



Rep. Emanuel Chris Welch

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1 AMENDMENT TO SENATE BILL 2226

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2226, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

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

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

10 (20 ILCS 2605/2605-35) (was 20 ILCS 2605/55a-3)

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

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

14 (1) Exercise the rights, powers, and duties vested by  
15 law in the Illinois State Police by the Illinois Horse

1 Racing Act of 1975, including those set forth in Section  
2 2605-215.

3 (2) Investigate the origins, activities, personnel,  
4 and incidents of crime and enforce the criminal laws of  
5 this State related thereto.

6 (3) Enforce all laws regulating the production, sale,  
7 prescribing, manufacturing, administering, transporting,  
8 having in possession, dispensing, delivering,  
9 distributing, or use of controlled substances and  
10 cannabis.

11 (4) Cooperate with the police of cities, villages, and  
12 incorporated towns and with the police officers of any  
13 county in enforcing the laws of the State and in making  
14 arrests and recovering property.

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

19 (6) Investigate recipients and providers under the  
20 Illinois Public Aid Code and any personnel involved in the  
21 administration of the Code who are suspected of any  
22 violation of the Code pertaining to fraud in the  
23 administration, receipt, or provision of assistance and  
24 pertaining to any violation of criminal law; and exercise  
25 the functions required under Section 2605-220 in the  
26 conduct of those investigations.

1           (7) Conduct other investigations as provided by law,  
2           including, but not limited to, investigations of human  
3           trafficking, illegal drug trafficking, and illegal  
4           firearms trafficking.

5           (8) Investigate public corruption.

6           (9) Exercise other duties that may be assigned by the  
7           Director in order to fulfill the responsibilities and  
8           achieve the purposes of the Illinois State Police, which  
9           may include the coordination of gang, terrorist, and  
10          organized crime prevention, control activities, and  
11          assisting local law enforcement in their crime control  
12          activities.

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

19          (b) (Blank).

20          (c) The Division of Criminal Investigation shall provide  
21          statewide coordination and strategy pertaining to  
22          firearm-related intelligence, firearms trafficking  
23          interdiction, and investigations reaching across all divisions  
24          of the Illinois State Police, including providing crime gun  
25          intelligence support for suspects and firearms involved in  
26          firearms trafficking or the commission of a crime involving

1 firearms that is investigated by the Illinois State Police and  
2 other federal, State, and local law enforcement agencies, with  
3 the objective of reducing and preventing illegal possession  
4 and use of firearms, firearms trafficking, firearm-related  
5 homicides, and other firearm-related violent crimes in  
6 Illinois.

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

9 (20 ILCS 2605/2605-51.1)

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

11 Sec. 2605-51.1. Commission on Implementing the Firearms  
12 Restraining Order Act.

13 (a) There is created the Commission on Implementing the  
14 Firearms Restraining Order Act composed of at least 12 members  
15 to advise on the strategies of education and implementation of  
16 the Firearms Restraining Order Act. The Commission shall be  
17 appointed by the Director of the Illinois State Police or his  
18 or her designee and shall include a liaison or representative  
19 nominated from the following:

20 (1) the Office of the Attorney General, appointed by  
21 the Attorney General;

22 (2) the Director of the Illinois State Police or his  
23 or her designee;

24 (3) at least 3 State's Attorneys, nominated by the  
25 Director of the Office of the State's Attorneys Appellate

1 Prosecutor;

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

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

7 (6) the Director of Public Health or his or her  
8 designee;

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

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

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

15 (10) a prosecutor with experience managing or  
16 directing a program in another state where the  
17 implementation of that state's extreme risk protection  
18 order law has achieved high rates of petition filings  
19 nominated by the National District Attorneys Association;  
20 ~~and~~

21 (11) an expert from law enforcement who has experience  
22 managing or directing a program in another state where the  
23 implementation of that state's extreme risk protection  
24 order law has achieved high rates of petition filings  
25 nominated by the Director of the Illinois State Police;  
26 and

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

3           (b) The Commission shall be chaired by the Director of the  
4 Illinois State Police or his or her designee. The Commission  
5 shall meet, either virtually or in person, to discuss the  
6 implementation of the Firearms Restraining Order Act as  
7 determined by the Commission while the strategies are being  
8 established.

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

11           (d) An annual report shall be submitted to the General  
12 Assembly by the Commission that may include summary  
13 information about firearms restraining order use by county,  
14 challenges to Firearms Restraining Order Act implementation,  
15 and recommendations for increasing and improving  
16 implementation.

17           (e) The Commission shall develop a model policy with an  
18 overall framework for the timely relinquishment of firearms  
19 whenever a firearms restraining order is issued. The model  
20 policy shall be finalized within the first 4 months of  
21 convening. In formulating the model policy, the Commission  
22 shall consult counties in Illinois and other states with  
23 extreme risk protection order laws which have achieved a high  
24 rate of petition filings. Once approved, the Illinois State  
25 Police shall work with their local law enforcement agencies  
26 within their county to design a comprehensive strategy for the

1 timely relinquishment of firearms, using the model policy as  
2 an overall framework. Each individual agency may make small  
3 modifications as needed to the model policy and must approve  
4 and adopt a policy that aligns with the model policy. The  
5 Illinois State Police shall convene local police chiefs and  
6 sheriffs within their county as needed to discuss the  
7 relinquishment of firearms.

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

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

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

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

15 (30 ILCS 500/1-10)

16 Sec. 1-10. Application.

17 (a) This Code applies only to procurements for which  
18 bidders, offerors, potential contractors, or contractors were  
19 first solicited on or after July 1, 1998. This Code shall not  
20 be construed to affect or impair any contract, or any  
21 provision of a contract, entered into based on a solicitation  
22 prior to the implementation date of this Code as described in  
23 Article 99, including, but not limited to, any covenant  
24 entered into with respect to any revenue bonds or similar

1 instruments. All procurements for which contracts are  
2 solicited between the effective date of Articles 50 and 99 and  
3 July 1, 1998 shall be substantially in accordance with this  
4 Code and its intent.

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

8 (1) Contracts between the State and its political  
9 subdivisions or other governments, or between State  
10 governmental bodies, except as specifically provided in  
11 this Code.

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

14 (3) Purchase of care, except as provided in Section  
15 5-30.6 of the Illinois Public Aid Code and this Section.

16 (4) Hiring of an individual as an employee and not as  
17 an independent contractor, whether pursuant to an  
18 employment code or policy or by contract directly with  
19 that individual.

20 (5) Collective bargaining contracts.

21 (6) Purchase of real estate, except that notice of  
22 this type of contract with a value of more than \$25,000  
23 must be published in the Procurement Bulletin within 10  
24 calendar days after the deed is recorded in the county of  
25 jurisdiction. The notice shall identify the real estate  
26 purchased, the names of all parties to the contract, the

1 value of the contract, and the effective date of the  
2 contract.

3 (7) Contracts necessary to prepare for anticipated  
4 litigation, enforcement actions, or investigations,  
5 provided that the chief legal counsel to the Governor  
6 shall give his or her prior approval when the procuring  
7 agency is one subject to the jurisdiction of the Governor,  
8 and provided that the chief legal counsel of any other  
9 procuring entity subject to this Code shall give his or  
10 her prior approval when the procuring entity is not one  
11 subject to the jurisdiction of the Governor.

12 (8) (Blank).

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

15 (10) (Blank).

16 (11) Public-private agreements entered into according  
17 to the procurement requirements of Section 20 of the  
18 Public-Private Partnerships for Transportation Act and  
19 design-build agreements entered into according to the  
20 procurement requirements of Section 25 of the  
21 Public-Private Partnerships for Transportation Act.

22 (12) (A) Contracts for legal, financial, and other  
23 professional and artistic services entered into by the  
24 Illinois Finance Authority in which the State of Illinois  
25 is not obligated. Such contracts shall be awarded through  
26 a competitive process authorized by the members of the

1 Illinois Finance Authority and are subject to Sections  
2 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,  
3 as well as the final approval by the members of the  
4 Illinois Finance Authority of the terms of the contract.

5 (B) Contracts for legal and financial services entered  
6 into by the Illinois Housing Development Authority in  
7 connection with the issuance of bonds in which the State  
8 of Illinois is not obligated. Such contracts shall be  
9 awarded through a competitive process authorized by the  
10 members of the Illinois Housing Development Authority and  
11 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,  
12 and 50-37 of this Code, as well as the final approval by  
13 the members of the Illinois Housing Development Authority  
14 of the terms of the contract.

15 (13) Contracts for services, commodities, and  
16 equipment to support the delivery of timely forensic  
17 science services in consultation with and subject to the  
18 approval of the Chief Procurement Officer as provided in  
19 subsection (d) of Section 5-4-3a of the Unified Code of  
20 Corrections, except for the requirements of Sections  
21 20-60, 20-65, 20-70, and 20-160 and Article 50 of this  
22 Code; however, the Chief Procurement Officer may, in  
23 writing with justification, waive any certification  
24 required under Article 50 of this Code. For any contracts  
25 for services which are currently provided by members of a  
26 collective bargaining agreement, the applicable terms of

1 the collective bargaining agreement concerning  
2 subcontracting shall be followed.

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

5 (14) Contracts for participation expenditures required  
6 by a domestic or international trade show or exhibition of  
7 an exhibitor, member, or sponsor.

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

1 operating utility systems consisting of public utilities  
2 as that term is defined in Section 11-117-2 of the  
3 Illinois Municipal Code.

4 (16) Procurement expenditures necessary for the  
5 Department of Public Health to provide the delivery of  
6 timely newborn screening services in accordance with the  
7 Newborn Metabolic Screening Act.

8 (17) Procurement expenditures necessary for the  
9 Department of Agriculture, the Department of Financial and  
10 Professional Regulation, the Department of Human Services,  
11 and the Department of Public Health to implement the  
12 Compassionate Use of Medical Cannabis Program and Opioid  
13 Alternative Pilot Program requirements and ensure access  
14 to medical cannabis for patients with debilitating medical  
15 conditions in accordance with the Compassionate Use of  
16 Medical Cannabis Program Act.

17 (18) This Code does not apply to any procurements  
18 necessary for the Department of Agriculture, the  
19 Department of Financial and Professional Regulation, the  
20 Department of Human Services, the Department of Commerce  
21 and Economic Opportunity, and the Department of Public  
22 Health to implement the Cannabis Regulation and Tax Act if  
23 the applicable agency has made a good faith determination  
24 that it is necessary and appropriate for the expenditure  
25 to fall within this exemption and if the process is  
26 conducted in a manner substantially in accordance with the

1 requirements of Sections 20-160, 25-60, 30-22, 50-5,  
2 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,  
3 50-36, 50-37, 50-38, and 50-50 of this Code; however, for  
4 Section 50-35, compliance applies only to contracts or  
5 subcontracts over \$100,000. Notice of each contract  
6 entered into under this paragraph (18) that is related to  
7 the procurement of goods and services identified in  
8 paragraph (1) through (9) of this subsection shall be  
9 published in the Procurement Bulletin within 14 calendar  
10 days after contract execution. The Chief Procurement  
11 Officer shall prescribe the form and content of the  
12 notice. Each agency shall provide the Chief Procurement  
13 Officer, on a monthly basis, in the form and content  
14 prescribed by the Chief Procurement Officer, a report of  
15 contracts that are related to the procurement of goods and  
16 services identified in this subsection. At a minimum, this  
17 report shall include the name of the contractor, a  
18 description of the supply or service provided, the total  
19 amount of the contract, the term of the contract, and the  
20 exception to this Code utilized. A copy of any or all of  
21 these contracts shall be made available to the Chief  
22 Procurement Officer immediately upon request. The Chief  
23 Procurement Officer shall submit a report to the Governor  
24 and General Assembly no later than November 1 of each year  
25 that includes, at a minimum, an annual summary of the  
26 monthly information reported to the Chief Procurement

1 Officer. This exemption becomes inoperative 5 years after  
2 June 25, 2019 (the effective date of Public Act 101-27).

3 (19) Acquisition of modifications or adjustments,  
4 limited to assistive technology devices and assistive  
5 technology services, adaptive equipment, repairs, and  
6 replacement parts to provide reasonable accommodations (i)  
7 that enable a qualified applicant with a disability to  
8 complete the job application process and be considered for  
9 the position such qualified applicant desires, (ii) that  
10 modify or adjust the work environment to enable a  
11 qualified current employee with a disability to perform  
12 the essential functions of the position held by that  
13 employee, (iii) to enable a qualified current employee  
14 with a disability to enjoy equal benefits and privileges  
15 of employment as are enjoyed by other similarly situated  
16 employees without disabilities, and (iv) that allow a  
17 customer, client, claimant, or member of the public  
18 seeking State services full use and enjoyment of and  
19 access to its programs, services, or benefits.

20 For purposes of this paragraph (19):

21 "Assistive technology devices" means any item, piece  
22 of equipment, or product system, whether acquired  
23 commercially off the shelf, modified, or customized, that  
24 is used to increase, maintain, or improve functional  
25 capabilities of individuals with disabilities.

26 "Assistive technology services" means any service that

1 directly assists an individual with a disability in  
2 selection, acquisition, or use of an assistive technology  
3 device.

4 "Qualified" has the same meaning and use as provided  
5 under the federal Americans with Disabilities Act when  
6 describing an individual with a disability.

7 (20) Procurement expenditures necessary for the  
8 Illinois Commerce Commission to hire third-party  
9 facilitators pursuant to Sections 16-105.17 and 16-108.18  
10 of the Public Utilities Act or an ombudsman pursuant to  
11 Section 16-107.5 of the Public Utilities Act, a  
12 facilitator pursuant to Section 16-105.17 of the Public  
13 Utilities Act, or a grid auditor pursuant to Section  
14 16-105.10 of the Public Utilities Act.

15 (21) Procurement expenditures for the purchase,  
16 renewal, and expansion of software, software licenses, or  
17 software maintenance agreements that support the efforts  
18 of the Illinois State Police to enforce, regulate, and  
19 administer the Firearm Owners Identification Card Act, the  
20 Firearm Concealed Carry Act, the Firearms Restraining  
21 Order Act, the Firearm Dealer License Certification Act,  
22 the Law Enforcement Agencies Data System (LEADS), the  
23 Uniform Crime Reporting Act, the Criminal Identification  
24 Act, the Uniform Conviction Information Act, and the Gun  
25 Trafficking Information Act, or establish or maintain  
26 record management systems necessary to conduct human

1       trafficking investigations or gun trafficking or other  
2       stolen firearm investigations. This paragraph (21) applies  
3       to contracts entered into on or after the effective date  
4       of this amendatory Act of the 102nd General Assembly and  
5       the renewal of contracts that are in effect on the  
6       effective date of this amendatory Act of the 102nd General  
7       Assembly.

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

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

25      (d) Except for Section 20-160 and Article 50 of this Code,  
26      and as expressly required by Section 9.1 of the Illinois

1 Lottery Law, the provisions of this Code do not apply to the  
2 procurement process provided for under Section 9.1 of the  
3 Illinois Lottery Law.

4 (e) This Code does not apply to the process used by the  
5 Capital Development Board to retain a person or entity to  
6 assist the Capital Development Board with its duties related  
7 to the determination of costs of a clean coal SNG brownfield  
8 facility, as defined by Section 1-10 of the Illinois Power  
9 Agency Act, as required in subsection (h-3) of Section 9-220  
10 of the Public Utilities Act, including calculating the range  
11 of capital costs, the range of operating and maintenance  
12 costs, or the sequestration costs or monitoring the  
13 construction of clean coal SNG brownfield facility for the  
14 full duration of construction.

15 (f) (Blank).

16 (g) (Blank).

17 (h) This Code does not apply to the process to procure or  
18 contracts entered into in accordance with Sections 11-5.2 and  
19 11-5.3 of the Illinois Public Aid Code.

20 (i) Each chief procurement officer may access records  
21 necessary to review whether a contract, purchase, or other  
22 expenditure is or is not subject to the provisions of this  
23 Code, unless such records would be subject to attorney-client  
24 privilege.

25 (j) This Code does not apply to the process used by the  
26 Capital Development Board to retain an artist or work or works

1 of art as required in Section 14 of the Capital Development  
2 Board Act.

3 (k) This Code does not apply to the process to procure  
4 contracts, or contracts entered into, by the State Board of  
5 Elections or the State Electoral Board for hearing officers  
6 appointed pursuant to the Election Code.

7 (l) This Code does not apply to the processes used by the  
8 Illinois Student Assistance Commission to procure supplies and  
9 services paid for from the private funds of the Illinois  
10 Prepaid Tuition Fund. As used in this subsection (l), "private  
11 funds" means funds derived from deposits paid into the  
12 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

13 (m) This Code shall apply regardless of the source of  
14 funds with which contracts are paid, including federal  
15 assistance moneys. Except as specifically provided in this  
16 Code, this Code shall not apply to procurement expenditures  
17 necessary for the Department of Public Health to conduct the  
18 Healthy Illinois Survey in accordance with Section 2310-431 of  
19 the Department of Public Health Powers and Duties Law of the  
20 Civil Administrative Code of Illinois.

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

25 Section 15. The Firearm Owners Identification Card Act is

1 amended by changing Sections 2, 4, and 8 and by adding Section  
2 4.1 as follows:

3 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

4 Sec. 2. Firearm Owner's Identification Card required;  
5 exceptions.

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

11 (2) No person may acquire or possess firearm ammunition  
12 within this State without having in his or her possession a  
13 Firearm Owner's Identification Card previously issued in his  
14 or her name by the Illinois State Police under the provisions  
15 of this Act.

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

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

21 (2) Members of the Armed Forces of the United States  
22 or the National Guard, while engaged in the operation of  
23 their official duties;

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

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

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

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

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

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

22           (9) Nonresidents whose firearms are unloaded and  
23 enclosed in a case;

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

26           (11) Unemancipated minors while in the custody and

1 immediate control of their parent or legal guardian or  
2 other person in loco parentis to the minor if the parent or  
3 legal guardian or other person in loco parentis to the  
4 minor has a currently valid Firearm Owner's Identification  
5 Card;

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

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

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

24 (15) A person who is otherwise eligible to obtain a  
25 Firearm Owner's Identification Card under this Act and is  
26 under the direct supervision of a holder of a Firearm

1 Owner's Identification Card who is 21 years of age or  
2 older while the person is on a firing or shooting range or  
3 is a participant in a firearms safety and training course  
4 recognized by a law enforcement agency or a national,  
5 statewide shooting sports organization, and

6 ~~(16) Competitive shooting athletes whose competition~~  
7 ~~firearms are sanctioned by the International Olympic~~  
8 ~~Committee, the International Paralympic Committee, the~~  
9 ~~International Shooting Sport Federation, or USA Shooting~~  
10 ~~in connection with such athletes' training for and~~  
11 ~~participation in shooting competitions at the 2016 Olympic~~  
12 ~~and Paralympic Games and sanctioned test events leading up~~  
13 ~~to the 2016 Olympic and Paralympic Games.~~

14 (c) The provisions of this Section regarding the  
15 acquisition and possession of firearms, firearm ammunition,  
16 stun guns, and tasers do not apply to law enforcement  
17 officials of this or any other jurisdiction, while engaged in  
18 the operation of their official duties.

19 (c-5) The provisions of paragraphs (1) and (2) of  
20 subsection (a) of this Section regarding the possession of  
21 firearms and firearm ammunition do not apply to the holder of a  
22 valid concealed carry license issued under the Firearm  
23 Concealed Carry Act who is in physical possession of the  
24 concealed carry license.

25 (d) Any person who becomes a resident of this State, who is  
26 not otherwise prohibited from obtaining, possessing, or using

1 a firearm or firearm ammunition, shall not be required to have  
2 a Firearm Owner's Identification Card to possess firearms or  
3 firearms ammunition until 60 calendar days after he or she  
4 obtains an Illinois driver's license or Illinois  
5 Identification Card.

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

7 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

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

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

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

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

15 (i) This subparagraph (i) applies through the  
16 180th day following July 12, 2019 (the effective date  
17 of Public Act 101-80). He or she is 21 years of age or  
18 over, or if he or she is under 21 years of age that he  
19 or she has the written consent of his or her parent or  
20 legal guardian to possess and acquire firearms and  
21 firearm ammunition and that he or she has never been  
22 convicted of a misdemeanor other than a traffic  
23 offense or adjudged delinquent, provided, however,  
24 that such parent or legal guardian is not an  
25 individual prohibited from having a Firearm Owner's

1 Identification Card and files an affidavit with the  
2 Department as prescribed by the Department stating  
3 that he or she is not an individual prohibited from  
4 having a Card;

5 (i-5) This subparagraph (i-5) applies on and after  
6 the 181st day following July 12, 2019 (the effective  
7 date of Public Act 101-80). He or she is 21 years of  
8 age or over, or if he or she is under 21 years of age  
9 that he or she has never been convicted of a  
10 misdemeanor other than a traffic offense or adjudged  
11 delinquent and is an active duty member of the United  
12 States Armed Forces or the Illinois National Guard or  
13 has the written consent of his or her parent or legal  
14 guardian to possess and acquire firearms and firearm  
15 ammunition, provided, however, that such parent or  
16 legal guardian is not an individual prohibited from  
17 having a Firearm Owner's Identification Card and files  
18 an affidavit with the Illinois State Police as  
19 prescribed by the Illinois State Police stating that  
20 he or she is not an individual prohibited from having a  
21 Card or the active duty member of the United States  
22 Armed Forces or the Illinois National Guard under 21  
23 years of age annually submits proof to the Illinois  
24 State Police, in a manner prescribed by the Illinois  
25 State Police;

26 (ii) He or she has not been convicted of a felony

1 under the laws of this or any other jurisdiction;

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

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

8 (v) He or she is not a person with an intellectual  
9 disability;

10 (vi) He or she is not a noncitizen who is  
11 unlawfully present in the United States under the laws  
12 of the United States;

13 (vii) He or she is not subject to an existing order  
14 of protection prohibiting him or her from possessing a  
15 firearm;

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

21 (ix) He or she has not been convicted of domestic  
22 battery, aggravated domestic battery, or a  
23 substantially similar offense in another jurisdiction  
24 committed before, on or after January 1, 2012 (the  
25 effective date of Public Act 97-158). If the applicant  
26 knowingly and intelligently waives the right to have

1 an offense described in this clause (ix) tried by a  
2 jury, and by guilty plea or otherwise, results in a  
3 conviction for an offense in which a domestic  
4 relationship is not a required element of the offense  
5 but in which a determination of the applicability of  
6 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of  
7 the Code of Criminal Procedure of 1963, an entry by the  
8 court of a judgment of conviction for that offense  
9 shall be grounds for denying the issuance of a Firearm  
10 Owner's Identification Card under this Section;

11 (x) (Blank);

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

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

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

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

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

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

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

9 (5) one who has received a waiver from the  
10 Attorney General of the United States pursuant to  
11 18 U.S.C. 922 (y) (3);

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

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

21 (xiv) He or she is a resident of the State of  
22 Illinois;

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

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

1           (xvii) He or she is not a person with a  
2           developmental disability; and

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

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

22          (a-10) Each applicant for a Firearm Owner's Identification  
23          Card, who is employed as a law enforcement officer, an armed  
24          security officer in Illinois, or by the United States Military  
25          permanently assigned in Illinois and who is not an Illinois  
26          resident, shall furnish to the Illinois State Police his or

1 her driver's license number or state identification card  
2 number from his or her state of residence. The Illinois State  
3 Police may adopt rules to enforce the provisions of this  
4 subsection (a-10).

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

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

21 (a-25) Beginning January 1, 2023, each applicant for the  
22 issuance of a Firearm Owner's Identification Card may include  
23 a full set of his or her fingerprints in electronic format to  
24 the Illinois State Police, unless the applicant has previously  
25 provided a full set of his or her fingerprints to the Illinois  
26 State Police under this Act or the Firearm Concealed Carry

1 Act.

2 The fingerprints must be transmitted through a live scan  
3 fingerprint vendor licensed by the Department of Financial and  
4 Professional Regulation. The fingerprints shall be checked  
5 against the fingerprint records now and hereafter filed in the  
6 Illinois State Police and Federal Bureau of Investigation  
7 criminal history records databases, including all available  
8 State and local criminal history record information files.

9 The Illinois State Police shall charge applicants a  
10 one-time fee for conducting the criminal history record check,  
11 which shall be deposited into the State Police Services Fund  
12 and shall not exceed the actual cost of the State and national  
13 criminal history record check.

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

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

26 (c) Upon such written consent, pursuant to Section 4,

1 paragraph (a)(2)(i), the parent or legal guardian giving the  
2 consent shall be liable for any damages resulting from the  
3 applicant's use of firearms or firearm ammunition.

4 (Source: P.A. 101-80, eff. 7-12-19; 102-237, eff. 1-1-22;  
5 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1030, eff.  
6 5-27-22.)

7 (430 ILCS 65/4.1 new)

8 Sec. 4.1. Assault weapon or .50 caliber rifle endorsement.

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

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

16 (c) Intentionally entering false information on the  
17 endorsement affidavit form is a violation of this Act and is  
18 also punishable as perjury under Section 32-2 of the Criminal  
19 Code of 2012.

20 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

21 Sec. 8. Grounds for denial and revocation. The Illinois  
22 State Police has authority to deny an application for or to  
23 revoke and seize a Firearm Owner's Identification Card  
24 previously issued under this Act only if the Illinois State

1 Police finds that the applicant or the person to whom such card  
2 was issued is or was at the time of issuance:

3 (a) A person under 21 years of age who has been  
4 convicted of a misdemeanor other than a traffic offense or  
5 adjudged delinquent;

6 (b) This subsection (b) applies through the 180th day  
7 following July 12, 2019 (the effective date of Public Act  
8 101-80). A person under 21 years of age who does not have  
9 the written consent of his parent or guardian to acquire  
10 and possess firearms and firearm ammunition, or whose  
11 parent or guardian has revoked such written consent, or  
12 where such parent or guardian does not qualify to have a  
13 Firearm Owner's Identification Card;

14 (b-5) This subsection (b-5) applies on and after the  
15 181st day following July 12, 2019 (the effective date of  
16 Public Act 101-80). A person under 21 years of age who is  
17 not an active duty member of the United States Armed  
18 Forces or the Illinois National Guard and does not have  
19 the written consent of his or her parent or guardian to  
20 acquire and possess firearms and firearm ammunition, or  
21 whose parent or guardian has revoked such written consent,  
22 or where such parent or guardian does not qualify to have a  
23 Firearm Owner's Identification Card;

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

26 (d) A person addicted to narcotics;

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

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

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

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

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

25           (i-5) A noncitizen who has been admitted to the United  
26 States under a non-immigrant visa (as that term is defined

1 in Section 101(a)(26) of the Immigration and Nationality  
2 Act (8 U.S.C. 1101(a)(26)), except that this subsection  
3 (i-5) does not apply to any noncitizen who has been  
4 lawfully admitted to the United States under a  
5 non-immigrant visa if that noncitizen is:

6 (1) admitted to the United States for lawful  
7 hunting or sporting purposes;

8 (2) an official representative of a foreign  
9 government who is:

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

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

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

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

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

25 (j) (Blank);

26 (k) A person who has been convicted within the past 5

1 years of battery, assault, aggravated assault, violation  
2 of an order of protection, or a substantially similar  
3 offense in another jurisdiction, in which a firearm was  
4 used or possessed;

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

23 (m) (Blank);

24 (n) A person who is prohibited from acquiring or  
25 possessing firearms or firearm ammunition by any Illinois  
26 State statute or by federal law;

1           (o) A minor subject to a petition filed under Section  
2           5-520 of the Juvenile Court Act of 1987 alleging that the  
3           minor is a delinquent minor for the commission of an  
4           offense that if committed by an adult would be a felony;

5           (p) An adult who had been adjudicated a delinquent  
6           minor under the Juvenile Court Act of 1987 for the  
7           commission of an offense that if committed by an adult  
8           would be a felony;

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

12          (r) A person who has been adjudicated as a person with  
13          a mental disability;

14          (s) A person who has been found to have a  
15          developmental disability;

16          (t) A person involuntarily admitted into a mental  
17          health facility; or

18          (u) A person who has had his or her Firearm Owner's  
19          Identification Card revoked or denied under subsection (e)  
20          of this Section or item (iv) of paragraph (2) of  
21          subsection (a) of Section 4 of this Act because he or she  
22          was a patient in a mental health facility as provided in  
23          subsection (e) of this Section, shall not be permitted to  
24          obtain a Firearm Owner's Identification Card, after the  
25          5-year period has lapsed, unless he or she has received a  
26          mental health evaluation by a physician, clinical

1 psychologist, or qualified examiner as those terms are  
2 defined in the Mental Health and Developmental  
3 Disabilities Code, and has received a certification that  
4 he or she is not a clear and present danger to himself,  
5 herself, or others. The physician, clinical psychologist,  
6 or qualified examiner making the certification and his or  
7 her employer shall not be held criminally, civilly, or  
8 professionally liable for making or not making the  
9 certification required under this subsection, except for  
10 willful or wanton misconduct. This subsection does not  
11 apply to a person whose firearm possession rights have  
12 been restored through administrative or judicial action  
13 under Section 10 or 11 of this Act.

14 Upon revocation of a person's Firearm Owner's  
15 Identification Card, the Illinois State Police shall provide  
16 notice to the person and the person shall comply with Section  
17 9.5 of this Act.

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

21 Section 20. The Firearms Restraining Order Act is amended  
22 by changing Sections 40, 45, and 55 as follows:

23 (430 ILCS 67/40)

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

1 (a) A petitioner may request a plenary ~~6-month~~ firearms  
2 restraining order for up to one year by filing an affidavit or  
3 verified pleading alleging that the respondent poses a  
4 significant danger of causing personal injury to himself,  
5 herself, or another in the near future by having in his or her  
6 custody or control, purchasing, possessing, or receiving a  
7 firearm, ammunition, and firearm parts that could be assembled  
8 to make an operable firearm. The petition shall also describe  
9 the number, types, and locations of any firearms, ammunition,  
10 and firearm parts that could be assembled to make an operable  
11 firearm presently believed by the petitioner to be possessed  
12 or controlled by the respondent. The plenary firearms  
13 restraining order may be renewed for an additional period of  
14 up to one year.

15 (b) If the respondent is alleged to pose a significant  
16 danger of causing personal injury to an intimate partner, or  
17 an intimate partner is alleged to have been the target of a  
18 threat or act of violence by the respondent, the petitioner  
19 shall make a good faith effort to provide notice to any and all  
20 intimate partners of the respondent. The notice must include  
21 the duration of time that the petitioner intends to petition  
22 the court for a ~~6-month~~ firearms restraining order, and, if  
23 the petitioner is a law enforcement officer, referral to  
24 relevant domestic violence or stalking advocacy or counseling  
25 resources, if appropriate. The petitioner shall attest to  
26 having provided the notice in the filed affidavit or verified

1 pleading. If, after making a good faith effort, the petitioner  
2 is unable to provide notice to any or all intimate partners,  
3 the affidavit or verified pleading should describe what  
4 efforts were made.

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

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

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

16 (1) The unlawful and reckless use, display, or  
17 brandishing of a firearm, ammunition, and firearm parts  
18 that could be assembled to make an operable firearm by the  
19 respondent.

20 (2) The history of use, attempted use, or threatened  
21 use of physical force by the respondent against another  
22 person.

23 (3) Any prior arrest of the respondent for a felony  
24 offense.

25 (4) Evidence of the abuse of controlled substances or  
26 alcohol by the respondent.

1           (5) A recent threat of violence or act of violence by  
2           the respondent directed toward himself, herself, or  
3           another.

4           (6) A violation of an emergency order of protection  
5           issued under Section 217 of the Illinois Domestic Violence  
6           Act of 1986 or Section 112A-17 of the Code of Criminal  
7           Procedure of 1963 or of an order of protection issued  
8           under Section 214 of the Illinois Domestic Violence Act of  
9           1986 or Section 112A-14 of the Code of Criminal Procedure  
10          of 1963.

11          (7) A pattern of violent acts or violent threats,  
12          including, but not limited to, threats of violence or acts  
13          of violence by the respondent directed toward himself,  
14          herself, or another.

15          (f) At the hearing, the petitioner shall have the burden  
16          of proving, by clear and convincing evidence, that the  
17          respondent poses a significant danger of personal injury to  
18          himself, herself, or another by having in his or her custody or  
19          control, purchasing, possessing, or receiving a firearm,  
20          ammunition, and firearm parts that could be assembled to make  
21          an operable firearm.

22          (g) If the court finds that there is clear and convincing  
23          evidence to issue a plenary firearms restraining order, the  
24          court shall issue a plenary firearms restraining order that  
25          shall be in effect for up to one year, but not less than 6  
26          months, ~~6 months~~ subject to renewal under Section 45 of this

1 Act or termination under that Section.

2 (g-5) If the court issues a plenary ~~6-month~~ firearms  
3 restraining order, it shall, upon a finding of probable cause  
4 that the respondent possesses firearms, ammunition, and  
5 firearm parts that could be assembled to make an operable  
6 firearm, issue a search warrant directing a law enforcement  
7 agency to seize the respondent's firearms, ammunition, and  
8 firearm parts that could be assembled to make an operable  
9 firearm. The court may, as part of that warrant, direct the law  
10 enforcement agency to search the respondent's residence and  
11 other places where the court finds there is probable cause to  
12 believe he or she is likely to possess the firearms,  
13 ammunition, and firearm parts that could be assembled to make  
14 an operable firearm. A return of the search warrant shall be  
15 filed by the law enforcement agency within 4 days thereafter,  
16 setting forth the time, date, and location that the search  
17 warrant was executed and what items, if any, were seized.

18 (h) A plenary ~~6-month~~ firearms restraining order shall  
19 require:

20 (1) the respondent to refrain from having in his or  
21 her custody or control, purchasing, possessing, or  
22 receiving additional firearms, ammunition, and firearm  
23 parts that could be assembled to make an operable firearm  
24 for the duration of the order under Section 8.2 of the  
25 Firearm Owners Identification Card Act; and

26 (2) the respondent to comply with Section 9.5 of the

1 Firearm Owners Identification Card Act and subsection (g)  
2 of Section 70 of the Firearm Concealed Carry Act.

3 (i) Except as otherwise provided in subsection (i-5) of  
4 this Section, upon expiration of the period of safekeeping, if  
5 the firearms, ammunition, and firearm parts that could be  
6 assembled to make an operable firearm or Firearm Owner's  
7 Identification Card cannot be returned to the respondent  
8 because the respondent cannot be located, fails to respond to  
9 requests to retrieve the firearms, ammunition, and firearm  
10 parts that could be assembled to make an operable firearm, or  
11 is not lawfully eligible to possess a firearm, ammunition, and  
12 firearm parts that could be assembled to make an operable  
13 firearm, upon petition from the local law enforcement agency,  
14 the court may order the local law enforcement agency to  
15 destroy the firearms, ammunition, and firearm parts that could  
16 be assembled to make an operable firearm, use the firearms,  
17 ammunition, and firearm parts that could be assembled to make  
18 an operable firearm for training purposes, or use the  
19 firearms, ammunition, and firearm parts that could be  
20 assembled to make an operable firearm for any other  
21 application as deemed appropriate by the local law enforcement  
22 agency.

23 (i-5) A respondent whose Firearm Owner's Identification  
24 Card has been revoked or suspended may petition the court, if  
25 the petitioner is present in court or has notice of the  
26 respondent's petition, to transfer the respondent's firearm,

1 ammunition, and firearm parts that could be assembled to make  
2 an operable firearm to a person who is lawfully able to possess  
3 the firearm, ammunition, and firearm parts that could be  
4 assembled to make an operable firearm if the person does not  
5 reside at the same address as the respondent. Notice of the  
6 petition shall be served upon the person protected by the  
7 emergency firearms restraining order. While the order is in  
8 effect, the transferee who receives the respondent's firearms,  
9 ammunition, and firearm parts that could be assembled to make  
10 an operable firearm must swear or affirm by affidavit that he  
11 or she shall not transfer the firearm, ammunition, and firearm  
12 parts that could be assembled to make an operable firearm to  
13 the respondent or to anyone residing in the same residence as  
14 the respondent.

15 (i-6) If a person other than the respondent claims title  
16 to any firearms, ammunition, and firearm parts that could be  
17 assembled to make an operable firearm surrendered under this  
18 Section, he or she may petition the court, if the petitioner is  
19 present in court or has notice of the petition, to have the  
20 firearm, ammunition, and firearm parts that could be assembled  
21 to make an operable firearm returned to him or her. If the  
22 court determines that person to be the lawful owner of the  
23 firearm, ammunition, and firearm parts that could be assembled  
24 to make an operable firearm, the firearm, ammunition, and  
25 firearm parts that could be assembled to make an operable  
26 firearm shall be returned to him or her, provided that:

1           (1) the firearm, ammunition, and firearm parts that  
2           could be assembled to make an operable firearm are removed  
3           from the respondent's custody, control, or possession and  
4           the lawful owner agrees to store the firearm, ammunition,  
5           and firearm parts that could be assembled to make an  
6           operable firearm in a manner such that the respondent does  
7           not have access to or control of the firearm, ammunition,  
8           and firearm parts that could be assembled to make an  
9           operable firearm; and

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

13          The person petitioning for the return of his or her  
14          firearm, ammunition, and firearm parts that could be assembled  
15          to make an operable firearm must swear or affirm by affidavit  
16          that he or she: (i) is the lawful owner of the firearm,  
17          ammunition, and firearm parts that could be assembled to make  
18          an operable firearm; (ii) shall not transfer the firearm,  
19          ammunition, and firearm parts that could be assembled to make  
20          an operable firearm to the respondent; and (iii) will store  
21          the firearm, ammunition, and firearm parts that could be  
22          assembled to make an operable firearm in a manner that the  
23          respondent does not have access to or control of the firearm,  
24          ammunition, and firearm parts that could be assembled to make  
25          an operable firearm.

26          (j) If the court does not issue a plenary firearms

1 restraining order at the hearing, the court shall dissolve any  
2 emergency firearms restraining order then in effect.

3 (k) When the court issues a plenary firearms restraining  
4 order under this Section, the court shall inform the  
5 respondent that he or she is entitled to one hearing during the  
6 period of the order to request a termination of the order,  
7 under Section 45 of this Act, and shall provide the respondent  
8 with a form to request a hearing.

9 (Source: P.A. 101-81, eff. 7-12-19; 102-237, eff. 1-1-22;  
10 102-345, eff. 6-1-22; 102-538, eff. 8-20-21; 102-813, eff.  
11 5-13-22.)

12 (430 ILCS 67/45)

13 Sec. 45. Termination and renewal.

14 (a) A person subject to a firearms restraining order  
15 issued under this Act may submit one written request at any  
16 time during the effective period of the order for a hearing to  
17 terminate the order.

18 (1) The respondent shall have the burden of proving by  
19 a preponderance of the evidence that the respondent does  
20 not pose a danger of causing personal injury to himself,  
21 herself, or another in the near future by having in his or  
22 her custody or control, purchasing, possessing, or  
23 receiving a firearm, ammunition, and firearm parts that  
24 could be assembled to make an operable firearm.

25 (2) If the court finds after the hearing that the

1 respondent has met his or her burden, the court shall  
2 terminate the order.

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

6 (1) A court shall, after notice and a hearing, renew a  
7 firearms restraining order issued under this part if the  
8 petitioner proves, by clear and convincing evidence, that  
9 the respondent continues to pose a danger of causing  
10 personal injury to himself, herself, or another in the  
11 near future by having in his or her custody or control,  
12 purchasing, possessing, or receiving a firearm,  
13 ammunition, and firearm parts that could be assembled to  
14 make an operable firearm.

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

20 (3) At the hearing, the petitioner shall have the  
21 burden of proving by clear and convincing evidence that  
22 the respondent continues to pose a danger of causing  
23 personal injury to himself, herself, or another in the  
24 near future by having in his or her custody or control,  
25 purchasing, possessing, or receiving a firearm,  
26 ammunition, and firearm parts that could be assembled to

1 make an operable firearm.

2 (4) The renewal of a firearms restraining order issued  
3 under this Section shall be in effect for up to one year ~~6~~  
4 ~~months~~, subject to termination by further order of the  
5 court at a hearing held under this Section and further  
6 renewal by further order of the court under this Section.

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

8 (430 ILCS 67/55)

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

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

23 (b) The Illinois State Police shall maintain a complete  
24 and systematic record and index of all valid and recorded  
25 firearms restraining orders issued or filed under this Act.

1 The data shall be used to inform all dispatchers and law  
2 enforcement officers at the scene of a violation of a firearms  
3 restraining order of the effective dates and terms of any  
4 recorded order of protection.

5 (c) The data, records, and transmittals required under  
6 this Section shall pertain to any valid emergency or plenary  
7 ~~6-month~~ firearms restraining order, whether issued in a civil  
8 or criminal proceeding or authorized under the laws of another  
9 state, tribe, or United States territory.

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

11 Section 25. The Criminal Code of 2012 is amended by  
12 changing Section 24-1 and by adding Sections 24-1.9 and  
13 24-1.10 as follows:

14 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

18 (1) Sells, manufactures, purchases, possesses or  
19 carries any bludgeon, black-jack, slung-shot, sand-club,  
20 sand-bag, metal knuckles or other knuckle weapon  
21 regardless of its composition, throwing star, or any  
22 knife, commonly referred to as a switchblade knife, which  
23 has a blade that opens automatically by hand pressure  
24 applied to a button, spring or other device in the handle

1 of the knife, or a ballistic knife, which is a device that  
2 propels a knifelike blade as a projectile by means of a  
3 coil spring, elastic material or compressed gas; or

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

9 (2.5) Carries or possesses with intent to use the same  
10 unlawfully against another, any firearm in a church,  
11 synagogue, mosque, or other building, structure, or place  
12 used for religious worship; or

13 (3) Carries on or about his person or in any vehicle, a  
14 tear gas gun projector or bomb or any object containing  
15 noxious liquid gas or substance, other than an object  
16 containing a non-lethal noxious liquid gas or substance  
17 designed solely for personal defense carried by a person  
18 18 years of age or older; or

19 (4) Carries or possesses in any vehicle or concealed  
20 on or about his person except when on his land or in his  
21 own abode, legal dwelling, or fixed place of business, or  
22 on the land or in the legal dwelling of another person as  
23 an invitee with that person's permission, any pistol,  
24 revolver, stun gun or taser or other firearm, except that  
25 this subsection (a) (4) does not apply to or affect  
26 transportation of weapons that meet one of the following

1 conditions:

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

3 (ii) are not immediately accessible; or

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

8 (iv) are carried or possessed in accordance with  
9 the Firearm Concealed Carry Act by a person who has  
10 been issued a currently valid license under the  
11 Firearm Concealed Carry Act; or

12 (5) Sets a spring gun; or

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

16 (7) Sells, manufactures, purchases, possesses or  
17 carries:

18 (i) a machine gun, which shall be defined for the  
19 purposes of this subsection as any weapon, which  
20 shoots, is designed to shoot, or can be readily  
21 restored to shoot, automatically more than one shot  
22 without manually reloading by a single function of the  
23 trigger, including the frame or receiver of any such  
24 weapon, or sells, manufactures, purchases, possesses,  
25 or carries any combination of parts designed or  
26 intended for use in converting any weapon into a

1 machine gun, or any combination or parts from which a  
2 machine gun can be assembled if such parts are in the  
3 possession or under the control of a person;

4 (ii) any rifle having one or more barrels less  
5 than 16 inches in length or a shotgun having one or  
6 more barrels less than 18 inches in length or any  
7 weapon made from a rifle or shotgun, whether by  
8 alteration, modification, or otherwise, if such a  
9 weapon as modified has an overall length of less than  
10 26 inches; or

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

16 (8) Carries or possesses any firearm, stun gun or  
17 taser or other deadly weapon in any place which is  
18 licensed to sell intoxicating beverages, or at any public  
19 gathering held pursuant to a license issued by any  
20 governmental body or any public gathering at which an  
21 admission is charged, excluding a place where a showing,  
22 demonstration or lecture involving the exhibition of  
23 unloaded firearms is conducted.

24 This subsection (a) (8) does not apply to any auction  
25 or raffle of a firearm held pursuant to a license or permit  
26 issued by a governmental body, nor does it apply to

1 persons engaged in firearm safety training courses; or

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

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

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

21 (ii) are not immediately accessible; or

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

26 (iv) are carried or possessed in accordance with

1           the Firearm Concealed Carry Act by a person who has  
2           been issued a currently valid license under the  
3           Firearm Concealed Carry Act.

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

16          (11) Sells, manufactures, or purchases any explosive  
17          bullet. For purposes of this paragraph (a) "explosive  
18          bullet" means the projectile portion of an ammunition  
19          cartridge which contains or carries an explosive charge  
20          which will explode upon contact with the flesh of a human  
21          or an animal. "Cartridge" means a tubular metal case  
22          having a projectile affixed at the front thereof and a cap  
23          or primer at the rear end thereof, with the propellant  
24          contained in such tube between the projectile and the cap;  
25          or

26          (12) (Blank); or

1           (13) Carries or possesses on or about his or her  
2 person while in a building occupied by a unit of  
3 government, a billy club, other weapon of like character,  
4 or other instrument of like character intended for use as  
5 a weapon. For the purposes of this Section, "billy club"  
6 means a short stick or club commonly carried by police  
7 officers which is either telescopic or constructed of a  
8 solid piece of wood or other man-made material; or

9           (14) Manufactures, possesses, sells, or offers to  
10 sell, purchase, manufacture, import, transfer, or use any  
11 device, part, kit, tool, accessory, or combination of  
12 parts that is designed to and functions to increase the  
13 rate of fire of a semiautomatic firearm above the standard  
14 rate of fire for semiautomatic firearms that is not  
15 equipped with that device, part, or combination of parts.

16           (b) Sentence. A person convicted of a violation of  
17 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),  
18 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a  
19 Class A misdemeanor. A person convicted of a violation of  
20 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony;  
21 a person convicted of a violation of subsection 24-1(a)(6) or  
22 24-1(a)(7)(ii) 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) commits a Class 3  
6 felony. A person convicted of a violation of subsection  
7 24-1(a)(2.5) or 24-1(a)(14) commits a Class 2 felony. The  
8 possession of each weapon or device in violation of this  
9 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. Possession, delivery, sale, and purchase of  
4 assault weapons, .50 caliber rifles, and .50 caliber  
5 cartridges.

6 (a) Definitions. In this Section:

7 (1) "Assault pistol" means any of the following or a copy,  
8 regardless of the producer or manufacturer:

9 (A) AA Arms AP-9 pistol.

10 (B) Armalite M15 11.5 pistol.

11 (C) Beretta 93R pistol.

12 (D) Bushmaster pistol.

13 (E) Claridge HI-TEC pistol.

14 (F) D Max Industries pistol.

15 (G) Encom MK-IV, MP-9, or MP-45 pistol.

16 (H) Heckler and Koch MP5K, MP7, SP-89, or VP70M  
17 pistol.

18 (I) Holmes MP-83 pistol.

19 (J) Ingram MAC 10/11 pistol and variations, including  
20 the Partisan Avenger and the SWD Cobray.

21 (K) Intratec TEC-9/DC-9 pistol in any centerfire  
22 variation.

23 (L) P.A.W.S. type pistol.

24 (M) Skorpion pistol.

25 (N) Spectre double action pistol (Sile, F.I.E.,

1 Mitchell).

2 (O) Stechkin automatic pistol.

3 (P) Steyr tactical pistol.

4 (Q) UZI pistol.

5 (R) Weaver Arms Nighthawk pistol.

6 (S) Wilkinson "Linda" pistol.

7 (2) "Assault shotgun or rifle" means any of the following  
8 or a copy, regardless of the producer or manufacturer:

9 (A) American Arms Spectre da Semiautomatic carbine.

10 (B) AR10.

11 (C) AR15.

12 (D) AR70.

13 (E) Armalite M15.

14 (F) Avtomat Kalashnikov semiautomatic rifle in any  
15 format, including the AK-47 in all forms.

16 (G) Algimec AGM-1 type semi-auto.

17 (H) AR 100 type semi-auto.

18 (I) AR 180 type semi-auto.

19 (J) Argentine L.S.R. semi-auto.

20 (K) Australian Automatic Arms SAR type semi-auto.

21 (L) Auto-Ordnance Thompson M1 and 1927  
22 semi-automatics.

23 (M) Barrett light .50 cal. semi-auto.

24 (N) Beretta AR70 type semi-auto.

25 (O) Bushmaster semi-auto rifle.

26 (P) Calico models M-100 and M-900.

- 1           (Q) CIS SR 88 type semi-auto.
- 2           (R) Claridge HI TEC C-9 carbines.
- 3           (S) Colt AR-15, CAR-15, and all imitations.
- 4           (T) Daewoo MAX 1 and MAX 2, aka AR 100, 110C, K-1, and  
5           K-2.
- 6           (U) Dragunov Chinese made semi-auto.
- 7           (V) Famas semi-auto (.223 caliber).
- 8           (W) Feather AT-9 semi-auto.
- 9           (X) FN LAR and FN FAL assault rifle.
- 10          (Y) FNC semi-auto type carbine.
- 11          (Z) F.I.E./Franchi LAW 12 and SPAS 12 assault shotgun.
- 12          (AA) Smith & Wesson M&P 15.
- 13          (BB) Steyr-AUG-SA semi-auto.
- 14          (CC) Galil models AR and ARM semi-auto.
- 15          (DD) Heckler and Koch HK-91 A3, HK-93 A2, HK-94 A2 and  
16          A3.
- 17          (EE) Holmes model 88 shotgun.
- 18          (FF) Manchester Arms "Commando" MK-45, MK-9.
- 19          (GG) Mandell TAC-1 semi-auto carbine.
- 20          (HH) Mossberg model 500 Bullpup assault shotgun.
- 21          (II) Sterling Mark 6.
- 22          (JJ) P.A.W.S. carbine.
- 23          (KK) Ruger mini-14 folding stock model (.223 caliber).
- 24          (LL) SIG 550/551 assault rifle (.223 caliber).
- 25          (MM) SKS with detachable magazine.
- 26          (NN) AP-74 Commando type semi-auto.

1           (OO) Springfield Armory BM-59, SAR-48, G3, SAR-3, M-21  
2 sniper rifle, and M1A, excluding the M1 Garand.

3           (PP) Street sweeper assault type shotgun.

4           (QQ) Striker 12 assault shotgun in all formats.

5           (RR) Unique F11 semi-auto type.

6           (SS) Daewoo USAS 12 semi-auto shotgun.

7           (TT) UZI 9mm carbine or rifle.

8           (UU) Valmet M-76 and M-78 semi-auto.

9           (VV) Weaver Arms "Nighthawk" semi-auto carbine.

10          (WW) Wilkinson Arms 9mm semi-auto "Terry".

11          (3) "Assault weapon" means:

12           (A) An assault shotgun or rifle.

13           (B) An assault pistol.

14           (C) A semiautomatic rifle that can accept or can be  
15 modified to accept a detachable magazine and has at least  
16 one of the following:

17           (i) A folding, telescoping, or collapsible stock.

18           (ii) Any grip of the weapon, including a pistol  
19 grip, a thumbhole stock, or any other stock, the use of  
20 which would allow an individual to grip the weapon,  
21 resulting in any finger on the trigger hand in  
22 addition to the trigger finger being directly below  
23 any portion of the action of the weapon when firing.

24           (iii) A forward grip.

25           (iv) A flash suppressor.

26           (v) A grenade launcher or flare launcher.

1           (D) A semiautomatic, centerfire rifle that has an  
2 overall length of less than 30 inches.

3           (E) A semiautomatic pistol that can accept a  
4 detachable magazine and has at least one of the following:

5               (i) An ability to accept a detachable ammunition  
6 magazine that attaches at some location outside of the  
7 pistol grip.

8               (ii) A threaded barrel capable of accepting a  
9 flash suppressor, forward pistol grip or silencer.

10              (iii) A shroud that is attached to, or partially  
11 or completely encircles, the barrel and that permits  
12 the shooter to fire the firearm without being burned,  
13 except a slide that encloses the barrel.

14              (iv) A second hand grip.

15           (F) A semiautomatic shotgun that has at least one of  
16 the following:

17               (i) A folding, telescoping, or collapsible stock.

18               (ii) Any grip of the weapon, including a pistol  
19 grip, a thumbhole stock, or any other stock, the use of  
20 which would allow an individual to grip the weapon,  
21 resulting in any finger on the trigger hand in  
22 addition to the trigger finger being directly below  
23 any portion of the action of the weapon when firing.

24           (G) A semiautomatic shotgun that has the ability to  
25 accept a detachable magazine.

26           (H) A shotgun with a revolving cylinder.

1           (I) A semiautomatic pistol with a fixed magazine that  
2           can accept more than 12 rounds.

3           (J) A semiautomatic, centerfire rifle that has a fixed  
4           magazine that can accept more than 12 rounds.

5           "Assault weapon" does not include:

6           (A) any firearm that:

7                 (i) is an unserviceable firearm or has been made  
8                 permanently inoperable;

9                 (ii) is an antique firearm; or

10                (iii) uses .22 caliber rimfire ammunition or  
11                cartridges; or

12           (B) any air rifle as defined in Section 24.8-0.1 of  
13           this Code.

14           In this Section, a firearm is considered to have the  
15           ability to accept a detachable magazine unless the magazine or  
16           ammunition feeding device can only be removed through  
17           disassembly of the firearm action.

18           (4) "Assault weapon attachment" means any device capable  
19           of being attached to a firearm that is specifically designed  
20           for making or converting a firearm into any of the firearms  
21           listed in paragraph (1) of this subsection (a).

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

24           (6) ".50 caliber rifle" means a centerfire rifle capable  
25           of firing a .50 caliber cartridge. The term does not include  
26           any antique firearm, any shotgun including a shotgun that has

1 a rifle barrel, or any muzzle-loader which uses black powder  
2 for hunting or historical reenactments.

3 (7) ".50 caliber cartridge" means a cartridge in .50 BMG  
4 caliber, either by designation or actual measurement, that is  
5 capable of being fired from a centerfire rifle. The term ".50  
6 caliber cartridge" does not include any memorabilia or display  
7 item that is filled with a permanent inert substance or that is  
8 otherwise permanently altered in a manner that prevents ready  
9 modification for use as live ammunition or shotgun ammunition  
10 with a caliber measurement that is equal to or greater than .50  
11 caliber.

12 (8) "Detachable magazine" means an ammunition feeding  
13 device that can be removed readily from a firearm without  
14 requiring disassembly of the firearm action or without the use  
15 of a tool, including a bullet or cartridge.

16 (b) Except as provided in subsections (c), (d), and (e),  
17 on or after the effective date of this amendatory Act of the  
18 102nd General Assembly, it is unlawful for any person within  
19 this State to knowingly manufacture, deliver, sell, or  
20 purchase or cause to be manufactured, delivered, sold, or  
21 purchased by another, an assault weapon, assault weapon  
22 attachment, .50 caliber rifle, or .50 caliber cartridge.

23 (c) Except as otherwise provided in subsection (d), 300  
24 days after the effective date of this amendatory Act of the  
25 102nd General Assembly, it is unlawful for any person within  
26 this State to knowingly possess an assault weapon, .50 caliber

1 rifle, assault weapon attachment, or .50 caliber cartridge.

2 (d) This Section does not apply to a person who possessed  
3 an assault weapon, assault weapon attachment, or .50 caliber  
4 rifle prohibited by subsection (c) of this Section before the  
5 effective date of this amendatory Act of the 102nd General  
6 Assembly, if the person has provided in an endorsement  
7 affidavit, under oath or affirmation and in the form and  
8 manner prescribed by the Illinois State Police on or after 180  
9 days after the effective date of this amendatory Act of the  
10 102nd General Assembly but within 300 days after the effective  
11 date of this amendatory Act of the 102nd General Assembly:

12 (1) the affiant's Firearm Owner's Identification Card  
13 number;

14 (2) the serial number of the weapon or weapons;

15 (3) an affirmation that the affiant possessed the  
16 weapon or weapons identified before the effective date of  
17 this amendatory Act of the 102nd General Assembly.

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

23 In any administrative, civil, or criminal proceeding in  
24 this State, a completed assault weapon or .50 caliber rifle  
25 endorsement affidavit submitted to the Illinois State Police  
26 by the individual as required by this Section creates the

1 rebuttable presumption that a person lawfully possessed or had  
2 completed a purchase of the assault weapon or .50 caliber  
3 rifle before the effective date of this amendatory Act of the  
4 102nd General Assembly and is entitled to continue to possess  
5 and transport the assault weapon.

6 Beginning 300 days after the effective date of this  
7 amendatory Act of the 102nd General Assembly, the person with  
8 an assault weapon or .50 caliber rifle endorsement may  
9 transfer the assault weapon or .50 caliber rifle only to an  
10 heir, an individual residing in another state maintaining it  
11 in another state, or a dealer licensed as a federal firearms  
12 dealer under Section 923 of the federal Gun Control Act of  
13 1968. Within 10 days after transfer of the weapon except to an  
14 heir, the person shall notify the Illinois State Police of the  
15 name and address of the transferee and comply with the  
16 requirements of subsection (b) of Section 3 of the Firearm  
17 Owners Identification Card Act. If a resident of this State,  
18 the heir to whom the weapon is transferred shall, within 60  
19 days of the transfer, complete an affidavit required under  
20 this Section. A person to whom the weapon is transferred may  
21 transfer it only as provided in this subsection.

22 Except for any active-duty member of the United States  
23 military who is transferred into this State on or after the  
24 effective date of this amendatory Act of the 102nd General  
25 Assembly, any person who moves into this State in possession  
26 of an assault weapon shall render the assault weapon or .50

1 caliber rifle permanently inoperable, sell the assault weapon  
2 or .50 caliber rifle to a federally licensed firearm dealer  
3 outside of this State, or remove the assault weapon or .50  
4 caliber rifle from this State.

5 Notwithstanding any other law, information contained in  
6 the endorsement affidavit shall be confidential and shall not  
7 be disclosed, except to law enforcement agencies acting in the  
8 performance of their duties.

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

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

13 (2) Retired or separated peace officers, as defined in  
14 Section 2-13 of this Code, who retired or separated from  
15 their respective law enforcement agencies in good standing  
16 after 10 or more years of service.

17 (3) Acquisition and possession by a local law  
18 enforcement agency for the purpose of equipping the  
19 agency's peace officers, as defined in paragraph (1) of  
20 this subsection (e).

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

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

1 from their places of duty.

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

13 (7) Manufacture, transportation, or sale of weapons,  
14 attachments, or ammunition to persons authorized under  
15 subdivisions (1) through (6) of this subsection (e) to  
16 possess those items.

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

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

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

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

1 container designed for the safe transportation of  
2 firearms.

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

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

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

22 Federally licensed firearm manufacturers in Illinois  
23 holding a type 6, 7, or 10 license are not subject to the  
24 prohibitions under this Section as it relates to  
25 manufacturing, transporting, possessing, and selling to lawful  
26 purchasers.

1       (f) Sentence.

2           (1) A person who knowingly manufactures, delivers,  
3           sells, purchases, or possesses or causes to be  
4           manufactured, delivered, sold, purchased, or possessed an  
5           assault weapon in violation of this Section commits a  
6           Class 3 felony for a first violation and a Class 2 felony  
7           for a second or subsequent violation or for the possession  
8           or delivery of 2 or more of these weapons at the same time.

9           (2) A person who knowingly manufactures, delivers,  
10           sells, purchases, or possesses or causes to be  
11           manufactured, delivered, sold, purchased, or possessed in  
12           violation of this Section an assault weapon attachment  
13           commits a Class 4 felony for a first violation and a Class  
14           3 felony for a second or subsequent violation.

15           (3) A person who knowingly manufactures, delivers,  
16           sells, purchases, or possesses or causes to be  
17           manufactured, delivered, sold, purchased, or possessed in  
18           violation of this Section a .50 caliber rifle commits a  
19           Class 3 felony for a first violation and a Class 2 felony  
20           for a second or subsequent violation or for the possession  
21           or delivery of 2 or more of these weapons at the same time.

22           (4) A person who knowingly manufactures, delivers,  
23           sells, purchases, or possesses or causes to be  
24           manufactured, delivered, sold, purchased, or possessed in  
25           violation of this Section a .50 caliber cartridge commits  
26           a Class A misdemeanor.

1           (5) Any other violation of this Section is a Class A  
2           misdemeanor.

3           (g) The Illinois State Police shall take all steps  
4           necessary to carry out the requirements of this Section within  
5           180 days after the effective date of this amendatory Act of the  
6           102nd General Assembly.

7           (720 ILCS 5/24-1.10 new)

8           Sec. 24-1.10. Manufacture, delivery, or sale of large  
9           capacity ammunition feeding devices.

10          (a) In this Section:

11          "Large capacity ammunition feeding device" means:

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

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

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

25          (b) Except as provided in subsection (c) and (d), it is

1 unlawful for any person within this State to knowingly  
2 manufacture, deliver, sell, purchase, or possess or cause to  
3 be manufactured, delivered, sold, or purchased a large  
4 capacity ammunition feeding device.

5 (c) This Section does not apply to any person who  
6 possesses a large capacity ammunition feeding device if,  
7 within 90 days of the effective date of this amendatory Act of  
8 the 102nd General Assembly, the person:

9 (1) permanently modifies the large capacity ammunition  
10 feeding device such that it cannot hold more than 12  
11 rounds of ammunition;

12 (2) surrenders the large capacity ammunition feeding  
13 device to Illinois State Police or another law enforcement  
14 agency within this State in accordance with the procedures  
15 for surrender of weapons set forth by the law enforcement  
16 agency; or

17 (3) transfers or sells the large capacity ammunition  
18 feeding device to a federally licensed firearm dealer or  
19 person or firm outside of this State that is lawfully  
20 entitled to own or possess such a device.

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

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

25 (2) A local law enforcement agency for the purpose of  
26 equipping the agency's peace officers, as defined in

1 paragraph (1) of this subsection (d).

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

5 (4) Members of the Armed Services or Reserve Forces of  
6 the United States or the Illinois National Guard, while  
7 their official duties or while traveling to or from their  
8 places of duty.

9 (5) Any company that employs armed security officers  
10 in this State at a nuclear energy, storage, weapons, or  
11 development site or facility regulated by the federal  
12 Nuclear Regulatory Commission and any person employed as  
13 an armed security force member at a nuclear energy,  
14 storage, weapons, or development site or facility  
15 regulated by the federal Nuclear Regulatory Commission who  
16 has completed the background screening and training  
17 mandated by the rules and regulations of the federal  
18 Nuclear Regulatory Commission and while performing  
19 official duties.

20 (6) Sale of large capacity ammunition feeding devices  
21 to persons authorized under subdivisions (1) through (5)  
22 of this subsection (d) to possess those devices.

23 (7) Sale or rental of large capacity ammunition  
24 feeding devices for blank-firing assault weapons and .50  
25 caliber rifles, to persons authorized or permitted, or  
26 both authorized and permitted, to acquire these devices

1       for the purpose of rental for use solely as props for a  
2       motion picture, television, or video production or  
3       entertainment event.

4       (d) Sentence. A person who knowingly delivers, sells,  
5       purchases, or causes to be delivered, sold, or purchased in  
6       violation of this Section a large capacity ammunition feeding  
7       device capable of holding more than 12 rounds of ammunition  
8       commits a petty offense with a fine of \$1,000 for each  
9       violation.

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

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