



Sen. Don Harmon

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10200HB5471sam003

LRB102 24372 RLC 42574 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 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2 This Section is repealed one year after the effective date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 4. The Freedom of Information Act is amended by
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

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

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

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

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

22 (d) Information and records held by the Department of
23 Public Health and its authorized representatives relating
24 to known or suspected cases of sexually transmissible

1 disease or any information the disclosure of which is
2 restricted under the Illinois Sexually Transmissible
3 Disease Control Act.

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

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

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

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

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

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

25 (k) Law enforcement officer identification information
26 or driver identification information compiled by a law

1 enforcement agency or the Department of Transportation
2 under Section 11-212 of the Illinois Vehicle Code.

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

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

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

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

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

1 Transportation Authority under Section 2.11 of the
2 Regional Transportation Authority Act, or the St. Clair
3 County Transit District under the Bi-State Transit Safety
4 Act.

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

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

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

11 (t) All identified or deidentified health information
12 in the form of health data or medical records contained
13 in, stored in, submitted to, transferred by, or released
14 from the Illinois Health Information Exchange, and
15 identified or deidentified health information in the form
16 of health data and medical records of the Illinois Health
17 Information Exchange in the possession of the Illinois
18 Health Information Exchange Office due to its
19 administration of the Illinois Health Information
20 Exchange. The terms "identified" and "deidentified" shall
21 be given the same meaning as in the Health Insurance
22 Portability and Accountability Act of 1996, Public Law
23 104-191, or any subsequent amendments thereto, and any
24 regulations promulgated thereunder.

25 (u) Records and information provided to an independent
26 team of experts under the Developmental Disability and

1 Mental Health Safety Act (also known as Brian's Law).

2 (v) Names and information of people who have applied
3 for or received Firearm Owner's Identification Cards under
4 the Firearm Owners Identification Card Act or applied for
5 or received a concealed carry license under the Firearm
6 Concealed Carry Act, unless otherwise authorized by the
7 Firearm Concealed Carry Act; and databases under the
8 Firearm Concealed Carry Act, records of the Concealed
9 Carry Licensing Review Board under the Firearm Concealed
10 Carry Act, and law enforcement agency objections under the
11 Firearm Concealed Carry Act.

12 (v-5) Records of the Firearm Owner's Identification
13 Card Review Board that are exempted from disclosure under
14 Section 10 of the Firearm Owners Identification Card Act.

15 (w) Personally identifiable information which is
16 exempted from disclosure under subsection (g) of Section
17 19.1 of the Toll Highway Act.

18 (x) Information which is exempted from disclosure
19 under Section 5-1014.3 of the Counties Code or Section
20 8-11-21 of the Illinois Municipal Code.

21 (y) Confidential information under the Adult
22 Protective Services Act and its predecessor enabling
23 statute, the Elder Abuse and Neglect Act, including
24 information about the identity and administrative finding
25 against any caregiver of a verified and substantiated
26 decision of abuse, neglect, or financial exploitation of

1 an eligible adult maintained in the Registry established
2 under Section 7.5 of the Adult Protective Services Act.

3 (z) Records and information provided to a fatality
4 review team or the Illinois Fatality Review Team Advisory
5 Council under Section 15 of the Adult Protective Services
6 Act.

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

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

11 (cc) Recordings made under the Law Enforcement
12 Officer-Worn Body Camera Act, except to the extent
13 authorized under that Act.

14 (dd) Information that is prohibited from being
15 disclosed under Section 45 of the Condominium and Common
16 Interest Community Ombudsperson Act.

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

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

21 (gg) Information that is prohibited from being
22 disclosed under Section 7-603.5 of the Illinois Vehicle
23 Code.

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

26 (ii) Information which is exempted from disclosure

1 under Section 2505-800 of the Department of Revenue Law of
2 the Civil Administrative Code of Illinois.

3 (jj) Information and reports that are required to be
4 submitted to the Department of Labor by registering day
5 and temporary labor service agencies but are exempt from
6 disclosure under subsection (a-1) of Section 45 of the Day
7 and Temporary Labor Services Act.

8 (kk) Information prohibited from disclosure under the
9 Seizure and Forfeiture Reporting Act.

10 (ll) Information the disclosure of which is restricted
11 and exempted under Section 5-30.8 of the Illinois Public
12 Aid Code.

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

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

17 (oo) Communications, notes, records, and reports
18 arising out of a peer support counseling session
19 prohibited from disclosure under the First Responders
20 Suicide Prevention Act.

21 (pp) Names and all identifying information relating to
22 an employee of an emergency services provider or law
23 enforcement agency under the First Responders Suicide
24 Prevention Act.

25 (qq) Information and records held by the Department of
26 Public Health and its authorized representatives collected

1 under the Reproductive Health Act.

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

4 (ss) Data reported by an employer to the Department of
5 Human Rights pursuant to Section 2-108 of the Illinois
6 Human Rights Act.

7 (tt) Recordings made under the Children's Advocacy
8 Center Act, except to the extent authorized under that
9 Act.

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

12 (vv) Information that is exempt from disclosure under
13 subsections (f) and (j) of Section 5-36 of the Illinois
14 Public Aid Code.

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

17 (xx) Information that is exempt from disclosure or
18 information that shall not be made public under the
19 Illinois Insurance Code.

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

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

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

26 (bbb) Information that is prohibited from disclosure

1 by the Illinois Police Training Act and the Illinois State
2 Police Act.

3 (ccc) Records exempt from disclosure under Section
4 2605-304 of the Illinois State Police Law of the Civil
5 Administrative Code of Illinois.

6 (ddd) Information prohibited from being disclosed
7 under Section 35 of the Address Confidentiality for
8 Victims of Domestic Violence, Sexual Assault, Human
9 Trafficking, or Stalking Act.

10 (eee) Information prohibited from being disclosed
11 under subsection (b) of Section 75 of the Domestic
12 Violence Fatality Review Act.

13 (fff) Images from cameras under the Expressway Camera
14 Act. This subsection (fff) is inoperative on and after
15 July 1, 2023.

16 (ggg) ~~(fff)~~ Information prohibited from disclosure
17 under paragraph (3) of subsection (a) of Section 14 of the
18 Nurse Agency Licensing Act.

19 (hhh) Information submitted to the Department of State
20 Police in an affidavit or application for an assault
21 weapon endorsement, assault weapon attachment endorsement,
22 .50 caliber rifle endorsement, or .50 caliber cartridge
23 endorsement under the Firearm Owners Identification Card
24 Act.

25 (Source: P.A. 101-13, eff. 6-12-19; 101-27, eff. 6-25-19;
26 101-81, eff. 7-12-19; 101-221, eff. 1-1-20; 101-236, eff.

1 1-1-20; 101-375, eff. 8-16-19; 101-377, eff. 8-16-19; 101-452,
2 eff. 1-1-20; 101-466, eff. 1-1-20; 101-600, eff. 12-6-19;
3 101-620, eff. 12-20-19; 101-649, eff. 7-7-20; 101-652, eff.
4 1-1-22; 101-656, eff. 3-23-21; 102-36, eff. 6-25-21; 102-237,
5 eff. 1-1-22; 102-292, eff. 1-1-22; 102-520, eff. 8-20-21;
6 102-559, eff. 8-20-21; 102-813, eff. 5-13-22; 102-946, eff.
7 7-1-22; 102-1042, eff. 6-3-22; revised 8-1-22.)

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

11 (20 ILCS 2605/2605-35) (was 20 ILCS 2605/55a-3)

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

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

15 (1) Exercise the rights, powers, and duties vested by
16 law in the Illinois State Police by the Illinois Horse
17 Racing Act of 1975, including those set forth in Section
18 2605-215.

19 (2) Investigate the origins, activities, personnel,
20 and incidents of crime and enforce the criminal laws of
21 this State related thereto.

22 (3) Enforce all laws regulating the production, sale,
23 prescribing, manufacturing, administering, transporting,
24 having in possession, dispensing, delivering,

1 distributing, or use of controlled substances and
2 cannabis.

3 (4) Cooperate with the police of cities, villages, and
4 incorporated towns and with the police officers of any
5 county in enforcing the laws of the State and in making
6 arrests and recovering property.

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

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

19 (7) Conduct other investigations as provided by law,
20 including, but not limited to, investigations of human
21 trafficking, illegal drug trafficking, and illegal
22 firearms trafficking.

23 (8) Investigate public corruption.

24 (9) Exercise other duties that may be assigned by the
25 Director in order to fulfill the responsibilities and
26 achieve the purposes of the Illinois State Police, which

1 may include the coordination of gang, terrorist, and
2 organized crime prevention, control activities, and
3 assisting local law enforcement in their crime control
4 activities.

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

11 (b) (Blank).

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

25 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22;
26 102-1108, eff. 12-21-22.)

1 (20 ILCS 2605/2605-51.1)

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

3 Sec. 2605-51.1. Commission on Implementing the Firearms
4 Restraining Order Act.

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

12 (1) the Office of the Attorney General, appointed by
13 the Attorney General;

14 (2) the Director of the Illinois State Police or his
15 or her designee;

16 (3) at least 3 State's Attorneys, nominated by the
17 Director of the Office of the State's Attorneys Appellate
18 Prosecutor;

19 (4) at least 2 municipal police department
20 representatives, nominated by the Illinois Association of
21 Chiefs of Police;

22 (5) an Illinois sheriff, nominated by the Illinois
23 Sheriffs' Association;

24 (6) the Director of Public Health or his or her
25 designee;

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

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

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

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

12 ~~and~~

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

18 and

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

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

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

3 (d) An annual report shall be submitted to the General
4 Assembly by the Commission that may include summary
5 information about firearms restraining order use by county,
6 challenges to Firearms Restraining Order Act implementation,
7 and recommendations for increasing and improving
8 implementation.

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

26 (f) The Commission shall be dissolved June 1, 2025 (3

1 years after the effective date of Public Act 102-345).

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

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

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

7 (30 ILCS 500/1-10)

8 Sec. 1-10. Application.

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

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

24 (1) Contracts between the State and its political

1 subdivisions or other governments, or between State
2 governmental bodies, except as specifically provided in
3 this Code.

4 (2) Grants, except for the filing requirements of
5 Section 20-80.

6 (3) Purchase of care, except as provided in Section
7 5-30.6 of the Illinois Public Aid Code and this Section.

8 (4) Hiring of an individual as an employee and not as
9 an independent contractor, whether pursuant to an
10 employment code or policy or by contract directly with
11 that individual.

12 (5) Collective bargaining contracts.

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

21 (7) Contracts necessary to prepare for anticipated
22 litigation, enforcement actions, or investigations,
23 provided that the chief legal counsel to the Governor
24 shall give his or her prior approval when the procuring
25 agency is one subject to the jurisdiction of the Governor,
26 and provided that the chief legal counsel of any other

1 procuring entity subject to this Code shall give his or
2 her prior approval when the procuring entity is not one
3 subject to the jurisdiction of the Governor.

4 (8) (Blank).

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

7 (10) (Blank).

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

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

23 (B) Contracts for legal and financial services entered
24 into by the Illinois Housing Development Authority in
25 connection with the issuance of bonds in which the State
26 of Illinois is not obligated. Such contracts shall be

1 awarded through a competitive process authorized by the
2 members of the Illinois Housing Development Authority and
3 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
4 and 50-37 of this Code, as well as the final approval by
5 the members of the Illinois Housing Development Authority
6 of the terms of the contract.

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

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

23 (14) Contracts for participation expenditures required
24 by a domestic or international trade show or exhibition of
25 an exhibitor, member, or sponsor.

26 (15) Contracts with a railroad or utility that

1 requires the State to reimburse the railroad or utilities
2 for the relocation of utilities for construction or other
3 public purpose. Contracts included within this paragraph
4 (15) shall include, but not be limited to, those
5 associated with: relocations, crossings, installations,
6 and maintenance. For the purposes of this paragraph (15),
7 "railroad" means any form of non-highway ground
8 transportation that runs on rails or electromagnetic
9 guideways and "utility" means: (1) public utilities as
10 defined in Section 3-105 of the Public Utilities Act, (2)
11 telecommunications carriers as defined in Section 13-202
12 of the Public Utilities Act, (3) electric cooperatives as
13 defined in Section 3.4 of the Electric Supplier Act, (4)
14 telephone or telecommunications cooperatives as defined in
15 Section 13-212 of the Public Utilities Act, (5) rural
16 water or waste water systems with 10,000 connections or
17 less, (6) a holder as defined in Section 21-201 of the
18 Public Utilities Act, and (7) municipalities owning or
19 operating utility systems consisting of public utilities
20 as that term is defined in Section 11-117-2 of the
21 Illinois Municipal Code.

22 (16) Procurement expenditures necessary for the
23 Department of Public Health to provide the delivery of
24 timely newborn screening services in accordance with the
25 Newborn Metabolic Screening Act.

26 (17) Procurement expenditures necessary for the

1 Department of Agriculture, the Department of Financial and
2 Professional Regulation, the Department of Human Services,
3 and the Department of Public Health to implement the
4 Compassionate Use of Medical Cannabis Program and Opioid
5 Alternative Pilot Program requirements and ensure access
6 to medical cannabis for patients with debilitating medical
7 conditions in accordance with the Compassionate Use of
8 Medical Cannabis Program Act.

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

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

21 (19) Acquisition of modifications or adjustments,
22 limited to assistive technology devices and assistive
23 technology services, adaptive equipment, repairs, and
24 replacement parts to provide reasonable accommodations (i)
25 that enable a qualified applicant with a disability to
26 complete the job application process and be considered for

1 the position such qualified applicant desires, (ii) that
2 modify or adjust the work environment to enable a
3 qualified current employee with a disability to perform
4 the essential functions of the position held by that
5 employee, (iii) to enable a qualified current employee
6 with a disability to enjoy equal benefits and privileges
7 of employment as are enjoyed by other similarly situated
8 employees without disabilities, and (iv) that allow a
9 customer, client, claimant, or member of the public
10 seeking State services full use and enjoyment of and
11 access to its programs, services, or benefits.

12 For purposes of this paragraph (19):

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

18 "Assistive technology services" means any service that
19 directly assists an individual with a disability in
20 selection, acquisition, or use of an assistive technology
21 device.

22 "Qualified" has the same meaning and use as provided
23 under the federal Americans with Disabilities Act when
24 describing an individual with a disability.

25 (20) Procurement expenditures necessary for the
26 Illinois Commerce Commission to hire third-party

1 facilitators pursuant to Sections 16-105.17 and 16-108.18
2 of the Public Utilities Act or an ombudsman pursuant to
3 Section 16-107.5 of the Public Utilities Act, a
4 facilitator pursuant to Section 16-105.17 of the Public
5 Utilities Act, or a grid auditor pursuant to Section
6 16-105.10 of the Public Utilities Act.

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

26 Notwithstanding any other provision of law, for contracts

1 with an annual value of more than \$100,000 entered into on or
2 after October 1, 2017 under an exemption provided in any
3 paragraph of this subsection (b), except paragraph (1), (2),
4 or (5), each State agency shall post to the appropriate
5 procurement bulletin the name of the contractor, a description
6 of the supply or service provided, the total amount of the
7 contract, the term of the contract, and the exception to the
8 Code utilized. The chief procurement officer shall submit a
9 report to the Governor and General Assembly no later than
10 November 1 of each year that shall include, at a minimum, an
11 annual summary of the monthly information reported to the
12 chief procurement officer.

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

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

22 (e) This Code does not apply to the process used by the
23 Capital Development Board to retain a person or entity to
24 assist the Capital Development Board with its duties related
25 to the determination of costs of a clean coal SNG brownfield
26 facility, as defined by Section 1-10 of the Illinois Power

1 Agency Act, as required in subsection (h-3) of Section 9-220
2 of the Public Utilities Act, including calculating the range
3 of capital costs, the range of operating and maintenance
4 costs, or the sequestration costs or monitoring the
5 construction of clean coal SNG brownfield facility for the
6 full duration of construction.

7 (f) (Blank).

8 (g) (Blank).

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

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

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

21 (k) This Code does not apply to the process to procure
22 contracts, or contracts entered into, by the State Board of
23 Elections or the State Electoral Board for hearing officers
24 appointed pursuant to the Election Code.

25 (l) This Code does not apply to the processes used by the
26 Illinois Student Assistance Commission to procure supplies and

1 services paid for from the private funds of the Illinois
2 Prepaid Tuition Fund. As used in this subsection (l), "private
3 funds" means funds derived from deposits paid into the
4 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

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

13 (Source: P.A. 101-27, eff. 6-25-19; 101-81, eff. 7-12-19;
14 101-363, eff. 8-9-19; 102-175, eff. 7-29-21; 102-483, eff
15 1-1-22; 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662,
16 eff. 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22.)

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

20 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

21 Sec. 2. Firearm Owner's Identification Card required;
22 exceptions.

23 (a) (1) No person may acquire or possess any firearm, stun
24 gun, or taser within this State without having in his or her

1 possession a Firearm Owner's Identification Card previously
2 issued in his or her name by the Illinois State Police under
3 the provisions of this Act.

4 (2) No person may acquire or possess firearm ammunition
5 within this State without having in his or her possession a
6 Firearm Owner's Identification Card previously issued in his
7 or her name by the Illinois State Police under the provisions
8 of this Act.

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

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

14 (2) Members of the Armed Forces of the United States
15 or the National Guard, while engaged in the operation of
16 their official duties;

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

19 (4) Members of bona fide veterans organizations which
20 receive firearms directly from the armed forces of the
21 United States, while using the firearms for ceremonial
22 purposes with blank ammunition;

23 (5) Nonresident hunters during hunting season, with
24 valid nonresident hunting licenses and while in an area
25 where hunting is permitted; however, at all other times
26 and in all other places these persons must have their

1 firearms unloaded and enclosed in a case;

2 (6) Those hunters exempt from obtaining a hunting
3 license who are required to submit their Firearm Owner's
4 Identification Card when hunting on Department of Natural
5 Resources owned or managed sites;

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

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

14 (9) Nonresidents whose firearms are unloaded and
15 enclosed in a case;

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

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

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

1 (13) Nonresident hunters whose state of residence does
2 not require them to be licensed or registered to possess a
3 firearm and only during hunting season, with valid hunting
4 licenses, while accompanied by, and using a firearm owned
5 by, a person who possesses a valid Firearm Owner's
6 Identification Card and while in an area within a
7 commercial club licensed under the Wildlife Code where
8 hunting is permitted and controlled, but in no instance
9 upon sites owned or managed by the Department of Natural
10 Resources;

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

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

24 ~~(16) Competitive shooting athletes whose competition~~
25 ~~firearms are sanctioned by the International Olympic~~
26 ~~Committee, the International Paralympic Committee, the~~

1 ~~International Shooting Sport Federation, or USA Shooting~~
2 ~~in connection with such athletes' training for and~~
3 ~~participation in shooting competitions at the 2016 Olympic~~
4 ~~and Paralympic Games and sanctioned test events leading up~~
5 ~~to the 2016 Olympic and Paralympic Games.~~

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

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

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

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

25 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

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

2 Sec. 3. (a) Except as provided in Section 3a, no person may
3 knowingly transfer, or cause to be transferred, any firearm,
4 firearm ammunition, stun gun, or taser to any person within
5 this State unless the transferee with whom he deals displays
6 either: (1) a currently valid Firearm Owner's Identification
7 Card which has previously been issued in his or her name by the
8 Illinois State Police under the provisions of this Act; or (2)
9 a currently valid license to carry a concealed firearm which
10 has previously been issued in his or her name by the Illinois
11 State Police under the Firearm Concealed Carry Act. In
12 addition, all firearm, stun gun, and taser transfers by
13 federally licensed firearm dealers are subject to Section 3.1.

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

20 (a-10) Notwithstanding item (2) of subsection (a) of this
21 Section, any person who is not a federally licensed firearm
22 dealer and who desires to transfer or sell a firearm or
23 firearms to any person who is not a federally licensed firearm
24 dealer shall, before selling or transferring the firearms,
25 contact a federal firearm license dealer under paragraph (1)
26 of subsection (a-15) of this Section to conduct the transfer

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

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

20 (1) transfers that occur at the place of business of a
21 federally licensed firearm dealer, if the federally
22 licensed firearm dealer conducts a background check on the
23 prospective recipient of the firearm in accordance with
24 Section 3.1 of this Act and follows all other applicable
25 federal, State, and local laws as if he or she were the
26 seller or transferor of the firearm, although the dealer

1 is not required to accept the firearm into his or her
2 inventory. The purchaser or transferee may be required by
3 the federally licensed firearm dealer to pay a fee not to
4 exceed \$25 ~~\$10~~ per firearm, which the dealer may retain as
5 compensation for performing the functions required under
6 this paragraph, plus the applicable fees authorized by
7 Section 3.1;

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

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

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

18 (5) the delivery of a firearm by its owner to a
19 gunsmith for service or repair, the return of the firearm
20 to its owner by the gunsmith, or the delivery of a firearm
21 by a gunsmith to a federally licensed firearms dealer for
22 service or repair and the return of the firearm to the
23 gunsmith;

24 (6) temporary transfers that occur while in the home
25 of the unlicensed transferee, if the unlicensed transferee
26 is not otherwise prohibited from possessing firearms and

1 the unlicensed transferee reasonably believes that
2 possession of the firearm is necessary to prevent imminent
3 death or great bodily harm to the unlicensed transferee;

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

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

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

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

23 (a-25) On or before January 1, 2022, the Illinois State
24 Police shall develop an Internet-based system upon which the
25 serial numbers of firearms that have been reported stolen are
26 available for public access for individuals to ensure any

1 firearms are not reported stolen prior to the sale or transfer
2 of a firearm under this Section. The Illinois State Police
3 shall have the Internet-based system completed and available
4 for use by July 1, 2022. The Illinois State Police shall adopt
5 rules not inconsistent with this Section to implement this
6 system.

7 (b) Any person within this State who transfers or causes
8 to be transferred any firearm, stun gun, or taser shall keep a
9 record of such transfer for a period of 10 years from the date
10 of transfer. Any person within this State who receives any
11 firearm, stun gun, or taser pursuant to subsection (a-10)
12 shall provide a record of the transfer within 10 days of the
13 transfer to a federally licensed firearm dealer and shall not
14 be required to maintain a transfer record. The federally
15 licensed firearm dealer shall maintain the transfer record for
16 20 years from the date of receipt. A federally licensed
17 firearm dealer may charge a fee not to exceed \$25 to retain the
18 record. The record shall be provided and maintained in either
19 an electronic or paper format. The federally licensed firearm
20 dealer shall not be liable for the accuracy of any information
21 in the transfer record submitted pursuant to this Section.
22 Such records ~~record~~ shall contain the date of the transfer;
23 the description, serial number or other information
24 identifying the firearm, stun gun, or taser if no serial
25 number is available; and, if the transfer was completed within
26 this State, the transferee's Firearm Owner's Identification

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

1 supervision pursuant to and consistent with the limitations of
2 Section 5-6-1 of the Unified Code of Corrections. A transferee
3 or transferor shall not be criminally liable under this
4 Section provided that he or she provides the Illinois State
5 Police with the transfer records in accordance with procedures
6 established by the Illinois State Police. The Illinois State
7 Police shall establish, by rule, a standard form on its
8 website.

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

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

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

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

25 Sec. 3. (a) Except as provided in Section 3a, no person may

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

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

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

1 determine the validity of the transferee's or purchaser's
2 Firearm Owner's Identification Card under State and federal
3 law, including the National Instant Criminal Background Check
4 System. This subsection shall not be effective until July 1,
5 2023 ~~January 1, 2024~~. Until that date the transferor shall
6 contact the Illinois State Police with the transferee's or
7 purchaser's Firearm Owner's Identification Card number to
8 determine the validity of the card. The Illinois State Police
9 may adopt rules concerning the implementation of this
10 subsection. The Illinois State Police shall provide the seller
11 or transferor an approval number if the purchaser's Firearm
12 Owner's Identification Card is valid. Approvals issued by the
13 Illinois State Police for the purchase of a firearm pursuant
14 to this subsection are valid for 30 days from the date of
15 issue.

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

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

1 the federally licensed firearm dealer to pay a fee not to
2 exceed \$25 per firearm, which the dealer may retain as
3 compensation for performing the functions required under
4 this paragraph, plus the applicable fees authorized by
5 Section 3.1;

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

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

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

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

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

1 death or great bodily harm to the unlicensed transferee;

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

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

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

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

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

1 for use by July 1, 2022. The Illinois State Police shall adopt
2 rules not inconsistent with this Section to implement this
3 system.

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

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

1 Section provided that he or she provides the Illinois State
2 Police with the transfer records in accordance with procedures
3 established by the Illinois State Police. The Illinois State
4 Police shall establish, by rule, a standard form on its
5 website.

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

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

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

22 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

23 Sec. 4. Application for Firearm Owner's Identification
24 Cards.

25 (a) Each applicant for a Firearm Owner's Identification

1 Card must:

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

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

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

20 (i-5) This subparagraph (i-5) applies on and after
21 the 181st day following July 12, 2019 (the effective
22 date of Public Act 101-80). He or she is 21 years of
23 age or over, or if he or she is under 21 years of age
24 that he or she has never been convicted of a
25 misdemeanor other than a traffic offense or adjudged
26 delinquent and is an active duty member of the United

1 States Armed Forces or the Illinois National Guard or
2 has the written consent of his or her parent or legal
3 guardian to possess and acquire firearms and firearm
4 ammunition, provided, however, that such parent or
5 legal guardian is not an individual prohibited from
6 having a Firearm Owner's Identification Card and files
7 an affidavit with the Illinois State Police as
8 prescribed by the Illinois State Police stating that
9 he or she is not an individual prohibited from having a
10 Card or the active duty member of the United States
11 Armed Forces or the Illinois National Guard under 21
12 years of age annually submits proof to the Illinois
13 State Police, in a manner prescribed by the Illinois
14 State Police;

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

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

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

23 (v) He or she is not a person with an intellectual
24 disability;

25 (vi) He or she is not a noncitizen who is
26 unlawfully present in the United States under the laws

1 of the United States;

2 (vii) He or she is not subject to an existing order
3 of protection prohibiting him or her from possessing a
4 firearm;

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

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

26 (x) (Blank);

1 (xi) He or she is not a noncitizen who has been
2 admitted to the United States under a non-immigrant
3 visa (as that term is defined in Section 101(a)(26) of
4 the Immigration and Nationality Act (8 U.S.C.
5 1101(a)(26))), or that he or she is a noncitizen who
6 has been lawfully admitted to the United States under
7 a non-immigrant visa if that noncitizen is:

8 (1) admitted to the United States for lawful
9 hunting or sporting purposes;

10 (2) an official representative of a foreign
11 government who is:

12 (A) accredited to the United States
13 Government or the Government's mission to an
14 international organization having its
15 headquarters in the United States; or

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

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

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

24 (5) one who has received a waiver from the
25 Attorney General of the United States pursuant to
26 18 U.S.C. 922(y)(3);

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

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

10 (xiv) He or she is a resident of the State of
11 Illinois;

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

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

16 (xvii) He or she is not a person with a
17 developmental disability; and

18 (3) Upon request by the Illinois State Police, sign a
19 release on a form prescribed by the Illinois State Police
20 waiving any right to confidentiality and requesting the
21 disclosure to the Illinois State Police of limited mental
22 health institution admission information from another
23 state, the District of Columbia, any other territory of
24 the United States, or a foreign nation concerning the
25 applicant for the sole purpose of determining whether the
26 applicant is or was a patient in a mental health

1 institution and disqualified because of that status from
2 receiving a Firearm Owner's Identification Card. No mental
3 health care or treatment records may be requested. The
4 information received shall be destroyed within one year of
5 receipt.

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

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

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

25 (a-20) Each applicant for a Firearm Owner's Identification
26 Card shall furnish to the Illinois State Police his or her

1 photograph. An applicant who is 21 years of age or older
2 seeking a religious exemption to the photograph requirement
3 must furnish with the application an approved copy of United
4 States Department of the Treasury Internal Revenue Service
5 Form 4029. In lieu of a photograph, an applicant regardless of
6 age seeking a religious exemption to the photograph
7 requirement shall submit fingerprints on a form and manner
8 prescribed by the Illinois State Police with his or her
9 application.

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

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

24 The Illinois State Police shall charge applicants a
25 one-time fee for conducting the criminal history record check,
26 which shall be deposited into the State Police Services Fund

1 and shall not exceed the actual cost of the State and national
2 criminal history record check.

3 (a-26) The Illinois State Police shall research, explore,
4 and report to the General Assembly by January 1, 2022 on the
5 feasibility of permitting voluntarily submitted fingerprints
6 obtained for purposes other than Firearm Owner's
7 Identification Card enforcement that are contained in the
8 Illinois State Police database for purposes of this Act.

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

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

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

22 (430 ILCS 65/4.1 new)

23 Sec. 4.1. Assault weapon, .50 caliber rifle, assault
24 weapon attachment, or .50 caliber cartridge endorsement.

25 (a) The endorsement affidavit form completed pursuant to

1 Section 24-1.9 of the Criminal Code of 2012 must be executed
2 electronically through the individual's Firearm Owner's
3 Identification Card account.

4 (b) The Illinois State Police shall adopt rules in
5 accordance with this Section for the electronic submission of
6 an endorsement affidavit.

7 (c) Entering false information on the endorsement
8 affidavit form is a violation of this Act and is also
9 punishable as perjury under Section 32-2 of the Criminal Code
10 of 2012.

11 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

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

18 (a) A person under 21 years of age who has been
19 convicted of a misdemeanor other than a traffic offense or
20 adjudged delinquent;

21 (b) This subsection (b) applies through the 180th day
22 following July 12, 2019 (the effective date of Public Act
23 101-80). A person under 21 years of age who does not have
24 the written consent of his parent or guardian to acquire
25 and possess firearms and firearm ammunition, or whose

1 parent or guardian has revoked such written consent, or
2 where such parent or guardian does not qualify to have a
3 Firearm Owner's Identification Card;

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

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

16 (d) A person addicted to narcotics;

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

1 10 of this Act if the officer or employee did not act in a
2 manner threatening to the officer or employee, another
3 person, or the public as determined by the treating
4 clinical psychologist or physician, and the officer or
5 employee seeks mental health treatment;

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

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

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

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

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

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

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

26 (A) accredited to the United States Government

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

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

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

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

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

15 (j) (Blank);

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

21 (l) A person who has been convicted of domestic
22 battery, aggravated domestic battery, or a substantially
23 similar offense in another jurisdiction committed before,
24 on or after January 1, 2012 (the effective date of Public
25 Act 97-158). If the applicant or person who has been
26 previously issued a Firearm Owner's Identification Card

1 under this Act knowingly and intelligently waives the
2 right to have an offense described in this paragraph (l)
3 tried by a jury, and by guilty plea or otherwise, results
4 in a conviction for an offense in which a domestic
5 relationship is not a required element of the offense but
6 in which a determination of the applicability of 18 U.S.C.
7 922(g)(9) is made under Section 112A-11.1 of the Code of
8 Criminal Procedure of 1963, an entry by the court of a
9 judgment of conviction for that offense shall be grounds
10 for denying an application for and for revoking and
11 seizing a Firearm Owner's Identification Card previously
12 issued to the person under this Act;

13 (m) (Blank);

14 (n) A person who is prohibited from acquiring or
15 possessing firearms or firearm ammunition by any Illinois
16 State statute or by federal law;

17 (o) A minor subject to a petition filed under Section
18 5-520 of the Juvenile Court Act of 1987 alleging that the
19 minor is a delinquent minor for the commission of an
20 offense that if committed by an adult would be a felony;

21 (p) An adult who had been adjudicated a delinquent
22 minor under the Juvenile Court Act of 1987 for the
23 commission of an offense that if committed by an adult
24 would be a felony;

25 (q) A person who is not a resident of the State of
26 Illinois, except as provided in subsection (a-10) of

1 Section 4;

2 (r) A person who has been adjudicated as a person with
3 a mental disability;

4 (s) A person who has been found to have a
5 developmental disability;

6 (t) A person involuntarily admitted into a mental
7 health facility; or

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

1 apply to a person whose firearm possession rights have
2 been restored through administrative or judicial action
3 under Section 10 or 11 of this Act.

4 Upon revocation of a person's Firearm Owner's
5 Identification Card, the Illinois State Police shall provide
6 notice to the person and the person shall comply with Section
7 9.5 of this Act.

8 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;
9 102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.
10 5-27-22.)

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

13 (430 ILCS 67/40)

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

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

1 firearm presently believed by the petitioner to be possessed
2 or controlled by the respondent. The firearms restraining
3 order may be renewed for an additional period of up to one year
4 in accordance with Section 45 of this Act.

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

21 (c) Every person who files a petition for a plenary
22 ~~6-month~~ firearms restraining order, knowing the information
23 provided to the court at any hearing or in the affidavit or
24 verified pleading to be false, is guilty of perjury under
25 Section 32-2 of the Criminal Code of 2012.

26 (d) Upon receipt of a petition for a plenary ~~6-month~~

1 firearms restraining order, the court shall order a hearing
2 within 30 days.

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

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

10 (2) The history of use, attempted use, or threatened
11 use of physical force by the respondent against another
12 person.

13 (3) Any prior arrest of the respondent for a felony
14 offense.

15 (4) Evidence of the abuse of controlled substances or
16 alcohol by the respondent.

17 (5) A recent threat of violence or act of violence by
18 the respondent directed toward himself, herself, or
19 another.

20 (6) A violation of an emergency order of protection
21 issued under Section 217 of the Illinois Domestic Violence
22 Act of 1986 or Section 112A-17 of the Code of Criminal
23 Procedure of 1963 or of an order of protection issued
24 under Section 214 of the Illinois Domestic Violence Act of
25 1986 or Section 112A-14 of the Code of Criminal Procedure
26 of 1963.

1 (7) A pattern of violent acts or violent threats,
2 including, but not limited to, threats of violence or acts
3 of violence by the respondent directed toward himself,
4 herself, or another.

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

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

18 (g-5) If the court issues a plenary ~~6-month~~ firearms
19 restraining order, it shall, upon a finding of probable cause
20 that the respondent possesses firearms, ammunition, and
21 firearm parts that could be assembled to make an operable
22 firearm, issue a search warrant directing a law enforcement
23 agency to seize the respondent's firearms, ammunition, and
24 firearm parts that could be assembled to make an operable
25 firearm. The court may, as part of that warrant, direct the law
26 enforcement agency to search the respondent's residence and

1 other places where the court finds there is probable cause to
2 believe he or she is likely to possess the firearms,
3 ammunition, and firearm parts that could be assembled to make
4 an operable firearm. A return of the search warrant shall be
5 filed by the law enforcement agency within 4 days thereafter,
6 setting forth the time, date, and location that the search
7 warrant was executed and what items, if any, were seized.

8 (h) A plenary ~~6-month~~ firearms restraining order shall
9 require:

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

16 (2) the respondent to comply with Section 9.5 of the
17 Firearm Owners Identification Card Act and subsection (g)
18 of Section 70 of the Firearm Concealed Carry Act.

19 (i) Except as otherwise provided in subsection (i-5) of
20 this Section, upon expiration of the period of safekeeping, if
21 the firearms, ammunition, and firearm parts that could be
22 assembled to make an operable firearm or Firearm Owner's
23 Identification Card cannot be returned to the respondent
24 because the respondent cannot be located, fails to respond to
25 requests to retrieve the firearms, ammunition, and firearm
26 parts that could be assembled to make an operable firearm, or

1 is not lawfully eligible to possess a firearm, ammunition, and
2 firearm parts that could be assembled to make an operable
3 firearm, upon petition from the local law enforcement agency,
4 the court may order the local law enforcement agency to
5 destroy the firearms, ammunition, and firearm parts that could
6 be assembled to make an operable firearm, use the firearms,
7 ammunition, and firearm parts that could be assembled to make
8 an operable firearm for training purposes, or use the
9 firearms, ammunition, and firearm parts that could be
10 assembled to make an operable firearm for any other
11 application as deemed appropriate by the local law enforcement
12 agency.

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

1 or she shall not transfer the firearm, ammunition, and firearm
2 parts that could be assembled to make an operable firearm to
3 the respondent or to anyone residing in the same residence as
4 the respondent.

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

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

26 (2) the firearm, ammunition, and firearm parts that

1 could be assembled to make an operable firearm are not
2 otherwise unlawfully possessed by the owner.

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

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

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

25 (Source: P.A. 101-81, eff. 7-12-19; 102-237, eff. 1-1-22;
26 102-345, eff. 6-1-22; 102-538, eff. 8-20-21; 102-813, eff.

1 5-13-22.)

2 (430 ILCS 67/45)

3 Sec. 45. Termination and renewal.

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

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

15 (2) If the court finds after the hearing that the
16 respondent has met his or her burden, the court shall
17 terminate the order.

18 (b) A petitioner may request a renewal of a firearms
19 restraining order at any time within the 3 months before the
20 expiration of a firearms restraining order.

21 (1) A court shall, after notice and a hearing, renew a
22 firearms restraining order issued under this part if the
23 petitioner proves, by clear and convincing evidence, that
24 the respondent continues to pose a danger of causing
25 personal injury to himself, herself, or another in the

1 near future by having in his or her custody or control,
2 purchasing, possessing, or receiving a firearm,
3 ammunition, and firearm parts that could be assembled to
4 make an operable firearm.

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

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

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

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

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

2 (a) All sheriffs shall furnish to the Illinois State
3 Police, daily, in the form and detail the Illinois State
4 Police Department requires, copies of any recorded firearms
5 restraining orders issued by the court, and any foreign orders
6 of protection filed by the clerk of the court, and transmitted
7 to the sheriff by the clerk of the court under Section 50. Each
8 firearms restraining order shall be entered in the Law
9 Enforcement Agencies Data System (LEADS) on the same day it is
10 issued by the court. If an emergency firearms restraining
11 order was issued in accordance with Section 35 of this Act, the
12 order shall be entered in the Law Enforcement Agencies Data
13 System (LEADS) as soon as possible after receipt from the
14 clerk.

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

22 (c) The data, records, and transmittals required under
23 this Section shall pertain to any valid emergency or plenary
24 ~~6-month~~ firearms restraining order, whether issued in a civil
25 or criminal proceeding or authorized under the laws of another
26 state, tribe, or United States territory.

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

2 Section 25. The Criminal Code of 2012 is amended by
3 changing Section 24-1 and by adding Sections 24-1.9 and
4 24-1.10 as follows:

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

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

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

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

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

24 (2.5) Carries or possesses with intent to use the same

1 unlawfully against another, any firearm in a church,
2 synagogue, mosque, or other building, structure, or place
3 used for religious worship; or

4 (3) Carries on or about his person or in any vehicle, a
5 tear gas gun projector or bomb or any object containing
6 noxious liquid gas or substance, other than an object
7 containing a non-lethal noxious liquid gas or substance
8 designed solely for personal defense carried by a person
9 18 years of age or older; or

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

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

20 (ii) are not immediately accessible; or

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

25 (iv) are carried or possessed in accordance with
26 the Firearm Concealed Carry Act by a person who has

1 been issued a currently valid license under the
2 Firearm Concealed Carry Act; or

3 (5) Sets a spring gun; or

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

7 (7) Sells, manufactures, purchases, possesses or
8 carries:

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

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

1 26 inches; or

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

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

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

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

24 (10) Carries or possesses on or about his or her
25 person, upon any public street, alley, or other public
26 lands within the corporate limits of a city, village, or

1 incorporated town, except when an invitee thereon or
2 therein, for the purpose of the display of such weapon or
3 the lawful commerce in weapons, or except when on his land
4 or in his or her own abode, legal dwelling, or fixed place
5 of business, or on the land or in the legal dwelling of
6 another person as an invitee with that person's
7 permission, any pistol, revolver, stun gun, or taser or
8 other firearm, except that this subsection (a) (10) does
9 not apply to or affect transportation of weapons that meet
10 one of the following conditions:

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

12 (ii) are not immediately accessible; or

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

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

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

1 to render him incapable of normal functioning or (ii) any
2 device which is powered by electrical charging units, such
3 as batteries, and which, upon contact with a human or
4 clothing worn by a human, can send out current capable of
5 disrupting the person's nervous system in such a manner as
6 to render him incapable of normal functioning; or

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

19 (12) (Blank); or

20 (13) Carries or possesses on or about his or her
21 person while in a building occupied by a unit of
22 government, a billy club, other weapon of like character,
23 or other instrument of like character intended for use as
24 a weapon. For the purposes of this Section, "billy club"
25 means a short stick or club commonly carried by police
26 officers which is either telescopic or constructed of a

1 solid piece of wood or other man-made material; or

2 (14) Manufactures, possesses, sells, or offers to
3 sell, purchase, manufacture, import, transfer, or use any
4 device, part, kit, tool, accessory, or combination of
5 parts that is designed to and functions to increase the
6 rate of fire of a semiautomatic firearm above the standard
7 rate of fire for semiautomatic firearms that is not
8 equipped with that device, part, or combination of parts;
9 or

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

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

15 (b) Sentence. A person convicted of a violation of
16 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),
17 subsection 24-1(a)(11), ~~or~~ subsection 24-1(a)(13), or
18 24-1(a)(15) commits a Class A misdemeanor. A person convicted
19 of a violation of subsection 24-1(a)(8) or 24-1(a)(9) commits
20 a Class 4 felony; a person convicted of a violation of
21 subsection 24-1(a)(6), ~~or~~ 24-1(a)(7)(ii), 24-1(a)(7)(iii), or
22 24-1(a)(16) ~~or (iii)~~ commits a Class 3 felony. A person
23 convicted of a violation of subsection 24-1(a)(7)(i) commits a
24 Class 2 felony and shall be sentenced to a term of imprisonment
25 of not less than 3 years and not more than 7 years, unless the
26 weapon is possessed in the passenger compartment of a motor

1 vehicle as defined in Section 1-146 of the Illinois Vehicle
2 Code, or on the person, while the weapon is loaded, in which
3 case it shall be a Class X felony. A person convicted of a
4 second or subsequent violation of subsection 24-1(a)(4),
5 24-1(a)(8), 24-1(a)(9), ~~or~~ 24-1(a)(10), or 24-1(a)(15)
6 commits a Class 3 felony. A person convicted of a violation of
7 subsection 24-1(a)(2.5) or 24-1(a)(14) commits a Class 2
8 felony. The possession of each weapon or device in violation
9 of this Section constitutes a single and separate violation.

10 (c) Violations in specific places.

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

1 agency, or on any public way within 1,000 feet of the real
2 property comprising any school, public park, courthouse,
3 public transportation facility, or residential property
4 owned, operated, or managed by a public housing agency or
5 leased by a public housing agency as part of a scattered
6 site or mixed-income development commits a Class 2 felony
7 and shall be sentenced to a term of imprisonment of not
8 less than 3 years and not more than 7 years.

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

1 park, courthouse, public transportation facility, or
2 residential property owned, operated, or managed by a
3 public housing agency or leased by a public housing agency
4 as part of a scattered site or mixed-income development
5 commits a Class 3 felony.

6 (2) A person who violates subsection 24-1(a)(1),
7 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the
8 time of day or the time of year, in residential property
9 owned, operated or managed by a public housing agency or
10 leased by a public housing agency as part of a scattered
11 site or mixed-income development, in a public park, in a
12 courthouse, on the real property comprising any school,
13 regardless of the time of day or the time of year, on
14 residential property owned, operated or managed by a
15 public housing agency or leased by a public housing agency
16 as part of a scattered site or mixed-income development,
17 on the real property comprising any public park, on the
18 real property comprising any courthouse, in any conveyance
19 owned, leased or contracted by a school to transport
20 students to or from school or a school related activity,
21 in any conveyance owned, leased, or contracted by a public
22 transportation agency, or on any public way within 1,000
23 feet of the real property comprising any school, public
24 park, courthouse, public transportation facility, or
25 residential property owned, operated, or managed by a
26 public housing agency or leased by a public housing agency

1 as part of a scattered site or mixed-income development
2 commits a Class 4 felony. "Courthouse" means any building
3 that is used by the Circuit, Appellate, or Supreme Court
4 of this State for the conduct of official business.

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

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

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

25 (d) The presence in an automobile other than a public
26 omnibus of any weapon, instrument or substance referred to in

1 subsection (a)(7) is prima facie evidence that it is in the
2 possession of, and is being carried by, all persons occupying
3 such automobile at the time such weapon, instrument or
4 substance is found, except under the following circumstances:

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

11 (e) Exemptions.

12 (1) Crossbows, Common or Compound bows and Underwater
13 Spearguns are exempted from the definition of ballistic
14 knife as defined in paragraph (1) of subsection (a) of
15 this Section.

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

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

2 (720 ILCS 5/24-1.9 new)

3 Sec. 24-1.9. Manufacture, possession, delivery, sale, and
4 purchase of assault weapons, .50 caliber rifles, and .50
5 caliber cartridges.

6 (a) Definitions. In this Section:

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

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

13 (i) a pistol grip or thumbhole stock;

14 (ii) any feature capable of functioning as a
15 protruding grip that can be held by the non-trigger
16 hand;

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

22 (iv) a flash suppressor;

23 (v) a grenade launcher;

24 (vi) a shroud attached to the barrel or that
25 partially or completely encircles the barrel, allowing

1 the bearer to hold the firearm with the non-trigger
2 hand without being burned, but excluding a slide that
3 encloses the barrel.

4 (B) A semiautomatic rifle that has a fixed magazine
5 with the capacity to accept more than 10 rounds, except
6 for an attached tubular device designed to accept, and
7 capable of operating only with, .22 caliber rimfire
8 ammunition.

9 (C) A semiautomatic pistol that has the capacity to
10 accept a detachable magazine or that may be readily
11 modified to accept a detachable magazine, if the firearm
12 has one or more of the following:

13 (i) a threaded barrel;

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

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

22 (iv) a flash suppressor;

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

25 (vi) a buffer tube, arm brace, or other part that
26 protrudes horizontally behind the pistol grip and is

1 designed or redesigned to allow or facilitate a
2 firearm to be fired from the shoulder.

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

5 (E) Any shotgun with a revolving cylinder.

6 (F) A semiautomatic shotgun that has one or more of
7 the following:

8 (i) a pistol grip or thumbhole stock;

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

12 (iii) a folding or thumbhole stock;

13 (iv) a grenade launcher;

14 (v) a fixed magazine with the capacity of more
15 than 5 rounds; or

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

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

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

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

26 (J) All of the following rifles, copies, duplicates,

1 variants, or altered facsimiles with the capability of any
2 such weapon:

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

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

7 (II) IZHMAASH Saiga AK.

8 (III) MAADI AK47 and ARM.

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

10 (V) Poly Technologies AK47 and AKS.

11 (VI) SKS with a detachable magazine.

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

13 (I) AR-10.

14 (II) AR-15.

15 (III) Alexander Arms Overmatch Plus 16.

16 (IV) Armalite M15 22LR Carbine.

17 (V) Armalite M15-T.

18 (VI) Barrett REC7.

19 (VII) Beretta AR-70.

20 (VIII) Black Rain Ordnance Recon Scout.

21 (IX) Bushmaster ACR.

22 (X) Bushmaster Carbon 15.

23 (XI) Bushmaster MOE series.

24 (XII) Bushmaster XM15.

25 (XIII) Chiappa Firearms MFour rifles.

26 (XIV) Colt Match Target rifles.

- 1 (XV) CORE Rifle Systems CORE15 rifles.
- 2 (XVI) Daniel Defense M4A1 rifles.
- 3 (XVII) Devil Dog Arms 15 Series rifles.
- 4 (XVIII) Diamondback DB15 rifles.
- 5 (XIX) DoubleStar AR rifles.
- 6 (XX) DPMS Tactical rifles.
- 7 (XXI) DSA Inc. ZM-4 Carbine.
- 8 (XXII) Heckler & Koch MR556.
- 9 (XXIII) High Standard HSA-15 rifles.
- 10 (XXIV) Jesse James Nomad AR-15 rifle.
- 11 (XXV) Knight's Armament SR-15.
- 12 (XXVI) Lancer L15 rifles.
- 13 (XXVII) MGI Hydra Series rifles.
- 14 (XXVIII) Mossberg MMR Tactical rifles.
- 15 (XXIX) Noreen Firearms BN 36 rifle.
- 16 (XXX) Olympic Arms.
- 17 (XXXI) POF USA P415.
- 18 (XXXII) Precision Firearms AR rifles.
- 19 (XXXIII) Remington R-15 rifles.
- 20 (XXXIV) Rhino Arms AR rifles.
- 21 (XXXV) Rock River Arms LAR-15 or Rock River
- 22 Arms LAR-47.
- 23 (XXXVI) Sig Sauer SIG516 rifles and MCX
- 24 rifles.
- 25 (XXXVII) Smith & Wesson M&P15 rifles.
- 26 (XXXVIII) Stag Arms AR rifles.

1 (XXXIX) Sturm, Ruger & Co. SR556 and AR-556
2 rifles.

3 (XL) Uselton Arms Air-Lite M-4 rifles.

4 (XLI) Windham Weaponry AR rifles.

5 (XLII) WMD Guns Big Beast.

6 (XLIII) Yankee Hill Machine Company, Inc.
7 YHM-15 rifles.

8 (iii) Barrett M107A1.

9 (iv) Barrett M82A1.

10 (v) Beretta CX4 Storm.

11 (vi) Calico Liberty Series.

12 (vii) CETME Sporter.

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

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

17 (x) Feather Industries AT-9.

18 (xi) Galil Model AR and Model ARM.

19 (xii) Hi-Point Carbine.

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

21 (xiv) IWI TAVOR, Galil ACE rifle.

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

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

25 (xvii) Springfield Armory SAR-48.

26 (xviii) Steyr AUG.

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

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

4 (I) Thompson M1SB.

5 (II) Thompson T1100D.

6 (III) Thompson T150D.

7 (IV) Thompson T1B.

8 (V) Thompson T1B100D.

9 (VI) Thompson T1B50D.

10 (VII) Thompson T1BSB.

11 (VIII) Thompson T1-C.

12 (IX) Thompson T1D.

13 (X) Thompson T1SB.

14 (XI) Thompson T5.

15 (XII) Thompson T5100D.

16 (XIII) Thompson TM1.

17 (XIV) Thompson TM1C.

18 (xxi) UMAREX UZI rifle.

19 (xxii) UZI Mini Carbine, UZI Model A Carbine, and
20 UZI Model B Carbine.

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

22 (xxiv) Vector Arms UZI Type.

23 (xxv) Weaver Arms Nighthawk.

24 (xxvi) Wilkinson Arms Linda Carbine.

25 (K) All of the following pistols, copies, duplicates,
26 variants, or altered facsimiles with the capability of any

1 such weapon thereof:

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

3 (I) Centurion 39 AK pistol.

4 (II) CZ Scorpion pistol.

5 (III) Draco AK-47 pistol.

6 (IV) HCR AK-47 pistol.

7 (V) IO Inc. Hellpup AK-47 pistol.

8 (VI) Krinkov pistol.

9 (VII) Mini Draco AK-47 pistol.

10 (VIII) PAP M92 pistol.

11 (IX) Yugo Krebs Krink pistol.

12 (ii) All AR types, including the following:

13 (I) American Spirit AR-15 pistol.

14 (II) Bushmaster Carbon 15 pistol.

15 (III) Chiappa Firearms M4 Pistol GEN II.

16 (IV) CORE Rifle Systems CORE15 Roscoe pistol.

17 (V) Daniel Defense MK18 pistol.

18 (VI) DoubleStar Corporation AR pistol.

19 (VII) DPMS AR-15 pistol.

20 (VIII) Jesse James Nomad AR-15 pistol.

21 (IX) Olympic Arms AR-15 pistol.

22 (X) Osprey Armament MK-18 pistol.

23 (XI) POF USA AR pistols.

24 (XII) Rock River Arms LAR 15 pistol.

25 (XIII) Uselton Arms Air-Lite M-4 pistol.

26 (iii) Calico pistols.

- 1 (iv) DSA SA58 PKP FAL pistol.
- 2 (v) Encom MP-9 and MP-45.
- 3 (vi) Heckler & Koch model SP-89 pistol.
- 4 (vii) Intratec AB-10, TEC-22 Scorpion, TEC-9, and
5 TEC-DC9.
- 6 (viii) IWI Galil Ace pistol, UZI PRO pistol.
- 7 (ix) Kel-Tec PLR 16 pistol.
- 8 (x) All MAC types, including the following:
- 9 (I) MAC-10.
- 10 (II) MAC-11.
- 11 (III) Masterpiece Arms MPA A930 Mini Pistol,
12 MPA460 Pistol, MPA Tactical Pistol, and MPA Mini
13 Tactical Pistol.
- 14 (IV) Military Armament Corp. Ingram M-11.
- 15 (V) Velocity Arms VMAC.
- 16 (xi) Sig Sauer P556 pistol.
- 17 (xii) Sites Spectre.
- 18 (xiii) All Thompson types, including the
19 following:
- 20 (I) Thompson TA510D.
- 21 (II) Thompson TA5.
- 22 (xiv) All UZI types, including Micro-UZI.
- 23 (L) All of the following shotguns, copies, duplicates,
24 variants, or altered facsimiles with the capability of any
25 such weapon thereof:
- 26 (i) DERYA Anakon MC-1980, Anakon SD12.

1 (ii) Doruk Lethal shotguns.
2 (iii) Franchi LAW-12 and SPAS 12.
3 (iv) All IZHMASH Saiga 12 types, including the
4 following:

5 (I) IZHMASH Saiga 12.
6 (II) IZHMASH Saiga 12S.
7 (III) IZHMASH Saiga 12S EXP-01.
8 (IV) IZHMASH Saiga 12K.
9 (V) IZHMASH Saiga 12K-030.
10 (VI) IZHMASH Saiga 12K-040 Taktika.
11 (v) Streetsweeper.
12 (vi) Striker 12.

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

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

16 (B) An antique firearm or a replica of an antique
17 firearm.

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

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

23 (E) Any handgun, as defined under the Firearm
24 Concealed Carry Act, unless otherwise listed in this
25 Section.

26 (3) "Assault weapon attachment" means any device capable

1 of being attached to a firearm that is specifically designed
2 for making or converting a firearm into any of the firearms
3 listed in paragraph (1) of this subsection (a).

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

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

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

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

1 (8) "Fixed magazine" means an ammunition feeding device
2 that is permanently attached to a firearm, or contained in and
3 not removable from a firearm, or that is otherwise not a
4 detachable magazine, but does not include an attached tubular
5 device designed to accept, and capable of operating only with,
6 .22 caliber rimfire ammunition.

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

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

20 (d) This Section does not apply to a person's possession
21 of an assault weapon, assault weapon attachment, .50 caliber
22 rifle, or .50 caliber cartridge device if the person lawfully
23 possessed that assault weapon, assault weapon attachment, .50
24 caliber rifle, or .50 caliber cartridge prohibited by
25 subsection (c) of this Section, if the person has provided in
26 an endorsement affidavit, prior to January 1, 2024, under oath

1 or affirmation and in the form and manner prescribed by the
2 Illinois State Police, no later than October 1, 2023:

3 (1) the affiant's Firearm Owner's Identification Card
4 number;

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

16 (3) the make, model, caliber, and serial number of the
17 .50 caliber rifle or assault weapon or assault weapons
18 listed in paragraphs (J), (K), and (L) of subdivision (1)
19 of subsection (a) of this Section possessed by the affiant
20 prior to the effective date of this amendatory Act of the
21 102nd General Assembly and any assault weapons identified
22 and published by the Illinois State Police pursuant to
23 this subdivision (3). No later than October 1, 2023, and
24 every October 1 thereafter, the Illinois State Police
25 shall, via rulemaking, identify, publish, and make
26 available on its website, the list of assault weapons

1 subject to an endorsement affidavit under this subsection
2 (d). The list shall identify, but is not limited to, the
3 copies, duplicates, variants, and altered facsimiles of
4 the assault weapons identified in paragraphs (J), (K), and
5 (L) of subdivision (1) of subsection (a) of this Section
6 and shall be consistent with the definition of "assault
7 weapon" identified in this Section. The Illinois State
8 Police may adopt emergency rulemaking in accordance with
9 Section 5-45 of the Illinois Administrative Procedure Act.
10 The adoption of emergency rules authorized by Section 5-45
11 of the Illinois Administrative Procedure Act and this
12 paragraph is deemed to be necessary for the public
13 interest, safety, and welfare.

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

19 In any administrative, civil, or criminal proceeding in
20 this State, a completed endorsement affidavit submitted to the
21 Illinois State Police by a person under this Section creates a
22 rebuttable presumption that the person is entitled to possess
23 and transport the assault weapon, assault weapon attachment,
24 .50 caliber rifle, or .50 caliber cartridge.

25 Beginning 90 days after the effective date of this
26 amendatory Act of the 102nd General Assembly, a person

1 authorized under this Section to possess an assault weapon,
2 assault weapon attachment, .50 caliber rifle, or .50 caliber
3 cartridge shall possess such items only:

4 (1) on private property owned or immediately
5 controlled by the person;

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

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

11 (4) while engaged in the legal use of the assault
12 weapon, assault weapon attachment, .50 caliber rifle, or
13 .50 caliber cartridge at a properly licensed firing range
14 or sport shooting competition venue; or

15 (5) while traveling to or from these locations,
16 provided that the assault weapon, assault weapon
17 attachment, or .50 caliber rifle is unloaded and the
18 assault weapon, assault weapon attachment, .50 caliber
19 rifle, or .50 caliber cartridge is enclosed in a case,
20 firearm carrying box, shipping box, or other container.

21 Beginning on January 1, 2024, the person with the
22 endorsement for an assault weapon, assault weapon attachment,
23 .50 caliber rifle, or .50 caliber cartridge or a person
24 authorized under subdivisions (1) through (5) of subsection
25 (e) to possess an assault weapon, assault weapon attachment,
26 .50 caliber rifle, or .50 caliber cartridge may transfer the

1 assault weapon, assault weapon attachment, .50 caliber rifle,
2 or .50 caliber cartridge only to an heir, an individual
3 residing in another state maintaining it in another state, or
4 a dealer licensed as a federal firearms dealer under Section
5 923 of the federal Gun Control Act of 1968. Within 10 days
6 after transfer of the weapon except to an heir, the person
7 shall notify the Illinois State Police of the name and address
8 of the transferee and comply with the requirements of
9 subsection (b) of Section 3 of the Firearm Owners
10 Identification Card Act. The person to whom the weapon or
11 ammunition is transferred shall, within 60 days of the
12 transfer, complete an affidavit required under this Section. A
13 person to whom the weapon is transferred may transfer it only
14 as provided in this subsection.

15 Except as provided in subsection (e) and beginning on
16 January 1, 2024, any person who moves into this State in
17 possession of an assault weapon, assault weapon attachment,
18 .50 caliber rifle, or .50 caliber cartridge shall, within 60
19 days, apply for a Firearm Owners Identification Card and
20 complete an endorsement application as outlined in subsection
21 (d).

22 Notwithstanding any other law, information contained in
23 the endorsement affidavit shall be confidential, is exempt
24 from disclosure under the Freedom of Information Act, and
25 shall not be disclosed, except to law enforcement agencies
26 acting in the performance of their duties.

1 (e) The provisions of this Section regarding the purchase
2 or possession of assault weapons, assault weapon attachments,
3 .50 caliber rifles, and .50 cartridges, as well as the
4 provisions of this Section that prohibit causing those items
5 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 U.S.C. 926B
11 and 926C) and as recognized under Illinois law.

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

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

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

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

1 an armed security force member at a nuclear energy,
2 storage, weapons, or development site or facility
3 regulated by the federal Nuclear Regulatory Commission who
4 has completed the background screening and training
5 mandated by the rules and regulations of the federal
6 Nuclear Regulatory Commission and while performing
7 official duties.

8 (7) Any private security contractor agency licensed
9 under the Private Detective, Private Alarm, Private
10 Security, Fingerprint Vendor, and Locksmith Act of 2004
11 that employs private security contractors and any private
12 security contractor who is licensed and has been issued a
13 firearm control card under the Private Detective, Private
14 Alarm, Private Security, Fingerprint Vendor, and Locksmith
15 Act of 2004 while performing official duties.

16 The provisions of this Section do not apply to the
17 manufacture, delivery, sale, import, purchase, or possession
18 of an assault weapon, assault weapon attachment, .50 caliber
19 rifle, or .50 caliber cartridge or causing the manufacture,
20 delivery, sale, importation, purchase, or possession of those
21 items:

22 (A) for sale or transfer to persons authorized under
23 subdivisions (1) through (6) of this subsection (e) to
24 possess those items;

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

1 (C) for sale or transfer in another state or for
2 export.

3 This Section does not apply to or affect any of the
4 following:

5 (i) Possession of any firearm if that firearm is
6 sanctioned by the International Olympic Committee and by
7 USA Shooting, the national governing body for
8 international shooting competition in the United States,
9 but only when the firearm is in the actual possession of an
10 Olympic target shooting competitor or target shooting
11 coach for the purpose of storage, transporting to and from
12 Olympic target shooting practice or events if the firearm
13 is broken down in a nonfunctioning state, is not
14 immediately accessible, or is unloaded and enclosed in a
15 firearm case, carrying box, shipping box, or other similar
16 portable container designed for the safe transportation of
17 firearms, and when the Olympic target shooting competitor
18 or target shooting coach is engaging in those practices or
19 events. For the purposes of this paragraph (8), "firearm"
20 has the meaning provided in Section 1.1 of the Firearm
21 Owners Identification Card Act.

22 (ii) Any nonresident who transports, within 24 hours,
23 a weapon for any lawful purpose from any place where the
24 nonresident may lawfully possess and carry that weapon to
25 any other place where the nonresident may lawfully possess
26 and carry that weapon if, during the transportation, the

1 weapon is unloaded, and neither the weapon nor any
2 ammunition being transported is readily accessible or is
3 directly accessible from the passenger compartment of the
4 transporting vehicle. In the case of a vehicle without a
5 compartment separate from the driver's compartment, the
6 weapon or ammunition shall be contained in a locked
7 container other than the glove compartment or console.

8 (iii) Possession of a weapon at an event taking place
9 at the World Shooting and Recreational Complex at Sparta,
10 only while engaged in the legal use of the weapon, or while
11 traveling to or from that location if the weapon is broken
12 down in a nonfunctioning state, is not immediately
13 accessible, or is unloaded and enclosed in a firearm case,
14 carrying box, shipping box, or other similar portable
15 container designed for the safe transportation of
16 firearms.

17 (iv) Possession of a weapon only for hunting use
18 expressly permitted under the Wildlife Code, or while
19 traveling to or from a location authorized for this
20 hunting use under the Wildlife Code if the weapon is
21 broken down in a nonfunctioning state, is not immediately
22 accessible, or is unloaded and enclosed in a firearm case,
23 carrying box, shipping box, or other similar portable
24 container designed for the safe transportation of
25 firearms. By October 1, 2023, the Illinois State Police,
26 in consultation with the Department of Natural Resources,

1 shall adopt rules concerning the list of applicable
2 weapons approved under this subparagraph (iv). The
3 Illinois State Police may adopt emergency rules in
4 accordance with Section 5-45 of the Illinois
5 Administrative Procedure Act. The adoption of emergency
6 rules authorized by Section 5-45 of the Illinois
7 Administrative Procedure Act and this paragraph is deemed
8 to be necessary for the public interest, safety, and
9 welfare.

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

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

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

26 (g) The Illinois State Police shall take all steps

1 necessary to carry out the requirements of this Section within
2 by October 1, 2023.

3 (h) The Department of the State Police shall also develop
4 and implement a public notice and public outreach campaign to
5 promote awareness about the provisions of this amendatory Act
6 of the 102nd General Assembly and to increase compliance with
7 this Section.

8 (720 ILCS 5/24-1.10 new)

9 Sec. 24-1.10. Manufacture, delivery, sale, and possession
10 of large capacity ammunition feeding devices.

11 (a) In this Section:

12 "Handgun" has the meaning ascribed to it in the Firearm
13 Concealed Carry Act.

14 "Long gun" means a rifle or shotgun.

15 "Large capacity ammunition feeding device" means:

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

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

23 "Large capacity ammunition feeding device" does not
24 include an attached tubular device designed to accept, and
25 capable of operating only with, .22 caliber rimfire

1 ammunition. "Large capacity ammunition feeding device" does
2 not include a tubular magazine that is contained in a
3 lever-action firearm or any device that has been made
4 permanently inoperable.

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

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

15 (d) Subsection (b) does not apply to a person's possession
16 of a large capacity ammunition feeding device if the person
17 lawfully possessed that large capacity ammunition feeding
18 device before the effective date of this amendatory Act of the
19 102nd General Assembly, provided that the person shall possess
20 such device only:

21 (1) on private property owned or immediately
22 controlled by the person;

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

26 (3) while on the premises of a licensed firearms

1 dealer or gunsmith for the purpose of lawful repair;

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

5 (5) while traveling to or from these locations,
6 provided that the large capacity ammunition feeding device
7 is stored unloaded and enclosed in a case, firearm
8 carrying box, shipping box, or other container.

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

1 Except as provided in subsections (e) and (f) and
2 beginning 90 days after the effective date of this amendatory
3 Act of the 102nd General Assembly, any person who moves into
4 this State in possession of a large capacity ammunition
5 feeding device shall, within 60 days, apply for a Firearm
6 Owners Identification Card.

7 (e) The provisions of this Section regarding the purchase
8 or possession of large capacity ammunition feeding devices, as
9 well as the provisions of this Section that prohibit causing
10 those items to be purchased or possessed, do not apply to:

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

13 (2) Qualified law enforcement officers and qualified
14 retired law enforcement officers as defined in the Law
15 Enforcement Officers Safety Act of 2004 (18 U.S.C. 926B
16 and 926C) and as recognized under Illinois law.

17 (3) A federal, State, or local law enforcement agency
18 for the purpose of equipping the agency's peace officers
19 as defined in paragraph (1) or (2) of this subsection (e).

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

23 (5) Members of the Armed Services or Reserve Forces of
24 the United States or the Illinois National Guard, while
25 their official duties or while traveling to or from their
26 places of duty.

1 (6) Any company that employs armed security officers
2 in this State at a nuclear energy, storage, weapons, or
3 development site or facility regulated by the federal
4 Nuclear Regulatory Commission and any person employed as
5 an armed security force member at a nuclear energy,
6 storage, weapons, or development site or facility
7 regulated by the federal Nuclear Regulatory Commission who
8 has completed the background screening and training
9 mandated by the rules and regulations of the federal
10 Nuclear Regulatory Commission and while performing
11 official duties.

12 (7) Any private security contractor agency licensed
13 under the Private Detective, Private Alarm, Private
14 Security, Fingerprint Vendor, and Locksmith Act of 2004
15 that employs private security contractors and any private
16 security contractor who is licensed and has been issued a
17 firearm control card under the Private Detective, Private
18 Alarm, Private Security, Fingerprint Vendor, and Locksmith
19 Act of 2004 while performing official duties.

20 (f) This Section does not apply to or affect any of the
21 following:

22 (1) Manufacture, delivery, sale, importation,
23 purchase, or possession or causing to be manufactured,
24 delivered, sold, imported, purchased, or possessed a large
25 capacity ammunition feeding device:

26 (A) for sale or transfer to persons authorized

1 under subdivisions (1) through (7) of subsection (e)
2 to possess those items;

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

5 (C) for sale or transfer in another state or for
6 export.

7 (2) Sale or rental of large capacity ammunition
8 feeding devices for blank-firing assault weapons and .50
9 caliber rifles, to persons authorized or permitted, or
10 both authorized and permitted, to acquire these devices
11 for the purpose of rental for use solely as props for a
12 motion picture, television, or video production or
13 entertainment event.

14 (g) Sentence. A person who knowingly manufactures,
15 delivers, sells, purchases, possesses, or causes to be
16 manufactured, delivered, sold, possessed, or purchased in
17 violation of this Section a large capacity ammunition feeding
18 device capable of holding more than 10 rounds of ammunition
19 for long guns or more than 15 rounds of ammunition for handguns
20 commits a petty offense with a fine of \$1,000 for each
21 violation.

22 (h) The Department of the State Police shall also develop
23 and implement a public notice and public outreach campaign to
24 promote awareness about the provisions of this amendatory Act
25 of the 102nd General Assembly and to increase compliance with
26 this Section.

1 Section 95. No acceleration or delay. Where this Act makes
2 changes in a statute that is represented in this Act by text
3 that is not yet or no longer in effect (for example, a Section
4 represented by multiple versions), the use of that text does
5 not accelerate or delay the taking effect of (i) the changes
6 made by this Act or (ii) provisions derived from any other
7 Public Act.

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

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.".