



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1855

Introduced 2/26/2021, by Sen. Laura Ellman

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-9.1 new
720 ILCS 5/24-9 rep.

Amends the Criminal Code of 2012. Provides that it is unlawful for a person to store or keep any firearm on the premises of a residence under the control of the person if the person knows, or reasonably should know, that: (1) a minor is likely to gain access to the firearm without the permission of the parent or guardian of the minor; or (2) a resident of the residence is ineligible to possess a firearm under federal, State, or local law. Provides exemptions for safe storage of the firearm. Provides that a person who commits a violation is guilty of a petty offense and shall be fined \$500 per violation. Provides that if a person violates this provision and a minor or a resident who is ineligible to possess a firearm under federal, State, or local law obtains the firearm and causes injury or death to the minor, resident, or any other individual, the person is guilty of a Class 2 felony. Provides that any firearm stored in violation of this provision is subject to seizure and forfeiture. Repeals provisions relating to child protection.

LRB102 15889 KMF 21258 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. This Act may be referred to as Ethan's Law.

5 Section 5. The Criminal Code of 2012 is amended by adding
6 Section 24-9.1 as follows:

7 (720 ILCS 5/24-9.1 new)

8 Sec. 24-9.1. Secure firearm storage by owners.

9 (a) Except as provided in subsection (b), it is unlawful
10 for a person to store or keep any firearm on the premises of a
11 residence under the control of the person if the person knows,
12 or reasonably should know, that:

13 (1) a minor is likely to gain access to the firearm
14 without the permission of the parent or guardian of the
15 minor; or

16 (2) a resident of the residence is ineligible to
17 possess a firearm under federal, State, or local law.

18 (b) This Section does not apply to a person if the person:

19 (1) keeps the firearm:

20 (A) secure using a secure gun storage or safety
21 device; or

22 (B) in a location that a reasonable person would

1 believe to be secure; or
2 (2) carries the firearms on his or her person or
3 within such close proximity thereto that the person can
4 readily retrieve and use the firearm as if the person
5 carried the firearm on his or her person.

6 (c) Any person who violates subsection (a) is guilty of a
7 petty offense and shall be fined \$500 per violation. If a
8 person violates subsection (a) and a minor or a resident who is
9 ineligible to possess a firearm under federal, State, or local
10 law obtains the firearm and causes injury or death to the
11 minor, resident, or any other individual, the person is guilty
12 of a Class 2 felony.

13 (d) Any firearm stored in violation of subsection (a) is
14 subject to seizure and forfeiture.

15 (720 ILCS 5/24-9 rep.)

16 Section 10. The Criminal Code of 2012 is amended by
17 repealing Section 24-9.