the
12 weapon is unloaded, and neither the weapon nor any
13 ammunition being transported is readily accessible or is
14 directly accessible from the passenger compartment of the
15 transporting vehicle. In the case of a vehicle without a
16 compartment separate from the driver's compartment, the
17 weapon or ammunition shall be contained in a locked
18 container other than the glove compartment or console.

19 (iii) Possession of a weapon at an event taking place
20 at the World Shooting and Recreational Complex at Sparta,
21 only while engaged in the legal use of the weapon, or while
22 traveling to or from that location if the weapon is broken
23 down in a nonfunctioning state, is not immediately
24 accessible, or is unloaded and enclosed in a firearm case,
25 carrying box, shipping box, or other similar portable
26 container designed for the safe transportation of

1 firearms.

2 (iv) Possession of a weapon only for hunting use
3 expressly permitted under the Wildlife Code, or while
4 traveling to or from a location authorized for this
5 hunting use under the Wildlife Code if the weapon is
6 broken down in a nonfunctioning state, is not immediately
7 accessible, or is unloaded and enclosed in a firearm case,
8 carrying box, shipping box, or other similar portable
9 container designed for the safe transportation of
10 firearms.

11 (v) The manufacture, transportation, possession, sale,
12 or rental of blank-firing assault weapons and .50 caliber
13 rifles, or the weapon's respective attachments, to persons
14 authorized or permitted, or both authorized and permitted,
15 to acquire and possess these weapons or attachments for
16 the purpose of rental for use solely as props for a motion
17 picture, television, or video production or entertainment
18 event.

19 Any person not subject to this Section may submit an
20 endorsement affidavit if the person chooses.

21 (f) Any sale or transfer with a background check initiated
22 to the Illinois State Police on or before the effective date of
23 this amendatory Act of the 102nd General Assembly is allowed
24 to be completed after the effective date of this amendatory
25 Act once an approval is issued by the Illinois State Police and
26 any applicable waiting period under Section 24-3 has expired.

1 (g) The Illinois State Police shall take all steps
2 necessary to carry out the requirements of this Section within
3 by October 1, 2023.

4 (720 ILCS 5/24-1.10 new)
5 Sec. 24-1.10. Manufacture, delivery, sale, and possession
6 of large capacity ammunition feeding devices.

7 (a) In this Section:

8 "Handgun" has the meaning ascribed to it in the Firearm
9 Concealed Carry Act.

10 "Long gun" means a rifle or shotgun.

11 "Large capacity ammunition feeding device" means:

12 (1) a magazine, belt, drum, feed strip, or similar
13 device that has a capacity of, or that can be readily
14 restored or converted to accept, more than 10 rounds of
15 ammunition for long guns and more than 15 rounds of
16 ammunition for handguns; or

17 (2) any combination of parts from which a device
18 described in paragraph (1) can be assembled.

19 "Large capacity ammunition feeding device" does not
20 include an attached tubular device designed to accept, and
21 capable of operating only with, .22 caliber rimfire
22 ammunition. "Large capacity ammunition feeding device" does
23 not include a tubular magazine that is contained in a
24 lever-action firearm or any device that has been made
25 permanently inoperable.

1 (b) Except as provided in subsections (d) and (e), it is
2 unlawful for any person within this State to knowingly
3 manufacture, deliver, sell, purchase, or cause to be
4 manufactured, delivered, sold, or purchased a large capacity
5 ammunition feeding device.

6 (c) Except as provided in subsections (d) and (e), and
7 beginning 90 days after the effective date of this amendatory
8 Act of the 102nd General Assembly, it is unlawful to knowingly
9 possess a large capacity ammunition feeding device.

10 (d) Subsection (b) does not apply to a person's possession
11 of a large capacity ammunition feeding device if the person
12 lawfully possessed that large capacity ammunition feeding
13 device before the effective date of this amendatory Act of the
14 102nd General Assembly, provided that the person shall possess
15 such device only:

16 (1) on private property owned or immediately
17 controlled by the person;

18 (2) on private property that is not open to the public
19 with the express permission of the person who owns or
20 immediately controls such property;

21 (3) while on the premises of a licensed firearms
22 dealer or gunsmith for the purpose of lawful repair;

23 (4) while engaged in the legal use of the large
24 capacity ammunition feeding device at a properly licensed
25 firing range or sport shooting competition venue; or

26 (5) while traveling to or from these locations,

1 provided that the large capacity ammunition feeding device
2 is stored unloaded and enclosed in a case, firearm
3 carrying box, shipping box, or other container.

4 A person authorized under this Section to possess a large
5 capacity ammunition feeding device may transfer the large
6 capacity ammunition feeding device only to an heir, an
7 individual residing in another state maintaining it in another
8 state, or a dealer licensed as a federal firearms dealer under
9 Section 923 of the federal Gun Control Act of 1968. Within 10
10 days after transfer of the large capacity ammunition feeding
11 device except to an heir, the person shall notify the Illinois
12 State Police of the name and address of the transferee and
13 comply with the requirements of subsection (b) of Section 3 of
14 the Firearm Owners Identification Card Act. The person to whom
15 the large capacity ammunition feeding device is transferred
16 shall, within 60 days of the transfer, notify the Illinois
17 State Police of the person's acquisition and comply with the
18 requirements of subsection (b) of Section 3 of the Firearm
19 Owners Identification Card Act. A person to whom the large
20 capacity ammunition feeding device is transferred may transfer
21 it only as provided in this subsection.

22 Except as provided in subsection (d) and beginning 90 days
23 after the effective date of this amendatory Act of the 102nd
24 General Assembly, any person who moves into this State in
25 possession of a large capacity ammunition feeding device
26 shall, within 60 days, apply for a Firearm Owners

1 Identification Card.

2 (d) The provisions of this Section regarding the purchase
3 or possession of large capacity ammunition feeding devices, as
4 well as the provisions of this Section that prohibit causing
5 those items to be purchased or possessed, do not apply to:

6 (1) Peace officers as defined in Section 2-13 of this
7 Code.

8 (2) Qualified law enforcement officers and qualified
9 retired law enforcement officers as defined in the Law
10 Enforcement Officers Safety Act of 2004 (18 USC Sections
11 926B and 926C) and as recognized under Illinois law.

12 (3) A federal, State, or local law enforcement agency
13 for the purpose of equipping the agency's peace officers
14 as defined in paragraph (1) or (2) of this subsection (d).

15 (4) Wardens, superintendents, and keepers of prisons,
16 penitentiaries, jails, and other institutions for the
17 detention of persons accused or convicted of an offense.

18 (5) Members of the Armed Services or Reserve Forces of
19 the United States or the Illinois National Guard, while
20 their official duties or while traveling to or from their
21 places of duty.

22 (6) Any company that employs armed security officers
23 in this State at a nuclear energy, storage, weapons, or
24 development site or facility regulated by the federal
25 Nuclear Regulatory Commission and any person employed as
26 an armed security force member at a nuclear energy,

1 storage, weapons, or development site or facility
2 regulated by the federal Nuclear Regulatory Commission who
3 has completed the background screening and training
4 mandated by the rules and regulations of the federal
5 Nuclear Regulatory Commission and while performing
6 official duties.

7 (e) This Section does not apply to or affect any of the
8 following:

9 (1) Manufacture, delivery, sale, importation,
10 purchase, or possession or causing to be manufactured,
11 delivered, sold, imported, purchased, or possessed a large
12 capacity ammunition feeding device:

13 (A) for sale or transfer to persons authorized
14 under subdivisions (1) through (5) of subsection (d)
15 to possess those items;

16 (B) for sale or transfer to the United States or
17 any department or agency thereof; or

18 (C) for sale or transfer in another state or for
19 export.

20 (2) Sale or rental of large capacity ammunition
21 feeding devices for blank-firing assault weapons and .50
22 caliber rifles, to persons authorized or permitted, or
23 both authorized and permitted, to acquire these devices
24 for the purpose of rental for use solely as props for a
25 motion picture, television, or video production or
26 entertainment event.

1 (f) Sentence. A person who knowingly manufactures,
2 delivers, sells, purchases, or causes to be manufactured,
3 delivered, sold, or purchased in violation of this Section a
4 large capacity ammunition feeding device capable of holding
5 more than 10 rounds of ammunition for long guns or more than 15
6 rounds of ammunition for handguns commits a petty offense with
7 a fine of \$1,000 for each violation.

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

15 Section 97. Severability. The provisions of this Act are
16 severable under Section 1.31 of the Statute on Statutes.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."