



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB2770

Introduced 2/16/2023, by Rep. Kevin John Olickal

#### SYNOPSIS AS INTRODUCED:

See Index

Creates the Microstamping Funding Program Act. Provides that the State shall establish a grant program for law enforcement officers for microstamp-ready firearms. Provides that the grant program shall be administered by the Illinois Criminal Justice Information Authority. Provides for the administration of the program. Amends the School Code. Requires school boards to develop a trauma response protocol that shall be implemented in response to a traumatic event at a school, including, but not limited to, a shooting at the school. Sets forth various requirements for the protocol, including response by hospitals, trauma intervention services, and community engagement. Provides that all moneys in the Trauma Response Fund shall be paid as grants to school districts to implement the trauma response protocol. Amends the Mental Health and Developmental Disabilities Code to require a physician, clinical psychologist, or qualified examiner to determine whether to file an action under the Firearms Restraining Order Act under specified circumstances. Amends the Developmental Disability and Mental Disability Services Act. Requires the Department of Human Services to establish family centers throughout the State to provide counseling and mental health services to families who are indigent. Amends the Firearm Owners Identification Card Act. Provides that each local law enforcement agency shall issue a firearm permit to an applicant who seeks the purchase of a firearm to verify the identity of the purchaser and shall complete a full criminal background check of the applicant that includes obtaining fingerprints from the prospective firearm purchaser. Provides that each local law enforcement agency shall keep records of those permits and make them available to the Illinois State Police through the Law Enforcement Agencies Data System (LEADS). Amends various other Acts to make conforming changes. Effective immediately.

LRB103 26858 RLC 53222 b

1 AN ACT concerning microstamping.

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

4 Article 1.

5 Section 1-1. Short title. This Article may be cited as the  
6 Microstamping Funding Program Act. References in this Article  
7 to "this Act" mean this Article.

8 Section 1-5. Legislative findings. The General Assembly  
9 finds that:

10 Law enforcement makes an arrest in only 35% of firearm  
11 homicides and 21% of firearm assaults when the victim was  
12 Black or Hispanic. Microstamping is a powerful crime-solving  
13 tool that can help law enforcement quickly solve gun crimes.  
14 Microstamping is a reliable ballistics identification tool,  
15 and can greatly enhance traditional ballistics analysis and  
16 the current National Integrated Ballistics Information Network  
17 (NIBIN) system by providing a direct link between a spent  
18 cartridge case and a firearm.

19 The leads generated from fired cartridge cases, bearing  
20 microstamps found at crime scenes, have the potential to help  
21 law enforcement solve gun-related crimes while limiting  
22 negative interactions with law enforcement, especially in

1 minority communities. While this crime-solving technology  
2 exists, firearm manufacturers have not yet produced  
3 microstamp-ready firearms.

4 It behooves the State to install a program in partnership  
5 with law enforcement to bring microstamp-ready firearms into  
6 use in Illinois.

7 Section 1-10. Definitions. In this Act:

8 "CGIC" means the Crime Gun Intelligence Center.

9 "Microstamp-ready" means that the firearm is capable of  
10 producing a unique alphanumeric or geometric code on at least  
11 one location on each expended cartridge case that can be used  
12 to identify the make, model, and serial number of the firearm.

13 "Microstamping component or mechanism" means a component  
14 or mechanism of a firearm or an insertable component or  
15 mechanism designed and intended to produce a unique  
16 alphanumeric or geometric code on an expended cartridge that  
17 identifies the make, model, and serial number of the firearm.

18 "NIBIN" means the National Integrated Ballistic  
19 Information Network.

20 Section 1-15. Grants for microstamp-ready firearms or  
21 insertable microstamping components or mechanisms, or both.

22 (a) There is created in the State treasury the  
23 Microstamp-ready Firearms Fund to be administered by the  
24 Illinois Criminal Justice Information Authority for the

1 purpose of issuing grants to law enforcement agencies to  
2 purchase or replenish microstamp-ready firearms or insertable  
3 microstamping components or mechanisms to be installed in  
4 firearms, or both, for their officers.

5 (b) Subject to appropriation, the State Comptroller shall  
6 transfer from the General Revenue Fund to the Microstamp-ready  
7 Firearms Fund \$500,000 to establish a grant program for  
8 microstamp-ready firearms in Illinois. The program shall  
9 award:

10 (1) Replenishment grants: grants between \$35,000 and  
11 \$50,000, for the replenishment of new microstamp-ready  
12 firearms or insertable microstamping components or  
13 mechanisms, or both, for their law enforcement officers.  
14 One of these grants shall be for a State law enforcement  
15 agency, and the other 3 shall be for 3 municipal law  
16 enforcement agencies of municipalities with a population  
17 between 50,000 and 200,000 that purchase firearms for  
18 their officers through a quartermaster system, in which  
19 the quartermaster is responsible for the purchase,  
20 inventory, and dissemination of uniforms and equipment to  
21 officers.

22 (2) New officer grants: grants between \$5,000 to  
23 \$20,000 to law enforcement agencies of municipalities with  
24 a population between 30,000 and 200,000 to assist with the  
25 purchase of firearms by new officers.

26 (c) Nothing in this Act prohibits State or municipal law

1 enforcement agencies from purchasing or replenishing  
2 microstamp-ready firearms or insertable microstamping  
3 components or mechanisms, or both, for their law enforcement  
4 officers from funding sources independent of the provisions of  
5 this Act.

6 Section 1-20. Administration and restrictions. The grant  
7 program shall be administered by the Illinois Criminal Justice  
8 Information Authority and the grant funds shall only be used  
9 for the purchase of microstamp-ready firearms or microstamping  
10 components or mechanisms, or both, to be installed in firearms  
11 by law enforcement agencies that are grant recipients.

12 Section 1-25. Education and training. Education and  
13 training associated with microstamp-ready firearms, and  
14 integration with the NIBIN and CGIC centers in Illinois shall  
15 be included in the program.

16 Section 1-30. Grant application and participation. The  
17 Illinois Criminal Justice Information Authority shall  
18 establish the objectives and provide direction for the  
19 program's grant application process, by which qualified law  
20 enforcement agencies can apply to receive funds for  
21 microstamp-ready firearms or insertable microstamping  
22 components or mechanisms, or both, for use by their officers.  
23 Law enforcement agencies participating in the grant program

1 must have their officers using the microstamp-ready firearms  
2 or insertable microstamping components or mechanisms, or both,  
3 as soon as they are delivered. The Illinois Criminal Justice  
4 Information Authority must establish the grant program and  
5 post the Notice of Funding Opportunity no later than September  
6 1, 2024.

7 All grants under this program must be awarded by June 30,  
8 2023.

9 Law enforcement agencies that have been awarded funds must  
10 use the funds within one year of receipt or the funds shall be  
11 returned to the State treasury to be deposited into the  
12 General Revenue Fund. Funds are only to be used for the  
13 purchase of microstamp-ready firearms or insertable  
14 microstamping components or mechanisms to be installed in  
15 firearms.

16 Section 1-35. Data collection. The Illinois Criminal  
17 Justice Information Authority shall collect data from each  
18 grant recipient, including but not limited to: the number of  
19 microstamp-ready firearms or insertable microstamping  
20 components or mechanisms, or both, purchased, manufacturer,  
21 number of officers using the microstamp-ready firearms, and  
22 the number of microstamp-ready firearms that are discharged in  
23 the first year of use.

24 Section 1-90. The Illinois Administrative Procedure Act is

1 amended by adding Section 5-45.38 as follows:

2 (5 ILCS 100/5-45.38 new)

3 Sec. 5-45.38. Emergency rulemaking; Illinois Criminal  
4 Justice Information Authority. To provide for the expeditious  
5 and timely implementation of the Microstamping Funding Program  
6 Act, emergency rules implementing the Microstamping Funding  
7 Program Act may be adopted in accordance with Section 5-45 by  
8 the Illinois Criminal Justice Information Authority. The  
9 adoption of emergency rules authorized by Section 5-45 and  
10 this Section is deemed to be necessary for the public  
11 interest, safety, and welfare.

12 This Section is repealed one year after the effective date  
13 of this amendatory Act of the 103rd General Assembly.

14 Section 1-95. The State Finance Act is amended by adding  
15 Section 5.990 as follows:

16 (30 ILCS 105/5.990 new)

17 Sec. 5.990. The Microstamp-ready Firearms Fund.

18 Article 2.

19 Section 2-5. The State Finance Act is amended by adding  
20 Section 5.991 as follows:

1 (30 ILCS 105/5.991 new)

2 Sec. 5.991. The Trauma Response Fund.

3 Section 2-10. The School Code is amended by adding  
4 Sections 10-20.82 and 34-18.77 as follows:

5 (105 ILCS 5/10-20.82 new)

6 Sec. 10-20.82. Trauma response protocol.

7 (a) Each school board shall develop a trauma response  
8 protocol that shall be implemented in response to a traumatic  
9 event at a school, including, but not limited to, a shooting at  
10 the school. The trauma response protocol shall include, but is  
11 not limited to, the following:

12 (1) As soon as practicable after the traumatic  
13 incident triggering the implementation of the trauma  
14 response protocol and after the scene is secured by law  
15 enforcement, the hospital nearest to the scene of the  
16 traumatic incident shall send mental health first  
17 responders to the school. Survivors of the shooting shall  
18 be offered immediate grief and trauma-based counseling.  
19 With respect to the requirements of this paragraph, the  
20 school board shall establish an agreement with each nearby  
21 hospital, and shall designate which hospital is considered  
22 to be nearest to each school.

23 (2) Within 5 calendar days after a traumatic incident  
24 triggering the implementation of the trauma response

1 protocol, the school or school district shall make  
2 available trauma intervention services for the survivors  
3 of the incident and others who may be impacted by the  
4 incident. In areas with frequent gun violence, additional  
5 psycho-emotional support services shall be developed that  
6 include, but are not limited to, group counseling,  
7 peer-to-peer support, and other measures. With respect to  
8 the requirements of this paragraph, school districts may  
9 partner with local community groups to implement these  
10 requirements.

11 (3) School boards shall develop a plan of community  
12 engagement and, if necessary, to recruit volunteers from  
13 the communities experiencing gun violence. School boards  
14 may partner with community members, the faith-based  
15 community, and other organizations to engage in the  
16 recruitment efforts.

17 (b) The Trauma Response Fund is created as a special fund  
18 in the State treasury. All moneys in the Fund shall be paid,  
19 subject to appropriation by the General Assembly and  
20 distribution by the State Board of Education, as grants to  
21 school districts to implement trauma response protocols under  
22 this Section and Section 34-18.77.

23 (105 ILCS 5/34-18.77 new)

24 Sec. 34-18.77. Trauma response protocol. The board shall  
25 develop a trauma response protocol that shall be implemented

1 in response to a traumatic event at a school, including, but  
2 not limited to, a shooting at the school. The trauma response  
3 protocol shall include, but is not limited to, the following:

4 (1) As soon as practicable after the traumatic  
5 incident triggering the implementation of the trauma  
6 response protocol and after the scene is secured by law  
7 enforcement, the hospital nearest to the scene of the  
8 traumatic incident shall send mental health first  
9 responders to the school. Survivors of the shooting shall  
10 be offered immediate grief and trauma-based counseling.  
11 With respect to the requirements of this paragraph, the  
12 board shall establish an agreement with each nearby  
13 hospital, and shall designate which hospital is considered  
14 to be nearest to each school.

15 (2) Within 5 calendar days after a traumatic incident  
16 triggering the implementation of the trauma response  
17 protocol, the school or the board shall make available  
18 trauma intervention services for the survivors of the  
19 incident and others who may be impacted by the incident.  
20 In areas with frequent gun violence, additional  
21 psycho-emotional support services shall be developed that  
22 include, but are not limited to, group counseling,  
23 peer-to-peer support, and other measures. With respect to  
24 the requirements of this paragraph, the board may partner  
25 with local community groups to implement these  
26 requirements.

1           (3) The board shall develop a plan of community  
2           engagement and, if necessary, to recruit volunteers from  
3           the communities experiencing gun violence. The board may  
4           partner with community members, the faith-based community,  
5           and other organizations to engage in the recruitment  
6           efforts.

7           Section 2-15. The University of Illinois Hospital Act is  
8           amended by adding Section 15 as follows:

9           (110 ILCS 330/15 new)

10          Sec. 15. School trauma response protocol. The University  
11          of Illinois Hospital shall, pursuant to paragraph (1) of  
12          Section 10-20.82 or paragraph (1) of Section 34-18.77 of the  
13          School Code, as applicable, establish agreements with school  
14          districts in the development of a trauma response protocol.

15          Section 2-20. The Hospital Licensing Act is amended by  
16          adding Section 6.34 as follows:

17          (210 ILCS 85/6.34 new)

18          Sec. 6.34. School trauma response protocol. Every hospital  
19          shall, pursuant to paragraph (1) of Section 10-20.82 or  
20          paragraph (1) of Section 34-18.77 of the School Code, as  
21          applicable, establish agreements with school districts in the  
22          development of a trauma response protocol.

1 Section 2-25. The Mental Health and Developmental  
2 Disabilities Code is amended by changing Section 6-103.3 as  
3 follows:

4 (405 ILCS 5/6-103.3)

5 Sec. 6-103.3. Clear and present danger; notice.

6 (a) If a person is determined to pose a clear and present  
7 danger to himself, herself, or to others by a physician,  
8 clinical psychologist, or qualified examiner, whether employed  
9 by the State, by any public or private mental health facility  
10 or part thereof, or by a law enforcement official or a school  
11 administrator, then the physician, clinical psychologist,  
12 qualified examiner shall notify the Department of Human  
13 Services and a law enforcement official or school  
14 administrator shall notify the Illinois State Police, within  
15 24 hours of making the determination that the person poses a  
16 clear and present danger. The Department of Human Services  
17 shall immediately update its records and information relating  
18 to mental health and developmental disabilities, and if  
19 appropriate, shall notify the Illinois State Police in a form  
20 and manner prescribed by the Illinois State Police. If a  
21 person has been determined to pose a clear and present danger  
22 under this subsection, the physician, clinical psychologist,  
23 or qualified examiner shall determine whether to file an  
24 action under the Firearms Restraining Order Act naming that

1 person as the respondent.

2 (b) Information disclosed under this Section shall remain  
3 privileged and confidential, and shall not be redisclosed,  
4 except as required under subsection (e) of Section 3.1 of the  
5 Firearm Owners Identification Card Act or for the purpose of  
6 an action under the Firearms Restraining Order Act, nor used  
7 for any other purpose. The method of providing this  
8 information shall guarantee that the information is not  
9 released beyond that which is necessary for the purposes  
10 provided by ~~purpose of~~ this Section and shall be provided by  
11 rule by the Department of Human Services. The identity of the  
12 person reporting under this Section shall not be disclosed to  
13 the subject of the report. The physician, clinical  
14 psychologist, qualified examiner, law enforcement official, or  
15 school administrator making the determination and his or her  
16 employer shall not be held criminally, civilly, or  
17 professionally liable for making or not making the  
18 notification required under this Section, except for willful  
19 or wanton misconduct. This Section does not apply to a law  
20 enforcement official, if making the notification under this  
21 Section will interfere with an ongoing or pending criminal  
22 investigation.

23 (c) For the purposes of this Section:

24 "Clear and present danger" has the meaning ascribed to  
25 it in Section 1.1 of the Firearm Owners Identification  
26 Card Act.

1           "Determined to pose a clear and present danger to  
2           himself, herself, or to others by a physician, clinical  
3           psychologist, or qualified examiner" means in the  
4           professional opinion of the physician, clinical  
5           psychologist, or qualified examiner, a person poses a  
6           clear and present danger.

7           "School administrator" means the person required to  
8           report under the School Administrator Reporting of Mental  
9           Health Clear and Present Danger Determinations Law.

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

11           Section 2-30. The Developmental Disability and Mental  
12          Disability Services Act is by adding Section 7-5 as follows:

13           (405 ILCS 80/7-5 new)

14           Sec. 7-5. Mental health services for indigent families.  
15           The Department of Human Services shall establish family  
16           centers throughout this State to provide counseling and mental  
17           health services to families who are indigent based on any  
18           behavior or mental health condition as determined by  
19           Department rule. The Department shall employ or contract with  
20           psychiatrists, clinical psychologists, clinical social  
21           workers, and licensed marriage and family therapists to  
22           provide those services.

23           Section 2-35. The Firearm Owners Identification Card Act

1 is amended by changing Sections 3 and 8.1 and by adding Section  
2 3.4 as follows:

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

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

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

17 (a-1) Before a person purchases or receives a firearm from  
18 a federally licensed firearm dealer, the person must display  
19 to the dealer of the firearm a permit to purchase or receive  
20 the firearm issued by the local law enforcement agency under  
21 Section 3.4.

22 (a-5) Any person who is not a federally licensed firearm  
23 dealer and who desires to transfer or sell a firearm while that  
24 person is on the grounds of a gun show must, before selling or  
25 transferring the firearm, request the Illinois State Police to

1 conduct a background check on the prospective recipient of the  
2 firearm in accordance with Section 3.1.

3 (a-10) Notwithstanding item (2) of subsection (a) of this  
4 Section, any person who is not a federally licensed firearm  
5 dealer and who desires to transfer or sell a firearm or  
6 firearms to any person who is not a federally licensed firearm  
7 dealer shall, before selling or transferring the firearms,  
8 contact a federal firearm license dealer under paragraph (1)  
9 of subsection (a-15) of this Section to conduct the transfer  
10 or the Illinois State Police with the transferee's or  
11 purchaser's Firearm Owner's Identification Card number to  
12 determine the validity of the transferee's or purchaser's  
13 Firearm Owner's Identification Card under State and federal  
14 law including the National Instant Criminal Background Check  
15 System. This subsection shall not be effective until July 1,  
16 2023. Until that date the transferor shall contact the  
17 Illinois State Police with the transferee's or purchaser's  
18 Firearm Owner's Identification Card number to determine the  
19 validity of the card. The Illinois State Police may adopt  
20 rules concerning the implementation of this subsection. The  
21 Illinois State Police shall provide the seller or transferor  
22 an approval number if the purchaser's Firearm Owner's  
23 Identification Card is valid. Approvals issued by the Illinois  
24 State Police for the purchase of a firearm pursuant to this  
25 subsection are valid for 30 days from the date of issue.

26 (a-15) The provisions of subsection (a-10) of this Section

1 do not apply to:

2 (1) transfers that occur at the place of business of a  
3 federally licensed firearm dealer, if the federally  
4 licensed firearm dealer conducts a background check on the  
5 prospective recipient of the firearm in accordance with  
6 Section 3.1 of this Act and follows all other applicable  
7 federal, State, and local laws as if he or she were the  
8 seller or transferor of the firearm, although the dealer  
9 is not required to accept the firearm into his or her  
10 inventory. The purchaser or transferee may be required by  
11 the federally licensed firearm dealer to pay a fee not to  
12 exceed \$25 per firearm, which the dealer may retain as  
13 compensation for performing the functions required under  
14 this paragraph, plus the applicable fees authorized by  
15 Section 3.1;

16 (2) transfers as a bona fide gift to the transferor's  
17 husband, wife, son, daughter, stepson, stepdaughter,  
18 father, mother, stepfather, stepmother, brother, sister,  
19 nephew, niece, uncle, aunt, grandfather, grandmother,  
20 grandson, granddaughter, father-in-law, mother-in-law,  
21 son-in-law, or daughter-in-law;

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

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

26 (5) the delivery of a firearm by its owner to a

1           gunsmith for service or repair, the return of the firearm  
2           to its owner by the gunsmith, or the delivery of a firearm  
3           by a gunsmith to a federally licensed firearms dealer for  
4           service or repair and the return of the firearm to the  
5           gunsmith;

6           (6) temporary transfers that occur while in the home  
7           of the unlicensed transferee, if the unlicensed transferee  
8           is not otherwise prohibited from possessing firearms and  
9           the unlicensed transferee reasonably believes that  
10          possession of the firearm is necessary to prevent imminent  
11          death or great bodily harm to the unlicensed transferee;

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

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

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

21          (a-20) The Illinois State Police shall develop an  
22          Internet-based system for individuals to determine the  
23          validity of a Firearm Owner's Identification Card prior to the  
24          sale or transfer of a firearm. The Illinois State Police shall  
25          have the Internet-based system updated and available for use  
26          by January 1, 2024. The Illinois State Police shall adopt

1 rules not inconsistent with this Section to implement this  
2 system, but no rule shall allow the Illinois State Police to  
3 retain records in contravention of State and federal law.

4 (a-25) On or before January 1, 2022, the Illinois State  
5 Police shall develop an Internet-based system upon which the  
6 serial numbers of firearms that have been reported stolen are  
7 available for public access for individuals to ensure any  
8 firearms are not reported stolen prior to the sale or transfer  
9 of a firearm under this Section. The Illinois State Police  
10 shall have the Internet-based system completed and available  
11 for use by July 1, 2022. The Illinois State Police shall adopt  
12 rules not inconsistent with this Section to implement this  
13 system.

14 (b) Any person within this State who transfers or causes  
15 to be transferred any firearm, stun gun, or taser shall keep a  
16 record of such transfer for a period of 10 years from the date  
17 of transfer. Any person within this State who receives any  
18 firearm, stun gun, or taser pursuant to subsection (a-10)  
19 shall provide a record of the transfer within 10 days of the  
20 transfer to a federally licensed firearm dealer and shall not  
21 be required to maintain a transfer record. The federally  
22 licensed firearm dealer shall maintain the transfer record for  
23 20 years from the date of receipt. A federally licensed  
24 firearm dealer may charge a fee not to exceed \$25 to retain the  
25 record. The record shall be provided and maintained in either  
26 an electronic or paper format. The federally licensed firearm

1 dealer shall not be liable for the accuracy of any information  
2 in the transfer record submitted pursuant to this Section.  
3 Such records shall contain the date of the transfer; the  
4 description, serial number or other information identifying  
5 the firearm, stun gun, or taser if no serial number is  
6 available; and, if the transfer was completed within this  
7 State, the transferee's Firearm Owner's Identification Card  
8 number and any approval number or documentation provided by  
9 the Illinois State Police pursuant to subsection (a-10) of  
10 this Section; if the transfer was not completed within this  
11 State, the record shall contain the name and address of the  
12 transferee. On or after January 1, 2006, the record shall  
13 contain the date of application for transfer of the firearm.  
14 On demand of a peace officer such transferor shall produce for  
15 inspection such record of transfer. For any transfer pursuant  
16 to subsection (a-10) of this Section, on the demand of a peace  
17 officer, such transferee shall identify the federally licensed  
18 firearm dealer maintaining the transfer record. If the  
19 transfer or sale took place at a gun show, the record shall  
20 include the unique identification number. Failure to record  
21 the unique identification number or approval number is a petty  
22 offense. For transfers of a firearm, stun gun, or taser made on  
23 or after January 18, 2019 (the effective date of Public Act  
24 100-1178), failure by the private seller to maintain the  
25 transfer records in accordance with this Section, or failure  
26 by a transferee pursuant to subsection a-10 of this Section to

1 identify the federally licensed firearm dealer maintaining the  
2 transfer record, is a Class A misdemeanor for the first  
3 offense and a Class 4 felony for a second or subsequent offense  
4 occurring within 10 years of the first offense and the second  
5 offense was committed after conviction of the first offense.  
6 Whenever any person who has not previously been convicted of  
7 any violation of subsection (a-5), the court may grant  
8 supervision pursuant to and consistent with the limitations of  
9 Section 5-6-1 of the Unified Code of Corrections. A transferee  
10 or transferor shall not be criminally liable under this  
11 Section provided that he or she provides the Illinois State  
12 Police with the transfer records in accordance with procedures  
13 established by the Illinois State Police. The Illinois State  
14 Police shall establish, by rule, a standard form on its  
15 website.

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

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

4 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22;  
5 102-1116, eff. 1-10-23.)

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

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

19 (a-1) Before a person purchases or receives a firearm from  
20 a federally licensed firearm dealer, the person must display  
21 to the dealer of the firearm a permit to purchase or receive  
22 the firearm issued by the local law enforcement agency under  
23 Section 3.4.

24 (a-5) Any person who is not a federally licensed firearm  
25 dealer and who desires to transfer or sell a firearm while that

1 person is on the grounds of a gun show must, before selling or  
2 transferring the firearm, request the Illinois State Police to  
3 conduct a background check on the prospective recipient of the  
4 firearm in accordance with Section 3.1.

5 (a-10) Notwithstanding item (2) of subsection (a) of this  
6 Section, any person who is not a federally licensed firearm  
7 dealer and who desires to transfer or sell a firearm or  
8 firearms to any person who is not a federally licensed firearm  
9 dealer shall, before selling or transferring the firearms,  
10 contact a federal firearm license dealer under paragraph (1)  
11 of subsection (a-15) of this Section to conduct the transfer  
12 or the Illinois State Police with the transferee's or  
13 purchaser's Firearm Owner's Identification Card number to  
14 determine the validity of the transferee's or purchaser's  
15 Firearm Owner's Identification Card under State and federal  
16 law, including the National Instant Criminal Background Check  
17 System. This subsection shall not be effective until July 1,  
18 2023. Until that date the transferor shall contact the  
19 Illinois State Police with the transferee's or purchaser's  
20 Firearm Owner's Identification Card number to determine the  
21 validity of the card. The Illinois State Police may adopt  
22 rules concerning the implementation of this subsection. The  
23 Illinois State Police shall provide the seller or transferor  
24 an approval number if the purchaser's Firearm Owner's  
25 Identification Card is valid. Approvals issued by the Illinois  
26 State Police for the purchase of a firearm pursuant to this

1 subsection are valid for 30 days from the date of issue.

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

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

18 (2) transfers as a bona fide gift to the transferor's  
19 husband, wife, son, daughter, stepson, stepdaughter,  
20 father, mother, stepfather, stepmother, brother, sister,  
21 nephew, niece, uncle, aunt, grandfather, grandmother,  
22 grandson, granddaughter, father-in-law, mother-in-law,  
23 son-in-law, or daughter-in-law;

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

26 (4) transfers on the grounds of a gun show under

1 subsection (a-5) of this Section;

2 (5) the delivery of a firearm by its owner to a  
3 gunsmith for service or repair, the return of the firearm  
4 to its owner by the gunsmith, or the delivery of a firearm  
5 by a gunsmith to a federally licensed firearms dealer for  
6 service or repair and the return of the firearm to the  
7 gunsmith;

8 (6) temporary transfers that occur while in the home  
9 of the unlicensed transferee, if the unlicensed transferee  
10 is not otherwise prohibited from possessing firearms and  
11 the unlicensed transferee reasonably believes that  
12 possession of the firearm is necessary to prevent imminent  
13 death or great bodily harm to the unlicensed transferee;

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

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

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

23 (a-20) The Illinois State Police shall develop an  
24 Internet-based system for individuals to determine the  
25 validity of a Firearm Owner's Identification Card prior to the  
26 sale or transfer of a firearm. The Illinois State Police shall

1 have the Internet-based system updated and available for use  
2 by January 1, 2024. The Illinois State Police shall adopt  
3 rules not inconsistent with this Section to implement this  
4 system; but no rule shall allow the Illinois State Police to  
5 retain records in contravention of State and federal law.

6 (a-25) On or before January 1, 2022, the Illinois State  
7 Police shall develop an Internet-based system upon which the  
8 serial numbers of firearms that have been reported stolen are  
9 available for public access for individuals to ensure any  
10 firearms are not reported stolen prior to the sale or transfer  
11 of a firearm under this Section. The Illinois State Police  
12 shall have the Internet-based system completed and available  
13 for use by July 1, 2022. The Illinois State Police shall adopt  
14 rules not inconsistent with this Section to implement this  
15 system.

16 (b) Any person within this State who transfers or causes  
17 to be transferred any firearm, stun gun, or taser shall keep a  
18 record of such transfer for a period of 10 years from the date  
19 of transfer. Any person within this State who receives any  
20 firearm, stun gun, or taser pursuant to subsection (a-10)  
21 shall provide a record of the transfer within 10 days of the  
22 transfer to a federally licensed firearm dealer and shall not  
23 be required to maintain a transfer record. The federally  
24 licensed firearm dealer shall maintain the transfer record for  
25 20 years from the date of receipt. A federally licensed  
26 firearm dealer may charge a fee not to exceed \$25 to retain the

1 record. The record shall be provided and maintained in either  
2 an electronic or paper format. The federally licensed firearm  
3 dealer shall not be liable for the accuracy of any information  
4 in the transfer record submitted pursuant to this Section.  
5 Such records shall contain the date of the transfer; the  
6 description, serial number or other information identifying  
7 the firearm, stun gun, or taser if no serial number is  
8 available; and, if the transfer was completed within this  
9 State, the transferee's Firearm Owner's Identification Card  
10 number and any approval number or documentation provided by  
11 the Illinois State Police pursuant to subsection (a-10) of  
12 this Section; if the transfer was not completed within this  
13 State, the record shall contain the name and address of the  
14 transferee. On or after January 1, 2006, the record shall  
15 contain the date of application for transfer of the firearm.  
16 On demand of a peace officer such transferor shall produce for  
17 inspection such record of transfer. For any transfer pursuant  
18 to subsection (a-10) of this Section, on the demand of a peace  
19 officer, such transferee shall identify the federally licensed  
20 firearm dealer maintaining the transfer record. If the  
21 transfer or sale took place at a gun show, the record shall  
22 include the unique identification number. Failure to record  
23 the unique identification number or approval number is a petty  
24 offense. For transfers of a firearm, stun gun, or taser made on  
25 or after January 18, 2019 (the effective date of Public Act  
26 100-1178), failure by the private seller to maintain the

1 transfer records in accordance with this Section, or failure  
2 by a transferee pursuant to subsection a-10 of this Section to  
3 identify the federally licensed firearm dealer maintaining the  
4 transfer record, is a Class A misdemeanor for the first  
5 offense and a Class 4 felony for a second or subsequent offense  
6 occurring within 10 years of the first offense and the second  
7 offense was committed after conviction of the first offense.  
8 Whenever any person who has not previously been convicted of  
9 any violation of subsection (a-5), the court may grant  
10 supervision pursuant to and consistent with the limitations of  
11 Section 5-6-1 of the Unified Code of Corrections. A transferee  
12 or transferor shall not be criminally liable under this  
13 Section provided that he or she provides the Illinois State  
14 Police with the transfer records in accordance with procedures  
15 established by the Illinois State Police. The Illinois State  
16 Police shall establish, by rule, a standard form on its  
17 website.

18 (b-5) Any resident may purchase ammunition from a person  
19 within or outside of Illinois if shipment is by United States  
20 mail or by a private express carrier authorized by federal law  
21 to ship ammunition. Any resident purchasing ammunition within  
22 or outside the State of Illinois must provide the seller with a  
23 copy of his or her valid Firearm Owner's Identification Card  
24 or valid concealed carry license and either his or her  
25 Illinois driver's license or Illinois State Identification  
26 Card prior to the shipment of the ammunition. The ammunition

1 may be shipped only to an address on either of those 2  
2 documents.

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

6 (Source: P.A. 102-237, eff. 1-1-24; 102-538, eff. 8-20-21;  
7 102-813, eff. 5-13-22; 102-1116, eff. 1-10-23.)

8 (430 ILCS 65/3.4 new)

9 Sec. 3.4. Firearms transfers; permits.

10 (a) Notwithstanding any other law to the contrary, each  
11 local law enforcement agency shall issue a firearm permit to  
12 an applicant who seeks the purchase of a firearm to verify the  
13 identity of the purchaser and shall complete a full criminal  
14 background check of the applicant that includes obtaining  
15 fingerprints from the prospective firearm purchaser. The  
16 requirement that an applicant for a firearm submit a full set  
17 of fingerprints before being issued a firearm permit applies  
18 to the first issuance of a firearm permit under this  
19 amendatory Act of the 103rd General Assembly. Subsequent  
20 applications for firearm permits issued to an applicant do not  
21 require the re-submission of the applicant's fingerprints.

22 (b) Each local law enforcement agency shall keep records  
23 of those permits and make them available to the Illinois State  
24 Police through the Law Enforcement Agencies Data System  
25 (LEADS).

1       (c) The duration of the permit shall be 10 days after its  
2       issuance.

3       (d) The local law enforcement agency may deny a permit to  
4       purchase a firearm to an applicant if the agency, in its  
5       discretion, believes it is in the interest of public safety.

6       (e) Prior to the purchase of a firearm, a person must  
7       submit the permit issued by the local law enforcement agency  
8       to the dealer or transferor of the firearm.

9       (f) In this Section, "local law enforcement agency" means  
10       the municipal police department of the municipality in which  
11       the applicant for the firearm purchase resides, or if the  
12       applicant resides in an unincorporated area, or if no  
13       municipal police department exists in the applicant's  
14       municipality of residence, then "local law enforcement agency"  
15       means the office of the sheriff of the county of the  
16       applicant's residence.

17       (430 ILCS 65/8.1) (from Ch. 38, par. 83-8.1)

18       Sec. 8.1. Notifications to the Illinois State Police.

19       (a) The Circuit Clerk shall, in the form and manner  
20       required by the Supreme Court, notify the Illinois State  
21       Police of all final dispositions of cases for which the  
22       Department has received information reported to it under  
23       Sections 2.1 and 2.2 of the Criminal Identification Act.

24       (b) Upon adjudication of any individual as a person with a  
25       mental disability as defined in Section 1.1 of this Act or a

1 finding that a person has been involuntarily admitted, the  
2 court shall direct the circuit court clerk to immediately  
3 notify the Illinois State Police, Firearm Owner's  
4 Identification (FOID) department, and shall forward a copy of  
5 the court order to the Department.

6 (b-1) Beginning July 1, 2016, and each July 1 and December  
7 30 of every year thereafter, the circuit court clerk shall, in  
8 the form and manner prescribed by the Illinois State Police,  
9 notify the Illinois State Police, Firearm Owner's  
10 Identification (FOID) department if the court has not directed  
11 the circuit court clerk to notify the Illinois State Police,  
12 Firearm Owner's Identification (FOID) department under  
13 subsection (b) of this Section, within the preceding 6 months,  
14 because no person has been adjudicated as a person with a  
15 mental disability by the court as defined in Section 1.1 of  
16 this Act or if no person has been involuntarily admitted. The  
17 Supreme Court may adopt any orders or rules necessary to  
18 identify the persons who shall be reported to the Illinois  
19 State Police under subsection (b), or any other orders or  
20 rules necessary to implement the requirements of this Act.

21 (c) The Department of Human Services shall, in the form  
22 and manner prescribed by the Illinois State Police, report all  
23 information collected under subsection (b) of Section 12 of  
24 the Mental Health and Developmental Disabilities  
25 Confidentiality Act for the purpose of determining whether a  
26 person who may be or may have been a patient in a mental health

1 facility is disqualified under State or federal law from  
2 receiving or retaining a Firearm Owner's Identification Card,  
3 or purchasing a weapon.

4 (d) If a person is determined to pose a clear and present  
5 danger to himself, herself, or to others:

6 (1) by a physician, clinical psychologist, or  
7 qualified examiner, or is determined to have a  
8 developmental disability by a physician, clinical  
9 psychologist, or qualified examiner, whether employed by  
10 the State or privately, then the physician, clinical  
11 psychologist, or qualified examiner shall, within 24 hours  
12 of making the determination, notify the Department of  
13 Human Services that the person poses a clear and present  
14 danger or has a developmental disability; or

15 (2) by a law enforcement official or school  
16 administrator, then the law enforcement official or school  
17 administrator shall, within 24 hours of making the  
18 determination, notify the Illinois State Police that the  
19 person poses a clear and present danger.

20 The Department of Human Services shall immediately update  
21 its records and information relating to mental health and  
22 developmental disabilities, and if appropriate, shall notify  
23 the Illinois State Police in a form and manner prescribed by  
24 the Illinois State Police. When the Illinois State Police is  
25 notified pursuant to this subsection that a person has been  
26 determined to pose a clear and present danger, the ~~The~~

1 Illinois State Police shall determine whether to revoke the  
2 person's Firearm Owner's Identification Card under Section 8  
3 of this Act. The person reporting or alleging under this  
4 subsection that another person poses a clear and present  
5 danger to himself, herself, or to others shall determine  
6 whether to file an action under the Firearms Restraining Order  
7 Act naming that person as the respondent. Any information  
8 disclosed under this subsection shall remain privileged and  
9 confidential, and shall not be redisclosed, except as required  
10 under subsection (e) of Section 3.1 of this Act or for the  
11 purpose of an action under the Firearms Restraining Order Act,  
12 nor used for any other purpose. The method of providing this  
13 information shall guarantee that the information is not  
14 released beyond what is necessary for the purposes provided by  
15 ~~purpose of~~ this Section and shall be provided by rule by the  
16 Department of Human Services. The identity of the person  
17 reporting under this Section shall not be disclosed to the  
18 subject of the report. The physician, clinical psychologist,  
19 qualified examiner, law enforcement official, or school  
20 administrator making the determination and his or her employer  
21 shall not be held criminally, civilly, or professionally  
22 liable for making or not making the notification required  
23 under this subsection, except for willful or wanton  
24 misconduct.

25 (e) The Illinois State Police shall adopt rules to  
26 implement this Section.

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

2 Section 2-40. The Firearms Restraining Order Act is  
3 amended by changing Sections 5, 10, and 40, and by adding  
4 Sections 58 and 63 as follows:

5 (430 ILCS 67/5)

6 Sec. 5. Definitions. As used in this Act:

7 "Family member of the respondent" means a spouse, former  
8 spouse, person with whom the respondent has a minor child in  
9 common, parent, child, or step-child of the respondent, any  
10 other person related by blood or present marriage to the  
11 respondent, or a person who shares a common dwelling with the  
12 respondent.

13 "Firearms restraining order" means an order issued by the  
14 court, prohibiting and enjoining a named person from having in  
15 his or her custody or control, purchasing, possessing, or  
16 receiving any firearms or ammunition, ~~or removing~~ firearm  
17 parts that could be assembled to make an operable firearm.

18 "Intimate partner" means a spouse, former spouse, a person  
19 with whom the respondent has or allegedly has a child in  
20 common, or a person with whom the respondent has or has had a  
21 dating or engagement relationship.

22 "Petitioner" means:

23 (1) a family member of the respondent as defined in  
24 this Act; ~~or~~

1           (2) a law enforcement officer who files a petition  
2           alleging that the respondent poses a danger of causing  
3           personal injury to himself, herself, or another by having  
4           in his or her custody or control, purchasing, possessing,  
5           or receiving a firearm, ammunition, or firearm parts that  
6           could be assembled to make an operable firearm ~~or removing~~  
7           ~~firearm parts that could be assembled to make an operable~~  
8           ~~firearm; or -~~

9           (3) a physician, psychologist, clinical social worker,  
10          licensed clinical professional counselor, clinical nurse  
11          specialist in psychiatric and mental health nursing,  
12          psychiatric nurse practitioner, licensed marriage and  
13          family therapist, or health officer or designee of a  
14          health officer who has examined a respondent.

15          "Respondent" means the person alleged in the petition to  
16          pose a danger of causing personal injury to himself, herself,  
17          or another by having in his or her custody or control,  
18          purchasing, possessing, or receiving a firearm, ammunition, or  
19          firearm parts that could be assembled to make an operable  
20          firearm ~~or removing firearm parts that could be assembled to~~  
21          ~~make an operable firearm.~~

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

23          (430 ILCS 67/10)

24          Sec. 10. Commencement of action; procedure.

25          (a) An action for a firearms restraining order is

1 commenced by filing a verified petition for a firearms  
2 restraining order in any circuit court.

3 (b) A petition for a firearms restraining order may be  
4 filed in: (1) any county where the respondent resides or (2)  
5 any county where an incident occurred that involved the  
6 respondent posing an immediate and present danger of causing  
7 personal injury to the respondent or another by having in his  
8 or her custody or control, or purchasing, possessing, or  
9 receiving, a firearm, ammunition, or firearm parts that could  
10 be assembled to make an operable firearm. A firearms  
11 restraining order may be issued against any respondent,  
12 including, but not limited to, a respondent who, at the time of  
13 the filing of the petition for a firearms restraining order,  
14 is under the age of 21, does not have a valid Firearm Owner's  
15 Identification Card, or does not hold or have a right to  
16 possess a firearm.

17 (c) No fee shall be charged by the clerk for filing,  
18 amending, vacating, certifying, printing, or photocopying  
19 petitions or orders; or for issuing alias summons; or for any  
20 related filing service. No fee shall be charged by the sheriff  
21 or other law enforcement for service by the sheriff or other  
22 law enforcement of a petition, rule, motion, or order in an  
23 action commenced under this Section.

24 (d) The court shall provide, through the office of the  
25 clerk of the court, simplified forms and clerical assistance  
26 to help with the ~~writing and~~ filing of a petition under this

1 Section by any person not represented by counsel. In addition,  
2 that assistance may be provided by the State's Attorney.

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

4 (430 ILCS 67/40)

5 Sec. 40. Plenary orders.

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

20 (b) If the respondent is alleged to pose a significant  
21 danger of causing personal injury to an intimate partner, or  
22 an intimate partner is alleged to have been the target of a  
23 threat or act of violence by the respondent, the petitioner  
24 shall make a good faith effort to provide notice to any and all  
25 intimate partners of the respondent. The notice must include

1 the duration of time that the petitioner intends to petition  
2 the court for a firearms restraining order, and, if the  
3 petitioner is a law enforcement officer, referral to relevant  
4 domestic violence or stalking advocacy or counseling  
5 resources, if appropriate. The petitioner shall attest to  
6 having provided the notice in the filed affidavit or verified  
7 pleading. If, after making a good faith effort, the petitioner  
8 is unable to provide notice to any or all intimate partners,  
9 the affidavit or verified pleading should describe what  
10 efforts were made.

11 (c) Every person who files a petition for a plenary  
12 firearms restraining order, knowing the information provided  
13 to the court at any hearing or in the affidavit or verified  
14 pleading to be false, is guilty of perjury under Section 32-2  
15 of the Criminal Code of 2012.

16 (d) Upon receipt of a petition for a plenary firearms  
17 restraining order, the court shall order a hearing within 30  
18 days.

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

22 (1) The unlawful and reckless use, display, or  
23 brandishing of a firearm, ammunition, and firearm parts  
24 that could be assembled to make an operable firearm by the  
25 respondent.

26 (2) The history of use, attempted use, or threatened

1 use of physical force by the respondent against another  
2 person.

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

5 (4) Evidence of the abuse of controlled substances or  
6 alcohol by the respondent.

7 (5) A recent threat of violence or act of violence by  
8 the respondent directed toward himself, herself, or  
9 another.

10 (6) A violation of an emergency order of protection  
11 issued under Section 217 of the Illinois Domestic Violence  
12 Act of 1986 or Section 112A-17 of the Code of Criminal  
13 Procedure of 1963 or of an order of protection issued  
14 under Section 214 of the Illinois Domestic Violence Act of  
15 1986 or Section 112A-14 of the Code of Criminal Procedure  
16 of 1963.

17 (7) A pattern of violent acts or violent threats,  
18 including, but not limited to, threats of violence or acts  
19 of violence by the respondent directed toward himself,  
20 herself, or another.

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

1 an operable firearm.

2 (g) If the court finds that there is clear and convincing  
3 evidence to issue a plenary firearms restraining order, the  
4 court shall issue a firearms restraining order that shall be  
5 in effect for up to one year, but not less than 6 months,  
6 subject to renewal under Section 45 of this Act or termination  
7 under that Section.

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

24 (h) A plenary firearms restraining order shall require:

25 (1) the respondent to refrain from having in his or  
26 her custody or control, purchasing, possessing, or

1 receiving additional firearms, ammunition, and firearm  
2 parts that could be assembled to make an operable firearm  
3 for the duration of the order under Section 8.2 of the  
4 Firearm Owners Identification Card Act; and

5 (2) the respondent to comply with Section 9.5 of the  
6 Firearm Owners Identification Card Act and subsection (g)  
7 of Section 70 of the Firearm Concealed Carry Act.

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

1 agency.

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

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

1 court determines that person to be the lawful owner of the  
2 firearm, ammunition, and firearm parts that could be assembled  
3 to make an operable firearm, the firearm, ammunition, and  
4 firearm parts that could be assembled to make an operable  
5 firearm shall be returned to him or her, provided that:

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

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

18 The person petitioning for the return of his or her  
19 firearm, ammunition, and firearm parts that could be assembled  
20 to make an operable firearm must swear or affirm by affidavit  
21 that he or she: (i) is the lawful owner of the firearm,  
22 ammunition, and firearm parts that could be assembled to make  
23 an operable firearm; (ii) shall not transfer the firearm,  
24 ammunition, and firearm parts that could be assembled to make  
25 an operable firearm to the respondent; and (iii) will store  
26 the firearm, ammunition, and firearm parts that could be

1 assembled to make an operable firearm in a manner that the  
2 respondent does not have access to or control of the firearm,  
3 ammunition, and firearm parts that could be assembled to make  
4 an operable firearm.

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

8 (k) When the court issues a firearms restraining order  
9 under this Section, the court shall inform the respondent that  
10 he or she is entitled to one hearing during the period of the  
11 order to request a termination of the order, under Section 45  
12 of this Act, and shall provide the respondent with a form to  
13 request a hearing.

14 (l) A firearms restraining order issued under this  
15 subsection shall also include an order to surrender firearms,  
16 ammunition, and firearm parts that could be assembled to make  
17 an operable firearm. The order to surrender firearms,  
18 ammunition, and firearm parts that could be assembled to make  
19 an operable firearm shall require the respondent to surrender  
20 all firearms, ammunition, and firearm parts that could be  
21 assembled to make an operable firearm on the day the  
22 respondent is served with the firearms restraining order. Upon  
23 the respondent surrendering all firearms, ammunition, and  
24 firearm parts that could be assembled to make an operable  
25 firearm to the appropriate law enforcement agency, the law  
26 enforcement agency shall provide a statement of receipt of any

1 and all firearms, ammunition, or firearm parts that could be  
2 assembled to make an operable firearm with a description of  
3 any and all firearms, ammunition, or firearm parts that could  
4 be assembled to make an operable firearm surrendered, to the  
5 respondent and the court. This statement of receipt shall be  
6 considered proof of compliance with a firearms restraining  
7 order and may be presented as proof at a hearing.

8 Within 30 days after the effective date of this amendatory  
9 Act of the 103rd General Assembly, the Supreme Court may adopt  
10 a form for an order to surrender firearms and update any  
11 existing forms for a firearms restraining order to reflect the  
12 changes made by this amendatory Act of the 103rd General  
13 Assembly. The form for an order to surrender firearms shall  
14 also include forms for a declaration of surrender of firearms,  
15 proof of surrender, declaration of nonsurrender, and order to  
16 release firearms.

17 (m) After issuing a firearms restraining order under this  
18 Section, the court shall hold a hearing within 3 days to  
19 determine whether the respondent is complying with the  
20 firearms restraining order. If compliance has already been  
21 established and the disposition record is on file with the  
22 court, the court may waive the compliance hearing. Nothing in  
23 this subsection shall preclude the court from setting  
24 additional compliance hearings.

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

1 5-13-22; 102-1116, eff. 1-10-23.)

2 (430 ILCS 67/58 new)

3 Sec. 58. Centralized State database; Department of Public  
4 Health. Within 6 months after the effective date of this  
5 amendatory Act of the 103rd General Assembly, the Department  
6 of Public Health shall create, in coordination with the  
7 Department of Human Services' Office of Firearm Violence  
8 Prevention, a centralized State database to provide access to  
9 data regarding firearms restraining orders for research and  
10 policy purposes. The database shall include, but shall not be  
11 limited to, all of the following information:

12 (1) Information regarding the petitioner for each  
13 case, including, but not limited to, all of the following:

14 (A) The relationship of the petitioner to the  
15 respondent.

16 (B) The type of petitioner as identified under  
17 Section 5.

18 (C) The demographic information of the petitioner,  
19 including the petitioner's age, gender identity, and  
20 racial or ethnic identity.

21 (D) For law enforcement petitioners, the specific  
22 law enforcement agency or department.

23 (2) Information regarding the respondent for each  
24 case, including, but not limited to, all of the following:

25 (A) The demographic information of the respondent,

1 including the respondent's age, gender identity, and  
2 racial or ethnic identity.

3 (B) Whether the respondent is or has been a  
4 respondent to any current or previous order of  
5 protection issued under the Illinois Domestic Violence  
6 Act of 1986, firearms restraining order issued under  
7 this Act, protective order issued under Article 112A  
8 of the Code of Criminal Procedure of 1963, stalking no  
9 contact order issued under the Stalking No Contact  
10 Order Act, or civil no contact order issued under the  
11 Civil No Contact Order Act.

12 (C) Whether the respondent is a suspect or  
13 defendant in a criminal matter at the time the  
14 petition is filed.

15 (3) Information regarding the firearms restraining  
16 order and the conditions surrounding it, including, but  
17 not limited to, all of the following:

18 (A) The city and county where a petition is filed,  
19 the date a petition is filed, and the date that a  
20 firearms restraining order is issued.

21 (B) The expiration date of the petition.

22 (C) Whether the respondent is alleged in the  
23 petition to pose a clear and present danger of causing  
24 personal injury only to himself or herself, only to  
25 another, or to both himself or herself and another.

26 (D) A brief synopsis of the events precipitating

1 and giving rise to the petition.

2 (E) The eventual legal outcome of a petition,  
3 including:

4 (i) whether an emergency firearms restraining  
5 order was granted, denied, or renewed under  
6 Section 35 and the reasons for the determination;

7 (ii) whether a 6-month firearms restraining  
8 order was granted, denied, or renewed under  
9 Section 40 and the reasons for the determination;

10 (iii) whether the case surrounding the  
11 petition was dismissed and, if so, the reasons for  
12 the dismissal; and

13 (iv) whether the respondent contested the  
14 issuance of a firearms restraining order.

15 (F) Whether a respondent was served with notice of  
16 a firearms restraining order and, if so, the date he or  
17 she was served.

18 (G) Whether the respondent was arrested,  
19 hospitalized, or referred for psychiatric services for  
20 the respondent's actions leading to the petition.

21 (H) Whether a search warrant was issued to  
22 determine whether the respondent had in his or her  
23 custody or control, purchased, possessed, or received  
24 any firearms or ammunition or firearm parts that could  
25 be assembled to make an operable firearm.

26 (4) Information regarding any firearms at issue,

1 including, but not limited to, all of the following:

2 (A) The number and type of firearms in the  
3 respondent's possession or that are accessible to the  
4 respondent.

5 (B) The number and type of firearms recovered,  
6 seized, or transferred from the respondent as a result  
7 of a petition.

8 (C) The number of possible firearms in the  
9 respondent's possession or that are accessible to the  
10 respondent and that are unaccounted for.

11 (D) Whether a respondent complied with a firearms  
12 restraining order issued under this Act.

13 The information in the database shall be public, but  
14 information disclosed to the public from the database shall  
15 not contain any personal identifying information.

16 (430 ILCS 67/63 new)

17 Sec. 63. Office of Firearms Restraining Order  
18 Coordination.

19 (a) Subject to appropriation from State and federal funds,  
20 there is established within the Department of Human Services  
21 the Office of Firearms Restraining Order Coordination. The  
22 Office shall consist of a Director and 5 Coordinators,  
23 appointed by the Secretary of Human Services. One Coordinator  
24 shall be selected from each of the 5 Illinois Appellate Court  
25 Districts and shall serve as a liaison between petitioners,

1 State's Attorney offices, and the courts within that Appellate  
2 District in matters concerning firearms restraining orders.  
3 The Department of Human Services shall adopt any rules it  
4 deems necessary to implement this Section.

5 (b) Edward Byrne Memorial Justice Assistance Grant (JAG)  
6 program funds received by the State of Illinois from the  
7 federal government may be used to hire county Firearms  
8 Restraining Order coordinators, train law enforcement and  
9 other collaborators about implementing this Act, fund the  
10 establishment and maintenance of the centralized State  
11 database created under Section 58, including, but not limited  
12 to, the collection of data and the hiring of personnel to  
13 operate and maintain the database, and fund other methods of  
14 implementation of this Act.

15 Section 2-45. The Criminal Code of 2012 is amended by  
16 changing Sections 24-1, 24-3, and 24-3.5 as follows:

17 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

21 (1) Sells, manufactures, purchases, possesses or  
22 carries any bludgeon, black-jack, slung-shot, sand-club,  
23 sand-bag, metal knuckles or other knuckle weapon  
24 regardless of its composition, throwing star, or any

1 knife, commonly referred to as a switchblade knife, which  
2 has a blade that opens automatically by hand pressure  
3 applied to a button, spring or other device in the handle  
4 of the knife, or a ballistic knife, which is a device that  
5 propels a knifelike blade as a projectile by means of a  
6 coil spring, elastic material or compressed gas; or

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

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

16 (3) Carries on or about his person or in any vehicle, a  
17 tear gas gun projector or bomb or any object containing  
18 noxious liquid gas or substance, other than an object  
19 containing a non-lethal noxious liquid gas or substance  
20 designed solely for personal defense carried by a person  
21 18 years of age or older; or

22 (4) Carries or possesses in any vehicle or concealed  
23 on or about his person except when on his land or in his  
24 own abode, legal dwelling, or fixed place of business, or  
25 on the land or in the legal dwelling of another person as  
26 an invitee with that person's permission, any pistol,

1 revolver, stun gun or taser or other firearm, except that  
2 this subsection (a)(4) does not apply to or affect  
3 transportation of weapons that meet one of the following  
4 conditions:

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

6 (ii) are not immediately accessible; or

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

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

15 (5) Sets a spring gun; or

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

19 (7) Sells, manufactures, purchases, possesses or  
20 carries:

21 (i) a machine gun, which shall be defined for the  
22 purposes of this subsection as any weapon, which  
23 shoots, is designed to shoot, or can be readily  
24 restored to shoot, automatically more than one shot  
25 without manually reloading by a single function of the  
26 trigger, including the frame or receiver of any such

1           weapon, or sells, manufactures, purchases, possesses,  
2           or carries any combination of parts designed or  
3           intended for use in converting any weapon into a  
4           machine gun, or any combination or parts from which a  
5           machine gun can be assembled if such parts are in the  
6           possession or under the control of a person;

7           (ii) any rifle having one or more barrels less  
8           than 16 inches in length or a shotgun having one or  
9           more barrels less than 18 inches in length or any  
10          weapon made from a rifle or shotgun, whether by  
11          alteration, modification, or otherwise, if such a  
12          weapon as modified has an overall length of less than  
13          26 inches; ~~or~~

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

19          (iv) any firearm manufactured on or after January  
20          1, 2024 that is not microstamp-ready, or any firearm  
21          manufactured on or after that date if the person knows  
22          that a microstamping mechanism has been unlawfully  
23          removed from that firearm. "Microstamp-ready", as used  
24          in this paragraph, means that the firearm is  
25          manufactured to produce a unique alphanumeric or  
26          geometric code on at least 2 locations on each

1 expended cartridge case that identifies the make,  
2 model, and serial number of the firearm.  
3 "Microstamping mechanism", as used in this paragraph,  
4 means a mechanism of the firearm designed and intended  
5 to produce a unique alphanumeric or geometric code on  
6 an expended cartridge that identifies the make, model,  
7 and serial number of the firearm; or

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

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

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

25 (10) Carries or possesses on or about his or her  
26 person, upon any public street, alley, or other public

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

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

13 (ii) are not immediately accessible; or

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

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

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

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

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

20           (12) (Blank); or

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

1 officers which is either telescopic or constructed of a  
2 solid piece of wood or other man-made material; or

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

10 or

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

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

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), subsection 24-1(a)(13), or 24-1(a)(15)  
19 commits a Class A misdemeanor. A person convicted of a  
20 violation of subsection 24-1(a)(8) or 24-1(a)(9) commits a  
21 Class 4 felony; a person convicted of a violation of  
22 subsection 24-1(a)(6), 24-1(a)(7)(ii), 24-1(a)(7)(iii), or  
23 (iv) or 24-1(a)(16) commits a Class 3 felony. A person  
24 convicted of a violation of subsection 24-1(a)(7)(i) commits a  
25 Class 2 felony and shall be sentenced to a term of imprisonment  
26 of not less than 3 years and not more than 7 years, unless the

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

11 (c) Violations in specific places.

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

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

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

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

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

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

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

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

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

26 (d) The presence in an automobile other than a public

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

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

12 (e) Exemptions.

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

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

1 switchblade knives.

2 (Source: P.A. 101-223, eff. 1-1-20; 102-538, eff. 8-20-21;  
3 102-1116, eff. 1-10-23.)

4 (720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

5 Sec. 24-3. Unlawful sale or delivery of firearms.

6 (A) A person commits the offense of unlawful sale or  
7 delivery of firearms when he or she knowingly does any of the  
8 following:

9 (a) Sells or gives any firearm of a size which may be  
10 concealed upon the person to any person under 18 years of  
11 age.

12 (b) Sells or gives any firearm to a person under 21  
13 years of age who has been convicted of a misdemeanor other  
14 than a traffic offense or adjudged delinquent.

15 (c) Sells or gives any firearm to any narcotic addict.

16 (d) Sells or gives any firearm to any person who has  
17 been convicted of a felony under the laws of this or any  
18 other jurisdiction.

19 (e) Sells or gives any firearm to any person who has  
20 been a patient in a mental institution within the past 5  
21 years. In this subsection (e):

22 "Mental institution" means any hospital,  
23 institution, clinic, evaluation facility, mental  
24 health center, or part thereof, which is used  
25 primarily for the care or treatment of persons with

1           mental illness.

2           "Patient in a mental institution" means the person  
3           was admitted, either voluntarily or involuntarily, to  
4           a mental institution for mental health treatment,  
5           unless the treatment was voluntary and solely for an  
6           alcohol abuse disorder and no other secondary  
7           substance abuse disorder or mental illness.

8           (f) Sells or gives any firearms to any person who is a  
9           person with an intellectual disability.

10          (g) Delivers any firearm, incidental to a sale,  
11          without withholding delivery of the firearm for at least  
12          72 hours after application for its purchase has been made,  
13          or delivers a stun gun or taser, incidental to a sale,  
14          without withholding delivery of the stun gun or taser for  
15          at least 24 hours after application for its purchase has  
16          been made. However, this paragraph (g) does not apply to:  
17          (1) the sale of a firearm to a law enforcement officer if  
18          the seller of the firearm knows that the person to whom he  
19          or she is selling the firearm is a law enforcement officer  
20          or the sale of a firearm to a person who desires to  
21          purchase a firearm for use in promoting the public  
22          interest incident to his or her employment as a bank  
23          guard, armed truck guard, or other similar employment; (2)  
24          a mail order sale of a firearm from a federally licensed  
25          firearms dealer to a nonresident of Illinois under which  
26          the firearm is mailed to a federally licensed firearms

1 dealer outside the boundaries of Illinois; (3) (blank);  
2 (4) the sale of a firearm to a dealer licensed as a federal  
3 firearms dealer under Section 923 of the federal Gun  
4 Control Act of 1968 (18 U.S.C. 923); or (5) the transfer or  
5 sale of any rifle, shotgun, or other long gun to a resident  
6 registered competitor or attendee or non-resident  
7 registered competitor or attendee by any dealer licensed  
8 as a federal firearms dealer under Section 923 of the  
9 federal Gun Control Act of 1968 at competitive shooting  
10 events held at the World Shooting Complex sanctioned by a  
11 national governing body. For purposes of transfers or  
12 sales under subparagraph (5) of this paragraph (g), the  
13 Department of Natural Resources shall give notice to the  
14 Illinois State Police at least 30 calendar days prior to  
15 any competitive shooting events at the World Shooting  
16 Complex sanctioned by a national governing body. The  
17 notification shall be made on a form prescribed by the  
18 Illinois State Police. The sanctioning body shall provide  
19 a list of all registered competitors and attendees at  
20 least 24 hours before the events to the Illinois State  
21 Police. Any changes to the list of registered competitors  
22 and attendees shall be forwarded to the Illinois State  
23 Police as soon as practicable. The Illinois State Police  
24 must destroy the list of registered competitors and  
25 attendees no later than 30 days after the date of the  
26 event. Nothing in this paragraph (g) relieves a federally

1 licensed firearm dealer from the requirements of  
2 conducting a NICS background check through the Illinois  
3 Point of Contact under 18 U.S.C. 922(t). For purposes of  
4 this paragraph (g), "application" means when the buyer and  
5 seller reach an agreement to purchase a firearm. For  
6 purposes of this paragraph (g), "national governing body"  
7 means a group of persons who adopt rules and formulate  
8 policy on behalf of a national firearm sporting  
9 organization.

10 (h) While holding any license as a dealer, importer,  
11 manufacturer or pawnbroker under the federal Gun Control  
12 Act of 1968, manufactures, sells or delivers to any  
13 unlicensed person a handgun having a barrel, slide, frame  
14 or receiver which is a die casting of zinc alloy or any  
15 other nonhomogeneous metal which will melt or deform at a  
16 temperature of less than 800 degrees Fahrenheit. For  
17 purposes of this paragraph, (1) "firearm" is defined as in  
18 the Firearm Owners Identification Card Act; and (2)  
19 "handgun" is defined as a firearm designed to be held and  
20 fired by the use of a single hand, and includes a  
21 combination of parts from which such a firearm can be  
22 assembled.

23 (i) Sells or gives a firearm of any size to any person  
24 under 18 years of age who does not possess a valid Firearm  
25 Owner's Identification Card.

26 (j) Sells or gives a firearm while engaged in the

1 business of selling firearms at wholesale or retail  
2 without being licensed as a federal firearms dealer under  
3 Section 923 of the federal Gun Control Act of 1968 (18  
4 U.S.C. 923). In this paragraph (j):

5 A person "engaged in the business" means a person who  
6 devotes time, attention, and labor to engaging in the  
7 activity as a regular course of trade or business with the  
8 principal objective of livelihood and profit, but does not  
9 include a person who makes occasional repairs of firearms  
10 or who occasionally fits special barrels, stocks, or  
11 trigger mechanisms to firearms.

12 "With the principal objective of livelihood and  
13 profit" means that the intent underlying the sale or  
14 disposition of firearms is predominantly one of obtaining  
15 livelihood and pecuniary gain, as opposed to other  
16 intents, such as improving or liquidating a personal  
17 firearms collection; however, proof of profit shall not be  
18 required as to a person who engages in the regular and  
19 repetitive purchase and disposition of firearms for  
20 criminal purposes or terrorism.

21 (k) Sells or transfers ownership of a firearm to a  
22 person who does not display to the seller or transferor of  
23 the firearm either: (1) a currently valid Firearm Owner's  
24 Identification Card that has previously been issued in the  
25 transferee's name by the Illinois State Police under the  
26 provisions of the Firearm Owners Identification Card Act;

1 or (2) a currently valid license to carry a concealed  
2 firearm that has previously been issued in the  
3 transferee's name by the Illinois State Police under the  
4 Firearm Concealed Carry Act. This paragraph (k) does not  
5 apply to the transfer of a firearm to a person who is  
6 exempt from the requirement of possessing a Firearm  
7 Owner's Identification Card under Section 2 of the Firearm  
8 Owners Identification Card Act. For the purposes of this  
9 Section, a currently valid Firearm Owner's Identification  
10 Card or license to carry a concealed firearm means receipt  
11 of an approval number issued in accordance with subsection  
12 (a-10) of Section 3 or Section 3.1 of the Firearm Owners  
13 Identification Card Act.

14 (1) In addition to the other requirements of this  
15 paragraph (k), all persons who are not federally  
16 licensed firearms dealers must also have complied with  
17 subsection (a-10) of Section 3 of the Firearm Owners  
18 Identification Card Act by determining the validity of  
19 a purchaser's Firearm Owner's Identification Card.

20 (2) All sellers or transferors who have complied  
21 with the requirements of subparagraph (1) of this  
22 paragraph (k) shall not be liable for damages in any  
23 civil action arising from the use or misuse by the  
24 transferee of the firearm transferred, except for  
25 willful or wanton misconduct on the part of the seller  
26 or transferor.

1           (1) Not being entitled to the possession of a firearm,  
2           delivers the firearm, knowing it to have been stolen or  
3           converted. It may be inferred that a person who possesses  
4           a firearm with knowledge that its serial number has been  
5           removed or altered has knowledge that the firearm is  
6           stolen or converted.

7           (m) Sells or gives a firearm to a person who does not  
8           display to the seller or transferor a permit to purchase  
9           the firearm issued by the local law enforcement agency  
10           under Section 3.4 of the Firearm Owners Identification  
11           Card Act.

12           (B) Paragraph (h) of subsection (A) does not include  
13           firearms sold within 6 months after enactment of Public Act  
14           78-355 (approved August 21, 1973, effective October 1, 1973),  
15           nor is any firearm legally owned or possessed by any citizen or  
16           purchased by any citizen within 6 months after the enactment  
17           of Public Act 78-355 subject to confiscation or seizure under  
18           the provisions of that Public Act. Nothing in Public Act  
19           78-355 shall be construed to prohibit the gift or trade of any  
20           firearm if that firearm was legally held or acquired within 6  
21           months after the enactment of that Public Act.

22           (C) Sentence.

23           (1) Any person convicted of unlawful sale or delivery  
24           of firearms in violation of paragraph (c), (e), (f), (g),  
25           or (h) of subsection (A) commits a Class 4 felony.

26           (2) Any person convicted of unlawful sale or delivery

1 of firearms in violation of paragraph (b) or (i) of  
2 subsection (A) commits a Class 3 felony.

3 (3) Any person convicted of unlawful sale or delivery  
4 of firearms in violation of paragraph (a) of subsection  
5 (A) commits a Class 2 felony.

6 (4) Any person convicted of unlawful sale or delivery  
7 of firearms in violation of paragraph (a), (b), or (i) of  
8 subsection (A) in any school, on the real property  
9 comprising a school, within 1,000 feet of the real  
10 property comprising a school, at a school related  
11 activity, or on or within 1,000 feet of any conveyance  
12 owned, leased, or contracted by a school or school  
13 district to transport students to or from school or a  
14 school related activity, regardless of the time of day or  
15 time of year at which the offense was committed, commits a  
16 Class 1 felony. Any person convicted of a second or  
17 subsequent violation of unlawful sale or delivery of  
18 firearms in violation of paragraph (a), (b), or (i) of  
19 subsection (A) in any school, on the real property  
20 comprising a school, within 1,000 feet of the real  
21 property comprising a school, at a school related  
22 activity, or on or within 1,000 feet of any conveyance  
23 owned, leased, or contracted by a school or school  
24 district to transport students to or from school or a  
25 school related activity, regardless of the time of day or  
26 time of year at which the offense was committed, commits a

1 Class 1 felony for which the sentence shall be a term of  
2 imprisonment of no less than 5 years and no more than 15  
3 years.

4 (5) Any person convicted of unlawful sale or delivery  
5 of firearms in violation of paragraph (a) or (i) of  
6 subsection (A) in residential property owned, operated, or  
7 managed by a public housing agency or leased by a public  
8 housing agency as part of a scattered site or mixed-income  
9 development, in a public park, in a courthouse, on  
10 residential property owned, operated, or managed by a  
11 public housing agency or leased by a public housing agency  
12 as part of a scattered site or mixed-income development,  
13 on the real property comprising any public park, on the  
14 real property comprising any courthouse, or on any public  
15 way within 1,000 feet of the real property comprising any  
16 public park, courthouse, or residential property owned,  
17 operated, or managed by a public housing agency or leased  
18 by a public housing agency as part of a scattered site or  
19 mixed-income development commits a Class 2 felony.

20 (6) Any person convicted of unlawful sale or delivery  
21 of firearms in violation of paragraph (j) of subsection  
22 (A) commits a Class A misdemeanor. A second or subsequent  
23 violation is a Class 4 felony.

24 (7) Any person convicted of unlawful sale or delivery  
25 of firearms in violation of paragraph (k) of subsection  
26 (A) commits a Class 4 felony, except that a violation of

1           subparagraph (1) of paragraph (k) of subsection (A) shall  
2           not be punishable as a crime or petty offense. A third or  
3           subsequent conviction for a violation of paragraph (k) of  
4           subsection (A) is a Class 1 felony.

5           (8) A person 18 years of age or older convicted of  
6           unlawful sale or delivery of firearms in violation of  
7           paragraph (a) or (i) of subsection (A), when the firearm  
8           that was sold or given to another person under 18 years of  
9           age was used in the commission of or attempt to commit a  
10          forcible felony, shall be fined or imprisoned, or both,  
11          not to exceed the maximum provided for the most serious  
12          forcible felony so committed or attempted by the person  
13          under 18 years of age who was sold or given the firearm.

14          (9) Any person convicted of unlawful sale or delivery  
15          of firearms in violation of paragraph (d) of subsection  
16          (A) commits a Class 3 felony.

17          (10) Any person convicted of unlawful sale or delivery  
18          of firearms in violation of paragraph (l) of subsection  
19          (A) commits a Class 2 felony if the delivery is of one  
20          firearm. Any person convicted of unlawful sale or delivery  
21          of firearms in violation of paragraph (l) of subsection  
22          (A) commits a Class 1 felony if the delivery is of not less  
23          than 2 and not more than 5 firearms at the same time or  
24          within a one-year period. Any person convicted of unlawful  
25          sale or delivery of firearms in violation of paragraph (l)  
26          of subsection (A) commits a Class X felony for which he or

1 she shall be sentenced to a term of imprisonment of not  
2 less than 6 years and not more than 30 years if the  
3 delivery is of not less than 6 and not more than 10  
4 firearms at the same time or within a 2-year period. Any  
5 person convicted of unlawful sale or delivery of firearms  
6 in violation of paragraph (l) of subsection (A) commits a  
7 Class X felony for which he or she shall be sentenced to a  
8 term of imprisonment of not less than 6 years and not more  
9 than 40 years if the delivery is of not less than 11 and  
10 not more than 20 firearms at the same time or within a  
11 3-year period. Any person convicted of unlawful sale or  
12 delivery of firearms in violation of paragraph (l) of  
13 subsection (A) commits a Class X felony for which he or she  
14 shall be sentenced to a term of imprisonment of not less  
15 than 6 years and not more than 50 years if the delivery is  
16 of not less than 21 and not more than 30 firearms at the  
17 same time or within a 4-year period. Any person convicted  
18 of unlawful sale or delivery of firearms in violation of  
19 paragraph (l) of subsection (A) commits a Class X felony  
20 for which he or she shall be sentenced to a term of  
21 imprisonment of not less than 6 years and not more than 60  
22 years if the delivery is of 31 or more firearms at the same  
23 time or within a 5-year period.

24 (11) Any person convicted of unlawful sale or delivery  
25 of firearms in violation of paragraph (m) of subsection  
26 (A) commits a Class 1 felony.

1 (D) For purposes of this Section:

2 "School" means a public or private elementary or secondary  
3 school, community college, college, or university.

4 "School related activity" means any sporting, social,  
5 academic, or other activity for which students' attendance or  
6 participation is sponsored, organized, or funded in whole or  
7 in part by a school or school district.

8 (E) A prosecution for a violation of paragraph (k) of  
9 subsection (A) of this Section may be commenced within 6 years  
10 after the commission of the offense. A prosecution for a  
11 violation of this Section other than paragraph (g) of  
12 subsection (A) of this Section may be commenced within 5 years  
13 after the commission of the offense defined in the particular  
14 paragraph.

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

17 (720 ILCS 5/24-3.5)

18 Sec. 24-3.5. Unlawful purchase of a firearm.

19 (a) For purposes of this Section, "firearms transaction  
20 record form" means a form:

21 (1) executed by a transferee of a firearm stating: (i)  
22 the transferee's name and address (including county or  
23 similar political subdivision); (ii) whether the  
24 transferee is a citizen of the United States; (iii) the  
25 transferee's State of residence; and (iv) the date and

1 place of birth, height, weight, and race of the  
2 transferee; and

3 (2) on which the transferee certifies that he or she  
4 is not prohibited by federal law from transporting or  
5 shipping a firearm in interstate or foreign commerce or  
6 receiving a firearm that has been shipped or transported  
7 in interstate or foreign commerce or possessing a firearm  
8 in or affecting commerce.

9 (b) A person commits the offense of unlawful purchase of a  
10 firearm who knowingly purchases or attempts to purchase a  
11 firearm with the intent to deliver that firearm to another  
12 person who is prohibited by federal or State law from  
13 possessing a firearm.

14 (c) A person commits the offense of unlawful purchase of a  
15 firearm when he or she, in purchasing or attempting to  
16 purchase a firearm, intentionally provides false or misleading  
17 information on a United States Department of the Treasury,  
18 Bureau of Alcohol, Tobacco and Firearms firearms transaction  
19 record form.

20 (c-5) A person commits the offense of unlawful purchase of  
21 a firearm when he or she, in purchasing or attempting to  
22 purchase a firearm does not display to the seller or  
23 transferor of the firearm a permit to purchase the firearm  
24 issued by the local law enforcement agency under Section 3.4  
25 of the Firearm Owners Identification Card Act.

26 (d) Exemption. It is not a violation of subsection (b) of

1 this Section for a person to make a gift or loan of a firearm  
2 to a person who is not prohibited by federal or State law from  
3 possessing a firearm if the transfer of the firearm is made in  
4 accordance with Section 3 of the Firearm Owners Identification  
5 Card Act.

6 (e) Sentence.

7 (1) A person who commits the offense of unlawful  
8 purchase of a firearm:

9 (A) is guilty of a Class 2 felony for purchasing or  
10 attempting to purchase one firearm;

11 (B) is guilty of a Class 1 felony for purchasing or  
12 attempting to purchase not less than 2 firearms and  
13 not more than 5 firearms at the same time or within a  
14 one year period;

15 (C) is guilty of a Class X felony for which the  
16 offender shall be sentenced to a term of imprisonment  
17 of not less than 9 years and not more than 40 years for  
18 purchasing or attempting to purchase not less than 6  
19 firearms at the same time or within a 2 year period.

20 (D) is guilty of a Class 2 felony for purchasing or  
21 attempting to purchase a firearm in violation of  
22 subsection (c-5).

23 (2) In addition to any other penalty that may be  
24 imposed for a violation of this Section, the court may  
25 sentence a person convicted of a violation of subsection  
26 (c) of this Section to a fine not to exceed \$250,000 for

1 each violation.

2 (f) A prosecution for unlawful purchase of a firearm may  
3 be commenced within 6 years after the commission of the  
4 offense.

5 (Source: P.A. 95-882, eff. 1-1-09.)

6 Section 2-50. The Code of Criminal Procedure of 1963 is  
7 amended by changing Section 112A-14 as follows:

8 (725 ILCS 5/112A-14) (from Ch. 38, par. 112A-14)

9 Sec. 112A-14. Domestic violence order of protection;  
10 remedies.

11 (a) (Blank).

12 (b) The court may order any of the remedies listed in this  
13 subsection (b). The remedies listed in this subsection (b)  
14 shall be in addition to other civil or criminal remedies  
15 available to petitioner.

16 (1) Prohibition of abuse. Prohibit respondent's  
17 harassment, interference with personal liberty,  
18 intimidation of a dependent, physical abuse, or willful  
19 deprivation, as defined in this Article, if such abuse has  
20 occurred or otherwise appears likely to occur if not  
21 prohibited.

22 (2) Grant of exclusive possession of residence.  
23 Prohibit respondent from entering or remaining in any  
24 residence, household, or premises of the petitioner,

1 including one owned or leased by respondent, if petitioner  
2 has a right to occupancy thereof. The grant of exclusive  
3 possession of the residence, household, or premises shall  
4 not affect title to real property, nor shall the court be  
5 limited by the standard set forth in subsection (c-2) of  
6 Section 501 of the Illinois Marriage and Dissolution of  
7 Marriage Act.

8 (A) Right to occupancy. A party has a right to  
9 occupancy of a residence or household if it is solely  
10 or jointly owned or leased by that party, that party's  
11 spouse, a person with a legal duty to support that  
12 party or a minor child in that party's care, or by any  
13 person or entity other than the opposing party that  
14 authorizes that party's occupancy (e.g., a domestic  
15 violence shelter). Standards set forth in subparagraph  
16 (B) shall not preclude equitable relief.

17 (B) Presumption of hardships. If petitioner and  
18 respondent each has the right to occupancy of a  
19 residence or household, the court shall balance (i)  
20 the hardships to respondent and any minor child or  
21 dependent adult in respondent's care resulting from  
22 entry of this remedy with (ii) the hardships to  
23 petitioner and any minor child or dependent adult in  
24 petitioner's care resulting from continued exposure to  
25 the risk of abuse (should petitioner remain at the  
26 residence or household) or from loss of possession of

1 the residence or household (should petitioner leave to  
2 avoid the risk of abuse). When determining the balance  
3 of hardships, the court shall also take into account  
4 the accessibility of the residence or household.  
5 Hardships need not be balanced if respondent does not  
6 have a right to occupancy.

7 The balance of hardships is presumed to favor  
8 possession by petitioner unless the presumption is  
9 rebutted by a preponderance of the evidence, showing  
10 that the hardships to respondent substantially  
11 outweigh the hardships to petitioner and any minor  
12 child or dependent adult in petitioner's care. The  
13 court, on the request of petitioner or on its own  
14 motion, may order respondent to provide suitable,  
15 accessible, alternate housing for petitioner instead  
16 of excluding respondent from a mutual residence or  
17 household.

18 (3) Stay away order and additional prohibitions. Order  
19 respondent to stay away from petitioner or any other  
20 person protected by the domestic violence order of  
21 protection, or prohibit respondent from entering or  
22 remaining present at petitioner's school, place of  
23 employment, or other specified places at times when  
24 petitioner is present, or both, if reasonable, given the  
25 balance of hardships. Hardships need not be balanced for  
26 the court to enter a stay away order or prohibit entry if

1           respondent has no right to enter the premises.

2           (A) If a domestic violence order of protection  
3           grants petitioner exclusive possession of the  
4           residence, prohibits respondent from entering the  
5           residence, or orders respondent to stay away from  
6           petitioner or other protected persons, then the court  
7           may allow respondent access to the residence to remove  
8           items of clothing and personal adornment used  
9           exclusively by respondent, medications, and other  
10          items as the court directs. The right to access shall  
11          be exercised on only one occasion as the court directs  
12          and in the presence of an agreed-upon adult third  
13          party or law enforcement officer.

14          (B) When the petitioner and the respondent attend  
15          the same public, private, or non-public elementary,  
16          middle, or high school, the court when issuing a  
17          domestic violence order of protection and providing  
18          relief shall consider the severity of the act, any  
19          continuing physical danger or emotional distress to  
20          the petitioner, the educational rights guaranteed to  
21          the petitioner and respondent under federal and State  
22          law, the availability of a transfer of the respondent  
23          to another school, a change of placement or a change of  
24          program of the respondent, the expense, difficulty,  
25          and educational disruption that would be caused by a  
26          transfer of the respondent to another school, and any

1 other relevant facts of the case. The court may order  
2 that the respondent not attend the public, private, or  
3 non-public elementary, middle, or high school attended  
4 by the petitioner, order that the respondent accept a  
5 change of placement or change of program, as  
6 determined by the school district or private or  
7 non-public school, or place restrictions on the  
8 respondent's movements within the school attended by  
9 the petitioner. The respondent bears the burden of  
10 proving by a preponderance of the evidence that a  
11 transfer, change of placement, or change of program of  
12 the respondent is not available. The respondent also  
13 bears the burden of production with respect to the  
14 expense, difficulty, and educational disruption that  
15 would be caused by a transfer of the respondent to  
16 another school. A transfer, change of placement, or  
17 change of program is not unavailable to the respondent  
18 solely on the ground that the respondent does not  
19 agree with the school district's or private or  
20 non-public school's transfer, change of placement, or  
21 change of program or solely on the ground that the  
22 respondent fails or refuses to consent or otherwise  
23 does not take an action required to effectuate a  
24 transfer, change of placement, or change of program.  
25 When a court orders a respondent to stay away from the  
26 public, private, or non-public school attended by the

1 petitioner and the respondent requests a transfer to  
2 another attendance center within the respondent's  
3 school district or private or non-public school, the  
4 school district or private or non-public school shall  
5 have sole discretion to determine the attendance  
6 center to which the respondent is transferred. If the  
7 court order results in a transfer of the minor  
8 respondent to another attendance center, a change in  
9 the respondent's placement, or a change of the  
10 respondent's program, the parents, guardian, or legal  
11 custodian of the respondent is responsible for  
12 transportation and other costs associated with the  
13 transfer or change.

14 (C) The court may order the parents, guardian, or  
15 legal custodian of a minor respondent to take certain  
16 actions or to refrain from taking certain actions to  
17 ensure that the respondent complies with the order. If  
18 the court orders a transfer of the respondent to  
19 another school, the parents, guardian, or legal  
20 custodian of the respondent is responsible for  
21 transportation and other costs associated with the  
22 change of school by the respondent.

23 (4) Counseling. Require or recommend the respondent to  
24 undergo counseling for a specified duration with a social  
25 worker, psychologist, clinical psychologist,  
26 psychiatrist, family service agency, alcohol or substance

1 abuse program, mental health center guidance counselor,  
2 agency providing services to elders, program designed for  
3 domestic violence abusers, or any other guidance service  
4 the court deems appropriate. The court may order the  
5 respondent in any intimate partner relationship to report  
6 to an Illinois Department of Human Services protocol  
7 approved partner abuse intervention program for an  
8 assessment and to follow all recommended treatment.

9 (5) Physical care and possession of the minor child.  
10 In order to protect the minor child from abuse, neglect,  
11 or unwarranted separation from the person who has been the  
12 minor child's primary caretaker, or to otherwise protect  
13 the well-being of the minor child, the court may do either  
14 or both of the following: (i) grant petitioner physical  
15 care or possession of the minor child, or both, or (ii)  
16 order respondent to return a minor child to, or not remove  
17 a minor child from, the physical care of a parent or person  
18 in loco parentis.

19 If the respondent is charged with abuse (as defined in  
20 Section 112A-3 of this Code) of a minor child, there shall  
21 be a rebuttable presumption that awarding physical care to  
22 respondent would not be in the minor child's best  
23 interest.

24 (6) Temporary allocation of parental responsibilities  
25 and significant decision-making responsibilities. Award  
26 temporary significant decision-making responsibility to

1 petitioner in accordance with this Section, the Illinois  
2 Marriage and Dissolution of Marriage Act, the Illinois  
3 Parentage Act of 2015, and this State's Uniform  
4 Child-Custody Jurisdiction and Enforcement Act.

5 If the respondent is charged with abuse (as defined in  
6 Section 112A-3 of this Code) of a minor child, there shall  
7 be a rebuttable presumption that awarding temporary  
8 significant decision-making responsibility to respondent  
9 would not be in the child's best interest.

10 (7) Parenting time. Determine the parenting time, if  
11 any, of respondent in any case in which the court awards  
12 physical care or temporary significant decision-making  
13 responsibility of a minor child to petitioner. The court  
14 shall restrict or deny respondent's parenting time with a  
15 minor child if the court finds that respondent has done or  
16 is likely to do any of the following:

17 (i) abuse or endanger the minor child during  
18 parenting time;

19 (ii) use the parenting time as an opportunity to  
20 abuse or harass petitioner or petitioner's family or  
21 household members;

22 (iii) improperly conceal or detain the minor  
23 child; or

24 (iv) otherwise act in a manner that is not in the  
25 best interests of the minor child.

26 The court shall not be limited by the standards set

1       forth in Section 603.10 of the Illinois Marriage and  
2       Dissolution of Marriage Act. If the court grants parenting  
3       time, the order shall specify dates and times for the  
4       parenting time to take place or other specific parameters  
5       or conditions that are appropriate. No order for parenting  
6       time shall refer merely to the term "reasonable parenting  
7       time". Petitioner may deny respondent access to the minor  
8       child if, when respondent arrives for parenting time,  
9       respondent is under the influence of drugs or alcohol and  
10      constitutes a threat to the safety and well-being of  
11      petitioner or petitioner's minor children or is behaving  
12      in a violent or abusive manner. If necessary to protect  
13      any member of petitioner's family or household from future  
14      abuse, respondent shall be prohibited from coming to  
15      petitioner's residence to meet the minor child for  
16      parenting time, and the petitioner and respondent shall  
17      submit to the court their recommendations for reasonable  
18      alternative arrangements for parenting time. A person may  
19      be approved to supervise parenting time only after filing  
20      an affidavit accepting that responsibility and  
21      acknowledging accountability to the court.

22           (8) Removal or concealment of minor child. Prohibit  
23      respondent from removing a minor child from the State or  
24      concealing the child within the State.

25           (9) Order to appear. Order the respondent to appear in  
26      court, alone or with a minor child, to prevent abuse,

1 neglect, removal or concealment of the child, to return  
2 the child to the custody or care of the petitioner, or to  
3 permit any court-ordered interview or examination of the  
4 child or the respondent.

5 (10) Possession of personal property. Grant petitioner  
6 exclusive possession of personal property and, if  
7 respondent has possession or control, direct respondent to  
8 promptly make it available to petitioner, if:

9 (i) petitioner, but not respondent, owns the  
10 property; or

11 (ii) the petitioner and respondent own the  
12 property jointly; sharing it would risk abuse of  
13 petitioner by respondent or is impracticable; and the  
14 balance of hardships favors temporary possession by  
15 petitioner.

16 If petitioner's sole claim to ownership of the  
17 property is that it is marital property, the court may  
18 award petitioner temporary possession thereof under the  
19 standards of subparagraph (ii) of this paragraph only if a  
20 proper proceeding has been filed under the Illinois  
21 Marriage and Dissolution of Marriage Act, as now or  
22 hereafter amended.

23 No order under this provision shall affect title to  
24 property.

25 (11) Protection of property. Forbid the respondent  
26 from taking, transferring, encumbering, concealing,

1           damaging, or otherwise disposing of any real or personal  
2           property, except as explicitly authorized by the court,  
3           if:

4                   (i) petitioner, but not respondent, owns the  
5           property; or

6                   (ii) the petitioner and respondent own the  
7           property jointly, and the balance of hardships favors  
8           granting this remedy.

9           If petitioner's sole claim to ownership of the  
10          property is that it is marital property, the court may  
11          grant petitioner relief under subparagraph (ii) of this  
12          paragraph only if a proper proceeding has been filed under  
13          the Illinois Marriage and Dissolution of Marriage Act, as  
14          now or hereafter amended.

15          The court may further prohibit respondent from  
16          improperly using the financial or other resources of an  
17          aged member of the family or household for the profit or  
18          advantage of respondent or of any other person.

19          (11.5) Protection of animals. Grant the petitioner the  
20          exclusive care, custody, or control of any animal owned,  
21          possessed, leased, kept, or held by either the petitioner  
22          or the respondent or a minor child residing in the  
23          residence or household of either the petitioner or the  
24          respondent and order the respondent to stay away from the  
25          animal and forbid the respondent from taking,  
26          transferring, encumbering, concealing, harming, or

1 otherwise disposing of the animal.

2 (12) Order for payment of support. Order respondent to  
3 pay temporary support for the petitioner or any child in  
4 the petitioner's care or over whom the petitioner has been  
5 allocated parental responsibility, when the respondent has  
6 a legal obligation to support that person, in accordance  
7 with the Illinois Marriage and Dissolution of Marriage  
8 Act, which shall govern, among other matters, the amount  
9 of support, payment through the clerk and withholding of  
10 income to secure payment. An order for child support may  
11 be granted to a petitioner with lawful physical care of a  
12 child, or an order or agreement for physical care of a  
13 child, prior to entry of an order allocating significant  
14 decision-making responsibility. Such a support order shall  
15 expire upon entry of a valid order allocating parental  
16 responsibility differently and vacating petitioner's  
17 significant decision-making responsibility unless  
18 otherwise provided in the order.

19 (13) Order for payment of losses. Order respondent to  
20 pay petitioner for losses suffered as a direct result of  
21 the abuse. Such losses shall include, but not be limited  
22 to, medical expenses, lost earnings or other support,  
23 repair or replacement of property damaged or taken,  
24 reasonable attorney's fees, court costs, and moving or  
25 other travel expenses, including additional reasonable  
26 expenses for temporary shelter and restaurant meals.

1           (i) Losses affecting family needs. If a party is  
2 entitled to seek maintenance, child support, or  
3 property distribution from the other party under the  
4 Illinois Marriage and Dissolution of Marriage Act, as  
5 now or hereafter amended, the court may order  
6 respondent to reimburse petitioner's actual losses, to  
7 the extent that such reimbursement would be  
8 "appropriate temporary relief", as authorized by  
9 subsection (a) (3) of Section 501 of that Act.

10           (ii) Recovery of expenses. In the case of an  
11 improper concealment or removal of a minor child, the  
12 court may order respondent to pay the reasonable  
13 expenses incurred or to be incurred in the search for  
14 and recovery of the minor child, including, but not  
15 limited to, legal fees, court costs, private  
16 investigator fees, and travel costs.

17           (14) Prohibition of entry. Prohibit the respondent  
18 from entering or remaining in the residence or household  
19 while the respondent is under the influence of alcohol or  
20 drugs and constitutes a threat to the safety and  
21 well-being of the petitioner or the petitioner's children.

22           (14.5) Prohibition of firearm possession.

23           (A) A person who is subject to an existing  
24 domestic violence order of protection issued under  
25 this Code may not lawfully possess weapons or a  
26 Firearm Owner's Identification Card under Section 8.2

1 of the Firearm Owners Identification Card Act and is  
2 subject to the requirements of subsection (a-1) of  
3 Section 214 of the Illinois Domestic Violence Act of  
4 1986 and paragraph (14.5) or (14.6) of subsection (b)  
5 of Section 214 of the Illinois Domestic Violence Act  
6 of 1986, as applicable.

7 (B) Any firearms in the possession of the  
8 respondent, except as provided in subparagraph (C) of  
9 this paragraph (14.5), shall be ordered by the court  
10 to be turned over to a person with a valid Firearm  
11 Owner's Identification Card for surrender: safekeeping

12 (i) in the case of an ex parte order under  
13 Section 112A-17.5, for the duration of the  
14 domestic violence order of protection; or

15 (ii) in the case of a final order, for the  
16 duration of the domestic violence order of  
17 protection or 2 years, whichever is longer.

18 The court shall issue an order that the respondent  
19 comply with Section 9.5 of the Firearm Owners  
20 Identification Card Act.

21 (C) If the respondent is a peace officer as  
22 defined in Section 2-13 of the Criminal Code of 2012,  
23 the court shall order that any firearms used by the  
24 respondent in the performance of his or her duties as a  
25 peace officer be surrendered to the chief law  
26 enforcement executive of the agency in which the

1 respondent is employed, who shall retain the firearms  
2 for surrender: ~~safekeeping~~

3 (i) in the case of an ex parte order under  
4 Section 112A-17.5, for the duration of the  
5 domestic violence order of protection; or

6 (ii) in the case of a final order, for the  
7 duration of the domestic violence order of  
8 protection or 2 years, whichever is longer.

9 (D) Upon expiration of the period of surrender  
10 ~~safekeeping~~, if the firearms or Firearm Owner's  
11 Identification Card cannot be returned to respondent  
12 because respondent cannot be located, fails to respond  
13 to requests to retrieve the firearms, or is not  
14 lawfully eligible to possess a firearm, upon petition  
15 from the local law enforcement agency, the court may  
16 order the local law enforcement agency to destroy the  
17 firearms, use the firearms for training purposes, or  
18 for any other application as deemed appropriate by the  
19 local law enforcement agency; or that the firearms be  
20 turned over to a third party who is lawfully eligible  
21 to possess firearms, and who does not reside with  
22 respondent.

23 (15) Prohibition of access to records. If a domestic  
24 violence order of protection prohibits respondent from  
25 having contact with the minor child, or if petitioner's  
26 address is omitted under subsection (b) of Section 112A-5

1 of this Code, or if necessary to prevent abuse or wrongful  
2 removal or concealment of a minor child, the order shall  
3 deny respondent access to, and prohibit respondent from  
4 inspecting, obtaining, or attempting to inspect or obtain,  
5 school or any other records of the minor child who is in  
6 the care of petitioner.

7 (16) Order for payment of shelter services. Order  
8 respondent to reimburse a shelter providing temporary  
9 housing and counseling services to the petitioner for the  
10 cost of the services, as certified by the shelter and  
11 deemed reasonable by the court.

12 (17) Order for injunctive relief. Enter injunctive  
13 relief necessary or appropriate to prevent further abuse  
14 of a family or household member or to effectuate one of the  
15 granted remedies, if supported by the balance of  
16 hardships. If the harm to be prevented by the injunction  
17 is abuse or any other harm that one of the remedies listed  
18 in paragraphs (1) through (16) of this subsection is  
19 designed to prevent, no further evidence is necessary to  
20 establish that the harm is an irreparable injury.

21 (18) Telephone services.

22 (A) Unless a condition described in subparagraph  
23 (B) of this paragraph exists, the court may, upon  
24 request by the petitioner, order a wireless telephone  
25 service provider to transfer to the petitioner the  
26 right to continue to use a telephone number or numbers

1 indicated by the petitioner and the financial  
2 responsibility associated with the number or numbers,  
3 as set forth in subparagraph (C) of this paragraph. In  
4 this paragraph (18), the term "wireless telephone  
5 service provider" means a provider of commercial  
6 mobile service as defined in 47 U.S.C. 332. The  
7 petitioner may request the transfer of each telephone  
8 number that the petitioner, or a minor child in his or  
9 her custody, uses. The clerk of the court shall serve  
10 the order on the wireless telephone service provider's  
11 agent for service of process provided to the Illinois  
12 Commerce Commission. The order shall contain all of  
13 the following:

14 (i) The name and billing telephone number of  
15 the account holder including the name of the  
16 wireless telephone service provider that serves  
17 the account.

18 (ii) Each telephone number that will be  
19 transferred.

20 (iii) A statement that the provider transfers  
21 to the petitioner all financial responsibility for  
22 and right to the use of any telephone number  
23 transferred under this paragraph.

24 (B) A wireless telephone service provider shall  
25 terminate the respondent's use of, and shall transfer  
26 to the petitioner use of, the telephone number or

1 numbers indicated in subparagraph (A) of this  
2 paragraph unless it notifies the petitioner, within 72  
3 hours after it receives the order, that one of the  
4 following applies:

5 (i) The account holder named in the order has  
6 terminated the account.

7 (ii) A difference in network technology would  
8 prevent or impair the functionality of a device on  
9 a network if the transfer occurs.

10 (iii) The transfer would cause a geographic or  
11 other limitation on network or service provision  
12 to the petitioner.

13 (iv) Another technological or operational  
14 issue would prevent or impair the use of the  
15 telephone number if the transfer occurs.

16 (C) The petitioner assumes all financial  
17 responsibility for and right to the use of any  
18 telephone number transferred under this paragraph. In  
19 this paragraph, "financial responsibility" includes  
20 monthly service costs and costs associated with any  
21 mobile device associated with the number.

22 (D) A wireless telephone service provider may  
23 apply to the petitioner its routine and customary  
24 requirements for establishing an account or  
25 transferring a number, including requiring the  
26 petitioner to provide proof of identification,

1 financial information, and customer preferences.

2 (E) Except for willful or wanton misconduct, a  
3 wireless telephone service provider is immune from  
4 civil liability for its actions taken in compliance  
5 with a court order issued under this paragraph.

6 (F) All wireless service providers that provide  
7 services to residential customers shall provide to the  
8 Illinois Commerce Commission the name and address of  
9 an agent for service of orders entered under this  
10 paragraph (18). Any change in status of the registered  
11 agent must be reported to the Illinois Commerce  
12 Commission within 30 days of such change.

13 (G) The Illinois Commerce Commission shall  
14 maintain the list of registered agents for service for  
15 each wireless telephone service provider on the  
16 Commission's website. The Commission may consult with  
17 wireless telephone service providers and the Circuit  
18 Court Clerks on the manner in which this information  
19 is provided and displayed.

20 (c) Relevant factors; findings.

21 (1) In determining whether to grant a specific remedy,  
22 other than payment of support, the court shall consider  
23 relevant factors, including, but not limited to, the  
24 following:

25 (i) the nature, frequency, severity, pattern, and  
26 consequences of the respondent's past abuse of the

1 petitioner or any family or household member,  
2 including the concealment of his or her location in  
3 order to evade service of process or notice, and the  
4 likelihood of danger of future abuse to petitioner or  
5 any member of petitioner's or respondent's family or  
6 household; and

7 (ii) the danger that any minor child will be  
8 abused or neglected or improperly relocated from the  
9 jurisdiction, improperly concealed within the State,  
10 or improperly separated from the child's primary  
11 caretaker.

12 (2) In comparing relative hardships resulting to the  
13 parties from loss of possession of the family home, the  
14 court shall consider relevant factors, including, but not  
15 limited to, the following:

16 (i) availability, accessibility, cost, safety,  
17 adequacy, location, and other characteristics of  
18 alternate housing for each party and any minor child  
19 or dependent adult in the party's care;

20 (ii) the effect on the party's employment; and

21 (iii) the effect on the relationship of the party,  
22 and any minor child or dependent adult in the party's  
23 care, to family, school, church, and community.

24 (3) Subject to the exceptions set forth in paragraph  
25 (4) of this subsection (c), the court shall make its  
26 findings in an official record or in writing, and shall at

1 a minimum set forth the following:

2 (i) That the court has considered the applicable  
3 relevant factors described in paragraphs (1) and (2)  
4 of this subsection (c).

5 (ii) Whether the conduct or actions of respondent,  
6 unless prohibited, will likely cause irreparable harm  
7 or continued abuse.

8 (iii) Whether it is necessary to grant the  
9 requested relief in order to protect petitioner or  
10 other alleged abused persons.

11 (4) (Blank).

12 (5) Never married parties. No rights or  
13 responsibilities for a minor child born outside of  
14 marriage attach to a putative father until a father and  
15 child relationship has been established under the Illinois  
16 Parentage Act of 1984, the Illinois Parentage Act of 2015,  
17 the Illinois Public Aid Code, Section 12 of the Vital  
18 Records Act, the Juvenile Court Act of 1987, the Probate  
19 Act of 1975, the Uniform Interstate Family Support Act,  
20 the Expedited Child Support Act of 1990, any judicial,  
21 administrative, or other act of another state or  
22 territory, any other statute of this State, or by any  
23 foreign nation establishing the father and child  
24 relationship, any other proceeding substantially in  
25 conformity with the federal Personal Responsibility and  
26 Work Opportunity Reconciliation Act of 1996, or when both

1 parties appeared in open court or at an administrative  
2 hearing acknowledging under oath or admitting by  
3 affirmation the existence of a father and child  
4 relationship. Absent such an adjudication, no putative  
5 father shall be granted temporary allocation of parental  
6 responsibilities, including parenting time with the minor  
7 child, or physical care and possession of the minor child,  
8 nor shall an order of payment for support of the minor  
9 child be entered.

10 (d) Balance of hardships; findings. If the court finds  
11 that the balance of hardships does not support the granting of  
12 a remedy governed by paragraph (2), (3), (10), (11), or (16) of  
13 subsection (b) of this Section, which may require such  
14 balancing, the court's findings shall so indicate and shall  
15 include a finding as to whether granting the remedy will  
16 result in hardship to respondent that would substantially  
17 outweigh the hardship to petitioner from denial of the remedy.  
18 The findings shall be an official record or in writing.

19 (e) Denial of remedies. Denial of any remedy shall not be  
20 based, in whole or in part, on evidence that:

21 (1) respondent has cause for any use of force, unless  
22 that cause satisfies the standards for justifiable use of  
23 force provided by Article 7 of the Criminal Code of 2012;

24 (2) respondent was voluntarily intoxicated;

25 (3) petitioner acted in self-defense or defense of  
26 another, provided that, if petitioner utilized force, such

1 force was justifiable under Article 7 of the Criminal Code  
2 of 2012;

3 (4) petitioner did not act in self-defense or defense  
4 of another;

5 (5) petitioner left the residence or household to  
6 avoid further abuse by respondent;

7 (6) petitioner did not leave the residence or  
8 household to avoid further abuse by respondent; or

9 (7) conduct by any family or household member excused  
10 the abuse by respondent, unless that same conduct would  
11 have excused such abuse if the parties had not been family  
12 or household members.

13 (Source: P.A. 101-81, eff. 7-12-19; 102-237, eff. 1-1-22;  
14 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

15 Section 2-55. The Illinois Domestic Violence Act of 1986  
16 is amended by changing Sections 214, 217, and 223 as follows:

17 (750 ILCS 60/214) (from Ch. 40, par. 2312-14)

18 Sec. 214. Order of protection; remedies.

19 (a) Issuance of order. If the court finds that petitioner  
20 has been abused by a family or household member or that  
21 petitioner is a high-risk adult who has been abused,  
22 neglected, or exploited, as defined in this Act, an order of  
23 protection prohibiting the abuse, neglect, or exploitation  
24 shall issue; provided that petitioner must also satisfy the

1 requirements of one of the following Sections, as appropriate:  
2 Section 217 on emergency orders, Section 218 on interim  
3 orders, or Section 219 on plenary orders. Petitioner shall not  
4 be denied an order of protection because petitioner or  
5 respondent is a minor. The court, when determining whether or  
6 not to issue an order of protection, shall not require  
7 physical manifestations of abuse on the person of the victim.  
8 Modification and extension of prior orders of protection shall  
9 be in accordance with this Act.

10 (a-1) If the respondent to an order of protection issued  
11 under subsection (a) is subject to paragraph (14.5) or (14.6)  
12 of subsection (b), the order of protection shall also include  
13 an order to surrender firearms. The order to surrender  
14 firearms shall require the respondent to surrender any firearm  
15 on the day the respondent is served with the order of  
16 protection. Upon the respondent surrendering any firearm to  
17 the appropriate law enforcement agency, the law enforcement  
18 agency shall provide a statement of receipt of any firearm,  
19 with a description of any firearm surrendered, to the  
20 respondent and the court. This statement of receipt shall be  
21 considered proof of compliance with an order to surrender  
22 firearms and may be presented as proof at a hearing.

23 The failure to surrender any firearm within 24 hours to  
24 the appropriate law enforcement agency under an order to  
25 surrender firearms shall constitute contempt of court for the  
26 violation of the terms of the order of protection.

1       Within 30 days of the effective date of this amendatory  
2 Act of the 103rd General Assembly, the Supreme Court shall  
3 adopt a form for an order to surrender firearms and update any  
4 existing forms for an order of protection to reflect the  
5 changes made by this amendatory Act of the 103rd General  
6 Assembly. The form for an order to surrender firearms shall  
7 also include forms for a declaration of surrender of firearms,  
8 proof of surrender, declaration of nonsurrender, and order to  
9 release firearms.

10       (b) Remedies and standards. The remedies to be included in  
11 an order of protection shall be determined in accordance with  
12 this Section and one of the following Sections, as  
13 appropriate: Section 217 on emergency orders, Section 218 on  
14 interim orders, and Section 219 on plenary orders. The  
15 remedies listed in this subsection shall be in addition to  
16 other civil or criminal remedies available to petitioner.

17       (1) Prohibition of abuse, neglect, or exploitation.  
18       Prohibit respondent's harassment, interference with  
19 personal liberty, intimidation of a dependent, physical  
20 abuse, or willful deprivation, neglect or exploitation, as  
21 defined in this Act, or stalking of the petitioner, as  
22 defined in Section 12-7.3 of the Criminal Code of 2012, if  
23 such abuse, neglect, exploitation, or stalking has  
24 occurred or otherwise appears likely to occur if not  
25 prohibited.

26       (2) Grant of exclusive possession of residence.

1 Prohibit respondent from entering or remaining in any  
2 residence, household, or premises of the petitioner,  
3 including one owned or leased by respondent, if petitioner  
4 has a right to occupancy thereof. The grant of exclusive  
5 possession of the residence, household, or premises shall  
6 not affect title to real property, nor shall the court be  
7 limited by the standard set forth in subsection (c-2) of  
8 Section 501 of the Illinois Marriage and Dissolution of  
9 Marriage Act.

10 (A) Right to occupancy. A party has a right to  
11 occupancy of a residence or household if it is solely  
12 or jointly owned or leased by that party, that party's  
13 spouse, a person with a legal duty to support that  
14 party or a minor child in that party's care, or by any  
15 person or entity other than the opposing party that  
16 authorizes that party's occupancy (e.g., a domestic  
17 violence shelter). Standards set forth in subparagraph  
18 (B) shall not preclude equitable relief.

19 (B) Presumption of hardships. If petitioner and  
20 respondent each has the right to occupancy of a  
21 residence or household, the court shall balance (i)  
22 the hardships to respondent and any minor child or  
23 dependent adult in respondent's care resulting from  
24 entry of this remedy with (ii) the hardships to  
25 petitioner and any minor child or dependent adult in  
26 petitioner's care resulting from continued exposure to

1 the risk of abuse (should petitioner remain at the  
2 residence or household) or from loss of possession of  
3 the residence or household (should petitioner leave to  
4 avoid the risk of abuse). When determining the balance  
5 of hardships, the court shall also take into account  
6 the accessibility of the residence or household.  
7 Hardships need not be balanced if respondent does not  
8 have a right to occupancy.

9 The balance of hardships is presumed to favor  
10 possession by petitioner unless the presumption is  
11 rebutted by a preponderance of the evidence, showing  
12 that the hardships to respondent substantially  
13 outweigh the hardships to petitioner and any minor  
14 child or dependent adult in petitioner's care. The  
15 court, on the request of petitioner or on its own  
16 motion, may order respondent to provide suitable,  
17 accessible, alternate housing for petitioner instead  
18 of excluding respondent from a mutual residence or  
19 household.

20 (3) Stay away order and additional prohibitions. Order  
21 respondent to stay away from petitioner or any other  
22 person protected by the order of protection, or prohibit  
23 respondent from entering or remaining present at  
24 petitioner's school, place of employment, or other  
25 specified places at times when petitioner is present, or  
26 both, if reasonable, given the balance of hardships.

1 Hardships need not be balanced for the court to enter a  
2 stay away order or prohibit entry if respondent has no  
3 right to enter the premises.

4 (A) If an order of protection grants petitioner  
5 exclusive possession of the residence, or prohibits  
6 respondent from entering the residence, or orders  
7 respondent to stay away from petitioner or other  
8 protected persons, then the court may allow respondent  
9 access to the residence to remove items of clothing  
10 and personal adornment used exclusively by respondent,  
11 medications, and other items as the court directs. The  
12 right to access shall be exercised on only one  
13 occasion as the court directs and in the presence of an  
14 agreed-upon adult third party or law enforcement  
15 officer.

16 (B) When the petitioner and the respondent attend  
17 the same public, private, or non-public elementary,  
18 middle, or high school, the court when issuing an  
19 order of protection and providing relief shall  
20 consider the severity of the act, any continuing  
21 physical danger or emotional distress to the  
22 petitioner, the educational rights guaranteed to the  
23 petitioner and respondent under federal and State law,  
24 the availability of a transfer of the respondent to  
25 another school, a change of placement or a change of  
26 program of the respondent, the expense, difficulty,

1 and educational disruption that would be caused by a  
2 transfer of the respondent to another school, and any  
3 other relevant facts of the case. The court may order  
4 that the respondent not attend the public, private, or  
5 non-public elementary, middle, or high school attended  
6 by the petitioner, order that the respondent accept a  
7 change of placement or change of program, as  
8 determined by the school district or private or  
9 non-public school, or place restrictions on the  
10 respondent's movements within the school attended by  
11 the petitioner. The respondent bears the burden of  
12 proving by a preponderance of the evidence that a  
13 transfer, change of placement, or change of program of  
14 the respondent is not available. The respondent also  
15 bears the burden of production with respect to the  
16 expense, difficulty, and educational disruption that  
17 would be caused by a transfer of the respondent to  
18 another school. A transfer, change of placement, or  
19 change of program is not unavailable to the respondent  
20 solely on the ground that the respondent does not  
21 agree with the school district's or private or  
22 non-public school's transfer, change of placement, or  
23 change of program or solely on the ground that the  
24 respondent fails or refuses to consent or otherwise  
25 does not take an action required to effectuate a  
26 transfer, change of placement, or change of program.

1           When a court orders a respondent to stay away from the  
2           public, private, or non-public school attended by the  
3           petitioner and the respondent requests a transfer to  
4           another attendance center within the respondent's  
5           school district or private or non-public school, the  
6           school district or private or non-public school shall  
7           have sole discretion to determine the attendance  
8           center to which the respondent is transferred. In the  
9           event the court order results in a transfer of the  
10          minor respondent to another attendance center, a  
11          change in the respondent's placement, or a change of  
12          the respondent's program, the parents, guardian, or  
13          legal custodian of the respondent is responsible for  
14          transportation and other costs associated with the  
15          transfer or change.

16                 (C) The court may order the parents, guardian, or  
17                 legal custodian of a minor respondent to take certain  
18                 actions or to refrain from taking certain actions to  
19                 ensure that the respondent complies with the order. In  
20                 the event the court orders a transfer of the  
21                 respondent to another school, the parents, guardian,  
22                 or legal custodian of the respondent is responsible  
23                 for transportation and other costs associated with the  
24                 change of school by the respondent.

25                 (4) Counseling. Require or recommend the respondent to  
26                 undergo counseling for a specified duration with a social

1 worker, psychologist, clinical psychologist,  
2 psychiatrist, family service agency, alcohol or substance  
3 abuse program, mental health center guidance counselor,  
4 agency providing services to elders, program designed for  
5 domestic violence abusers or any other guidance service  
6 the court deems appropriate. The Court may order the  
7 respondent in any intimate partner relationship to report  
8 to an Illinois Department of Human Services protocol  
9 approved partner abuse intervention program for an  
10 assessment and to follow all recommended treatment.

11 (5) Physical care and possession of the minor child.  
12 In order to protect the minor child from abuse, neglect,  
13 or unwarranted separation from the person who has been the  
14 minor child's primary caretaker, or to otherwise protect  
15 the well-being of the minor child, the court may do either  
16 or both of the following: (i) grant petitioner physical  
17 care or possession of the minor child, or both, or (ii)  
18 order respondent to return a minor child to, or not remove  
19 a minor child from, the physical care of a parent or person  
20 in loco parentis.

21 If a court finds, after a hearing, that respondent has  
22 committed abuse (as defined in Section 103) of a minor  
23 child, there shall be a rebuttable presumption that  
24 awarding physical care to respondent would not be in the  
25 minor child's best interest.

26 (6) Temporary allocation of parental responsibilities:

1 significant decision-making. Award temporary  
2 decision-making responsibility to petitioner in accordance  
3 with this Section, the Illinois Marriage and Dissolution  
4 of Marriage Act, the Illinois Parentage Act of 2015, and  
5 this State's Uniform Child-Custody Jurisdiction and  
6 Enforcement Act.

7 If a court finds, after a hearing, that respondent has  
8 committed abuse (as defined in Section 103) of a minor  
9 child, there shall be a rebuttable presumption that  
10 awarding temporary significant decision-making  
11 responsibility to respondent would not be in the child's  
12 best interest.

13 (7) Parenting time. Determine the parenting time, if  
14 any, of respondent in any case in which the court awards  
15 physical care or allocates temporary significant  
16 decision-making responsibility of a minor child to  
17 petitioner. The court shall restrict or deny respondent's  
18 parenting time with a minor child if the court finds that  
19 respondent has done or is likely to do any of the  
20 following: (i) abuse or endanger the minor child during  
21 parenting time; (ii) use the parenting time as an  
22 opportunity to abuse or harass petitioner or petitioner's  
23 family or household members; (iii) improperly conceal or  
24 detain the minor child; or (iv) otherwise act in a manner  
25 that is not in the best interests of the minor child. The  
26 court shall not be limited by the standards set forth in

1 Section 603.10 of the Illinois Marriage and Dissolution of  
2 Marriage Act. If the court grants parenting time, the  
3 order shall specify dates and times for the parenting time  
4 to take place or other specific parameters or conditions  
5 that are appropriate. No order for parenting time shall  
6 refer merely to the term "reasonable parenting time".

7 Petitioner may deny respondent access to the minor  
8 child if, when respondent arrives for parenting time,  
9 respondent is under the influence of drugs or alcohol and  
10 constitutes a threat to the safety and well-being of  
11 petitioner or petitioner's minor children or is behaving  
12 in a violent or abusive manner.

13 If necessary to protect any member of petitioner's  
14 family or household from future abuse, respondent shall be  
15 prohibited from coming to petitioner's residence to meet  
16 the minor child for parenting time, and the parties shall  
17 submit to the court their recommendations for reasonable  
18 alternative arrangements for parenting time. A person may  
19 be approved to supervise parenting time only after filing  
20 an affidavit accepting that responsibility and  
21 acknowledging accountability to the court.

22 (8) Removal or concealment of minor child. Prohibit  
23 respondent from removing a minor child from the State or  
24 concealing the child within the State.

25 (9) Order to appear. Order the respondent to appear in  
26 court, alone or with a minor child, to prevent abuse,

1 neglect, removal or concealment of the child, to return  
2 the child to the custody or care of the petitioner or to  
3 permit any court-ordered interview or examination of the  
4 child or the respondent.

5 (10) Possession of personal property. Grant petitioner  
6 exclusive possession of personal property and, if  
7 respondent has possession or control, direct respondent to  
8 promptly make it available to petitioner, if:

9 (i) petitioner, but not respondent, owns the  
10 property; or

11 (ii) the parties own the property jointly; sharing  
12 it would risk abuse of petitioner by respondent or is  
13 impracticable; and the balance of hardships favors  
14 temporary possession by petitioner.

15 If petitioner's sole claim to ownership of the  
16 property is that it is marital property, the court may  
17 award petitioner temporary possession thereof under the  
18 standards of subparagraph (ii) of this paragraph only if a  
19 proper proceeding has been filed under the Illinois  
20 Marriage and Dissolution of Marriage Act, as now or  
21 hereafter amended.

22 No order under this provision shall affect title to  
23 property.

24 (11) Protection of property. Forbid the respondent  
25 from taking, transferring, encumbering, concealing,  
26 damaging or otherwise disposing of any real or personal

1 property, except as explicitly authorized by the court,  
2 if:

3 (i) petitioner, but not respondent, owns the  
4 property; or

5 (ii) the parties own the property jointly, and the  
6 balance of hardships favors granting this remedy.

7 If petitioner's sole claim to ownership of the  
8 property is that it is marital property, the court may  
9 grant petitioner relief under subparagraph (ii) of this  
10 paragraph only if a proper proceeding has been filed under  
11 the Illinois Marriage and Dissolution of Marriage Act, as  
12 now or hereafter amended.

13 The court may further prohibit respondent from  
14 improperly using the financial or other resources of an  
15 aged member of the family or household for the profit or  
16 advantage of respondent or of any other person.

17 (11.5) Protection of animals. Grant the petitioner the  
18 exclusive care, custody, or control of any animal owned,  
19 possessed, leased, kept, or held by either the petitioner  
20 or the respondent or a minor child residing in the  
21 residence or household of either the petitioner or the  
22 respondent and order the respondent to stay away from the  
23 animal and forbid the respondent from taking,  
24 transferring, encumbering, concealing, harming, or  
25 otherwise disposing of the animal.

26 (12) Order for payment of support. Order respondent to

1 pay temporary support for the petitioner or any child in  
2 the petitioner's care or over whom the petitioner has been  
3 allocated parental responsibility, when the respondent has  
4 a legal obligation to support that person, in accordance  
5 with the Illinois Marriage and Dissolution of Marriage  
6 Act, which shall govern, among other matters, the amount  
7 of support, payment through the clerk and withholding of  
8 income to secure payment. An order for child support may  
9 be granted to a petitioner with lawful physical care of a  
10 child, or an order or agreement for physical care of a  
11 child, prior to entry of an order allocating significant  
12 decision-making responsibility. Such a support order shall  
13 expire upon entry of a valid order allocating parental  
14 responsibility differently and vacating the petitioner's  
15 significant decision-making authority, unless otherwise  
16 provided in the order.

17 (13) Order for payment of losses. Order respondent to  
18 pay petitioner for losses suffered as a direct result of  
19 the abuse, neglect, or exploitation. Such losses shall  
20 include, but not be limited to, medical expenses, lost  
21 earnings or other support, repair or replacement of  
22 property damaged or taken, reasonable attorney's fees,  
23 court costs and moving or other travel expenses, including  
24 additional reasonable expenses for temporary shelter and  
25 restaurant meals.

26 (i) Losses affecting family needs. If a party is

1 entitled to seek maintenance, child support or  
2 property distribution from the other party under the  
3 Illinois Marriage and Dissolution of Marriage Act, as  
4 now or hereafter amended, the court may order  
5 respondent to reimburse petitioner's actual losses, to  
6 the extent that such reimbursement would be  
7 "appropriate temporary relief", as authorized by  
8 subsection (a) (3) of Section 501 of that Act.

9 (ii) Recovery of expenses. In the case of an  
10 improper concealment or removal of a minor child, the  
11 court may order respondent to pay the reasonable  
12 expenses incurred or to be incurred in the search for  
13 and recovery of the minor child, including but not  
14 limited to legal fees, court costs, private  
15 investigator fees, and travel costs.

16 (14) Prohibition of entry. Prohibit the respondent  
17 from entering or remaining in the residence or household  
18 while the respondent is under the influence of alcohol or  
19 drugs and constitutes a threat to the safety and  
20 well-being of the petitioner or the petitioner's children.

21 (14.5) Prohibition of firearm possession; plenary  
22 orders.

23 (a) In the case of a granted plenary order,  
24 prohibit ~~Prohibit~~ a respondent against whom an order  
25 of protection was issued from possessing any firearms  
26 during the duration of the order or 2 years, whichever

1           is longer, if the order:

2                       (1) was issued after a hearing of which such  
3                       person received actual notice, and at which such  
4                       person had an opportunity to participate;

5                       (2) restrains such person from harassing,  
6                       stalking, or threatening an intimate partner of  
7                       such person or child of such intimate partner or  
8                       person, or engaging in other conduct that would  
9                       place an intimate partner in reasonable fear of  
10                      bodily injury to the partner or child; and

11                      (3) (i) includes a finding that such person  
12                      represents a credible threat to the physical  
13                      safety of such intimate partner or child; or (ii)  
14                      by its terms explicitly prohibits the use,  
15                      attempted use, or threatened use of physical force  
16                      against such intimate partner or child that would  
17                      reasonably be expected to cause bodily injury.

18                      Any Firearm Owner's Identification Card in the  
19                      possession of the respondent, except as provided in  
20                      subparagraph ~~subsection~~ (b), shall be revoked or  
21                      suspended consistent with Section 8.2 of the Firearm  
22                      Owners Identification Act, and the respondent shall be  
23                      ordered by the court to surrender the card and any  
24                      firearm in the respondent's possession consistent with  
25                      Sections 8.2, 8.3, and 9.5 of the Firearm Owners  
26                      Identification Act. If the card is suspended, the ~~be~~

1 ~~turned over to the local law enforcement agency. The~~  
2 ~~local law enforcement agency shall immediately mail~~  
3 ~~the card to the Illinois State Police Firearm Owner's~~  
4 ~~Identification Card Office for safekeeping. The court~~  
5 ~~shall issue a warrant for seizure of any firearm in the~~  
6 ~~possession of the respondent, to be kept by the local~~  
7 ~~law enforcement agency for safekeeping, except as~~  
8 ~~provided in subsection (b). The period of surrender~~  
9 ~~safekeeping shall be for the duration of the order of~~  
10 ~~protection. If the card is revoked, the period of~~  
11 ~~surrender shall be for the duration of the order of~~  
12 ~~protection or 2 years, whichever is longer. The~~  
13 ~~Illinois State Police shall make notification to the~~  
14 ~~local law enforcement with jurisdiction of the~~  
15 ~~suspension or revocation. The firearm or firearms and~~  
16 ~~Firearm Owner's Identification Card, if unexpired,~~  
17 ~~shall at the respondent's request, be returned to the~~  
18 ~~respondent at the end of the order of protection. It is~~  
19 ~~the respondent's responsibility to notify the Illinois~~  
20 ~~State Police Firearm Owner's Identification Card~~  
21 ~~Office.~~

22 (b) If the respondent is a peace officer as  
23 defined in Section 2-13 of the Criminal Code of 2012,  
24 the court shall order that any firearms used by the  
25 respondent in the performance of his or her duties as a  
26 peace officer be surrendered to the chief law

1 enforcement executive of the agency in which the  
2 respondent is employed, who shall retain the firearms  
3 for surrender ~~safekeeping~~ for the duration of the  
4 order of protection or 2 years, whichever is longer.

5 (c) Upon expiration of the period of surrender  
6 ~~safekeeping~~, if the firearms or Firearm Owner's  
7 Identification Card cannot be returned to the  
8 respondent because the respondent cannot be located,  
9 fails to respond to requests to retrieve the firearms,  
10 or is not lawfully eligible to possess a firearm, upon  
11 petition from the local law enforcement agency, the  
12 court may order the local law enforcement agency to  
13 destroy the firearms, use the firearms for training  
14 purposes, or for any other application as deemed  
15 appropriate by the local law enforcement agency; or  
16 that the firearms be turned over to a third party who  
17 is lawfully eligible to possess firearms, and who does  
18 not reside with the respondent.

19 (d) A respondent who has surrendered a firearm  
20 under this paragraph shall not purchase a firearm for  
21 the period of surrender. A respondent who has  
22 surrendered a firearm under this paragraph shall not  
23 possess or have access to any firearm regardless of  
24 whether the firearm belongs to another person or if  
25 the respondent is residing with another person who  
26 owns a firearm and keeps the firearm at the residence.

1           (e) Upon expiration of the period of surrender,  
2           any surrendered firearm may only be returned to a  
3           respondent if a judicial officer has signed an order  
4           to release firearms stating that the order of  
5           protection is no longer in effect and the period of  
6           surrender has expired.

7           (14.6) Prohibition of firearm possession; emergency  
8           orders.

9           (a) Any Firearm Owner's Identification Card in the  
10           possession of the respondent, except as provided in  
11           subparagraph (b), shall be suspended consistent with  
12           Section 8.2 of the Firearm Owners Identification Act,  
13           and the respondent shall be ordered by the court to  
14           surrender the card and any firearm in the respondent's  
15           possession consistent with Sections 8.3 and 9.5 of the  
16           Firearm Owners Identification Act. The period of  
17           surrender shall be for the duration of the order of  
18           protection.

19           (b) If the respondent is a peace officer as  
20           defined in Section 2-13 of the Criminal Code of 2012,  
21           the court shall order that any firearms used by the  
22           respondent in the performance of his or her duties as a  
23           peace officer be surrendered to the chief law  
24           enforcement executive of the agency in which the  
25           respondent is employed, who shall retain the firearms  
26           for surrender for the duration of the order of

1           protection.

2           (c) Upon expiration of the period of surrender, if  
3           the firearms or Firearm Owner's Identification Card  
4           cannot be returned to respondent because respondent  
5           cannot be located, fails to respond to requests to  
6           retrieve the firearms, or is not lawfully eligible to  
7           possess a firearm, upon petition from the local law  
8           enforcement agency, the court may order the local law  
9           enforcement agency to destroy the firearms, use the  
10           firearms for training purposes, or for any other  
11           application as deemed appropriate by the local law  
12           enforcement agency; or that the firearms be turned  
13           over to a third party who is lawfully eligible to  
14           possess firearms, and who does not reside with  
15           respondent.

16           (d) A respondent who has surrendered a firearm  
17           under this paragraph shall not purchase a firearm for  
18           the period of surrender. A respondent who has  
19           surrendered a firearm under this paragraph shall not  
20           possess or have access to any firearm regardless of  
21           whether the firearm belongs to another person or if  
22           the respondent is residing with another person who  
23           owns a firearm and keeps the firearm at the residence.

24           (e) Upon expiration of the period of surrender,  
25           any surrendered firearm may only be returned to a  
26           respondent if a judicial officer has signed an order

1           to release firearms stating that the order of  
2           protection is no longer in effect and the period of  
3           surrender has expired.

4           (15) Prohibition of access to records. If an order of  
5 protection prohibits respondent from having contact with  
6 the minor child, or if petitioner's address is omitted  
7 under subsection (b) of Section 203, or if necessary to  
8 prevent abuse or wrongful removal or concealment of a  
9 minor child, the order shall deny respondent access to,  
10 and prohibit respondent from inspecting, obtaining, or  
11 attempting to inspect or obtain, school or any other  
12 records of the minor child who is in the care of  
13 petitioner.

14           (16) Order for payment of shelter services. Order  
15 respondent to reimburse a shelter providing temporary  
16 housing and counseling services to the petitioner for the  
17 cost of the services, as certified by the shelter and  
18 deemed reasonable by the court.

19           (17) Order for injunctive relief. Enter injunctive  
20 relief necessary or appropriate to prevent further abuse  
21 of a family or household member or further abuse, neglect,  
22 or exploitation of a high-risk adult with disabilities or  
23 to effectuate one of the granted remedies, if supported by  
24 the balance of hardships. If the harm to be prevented by  
25 the injunction is abuse or any other harm that one of the  
26 remedies listed in paragraphs (1) through (16) of this

1 subsection is designed to prevent, no further evidence is  
2 necessary that the harm is an irreparable injury.

3 (18) Telephone services.

4 (A) Unless a condition described in subparagraph  
5 (B) of this paragraph exists, the court may, upon  
6 request by the petitioner, order a wireless telephone  
7 service provider to transfer to the petitioner the  
8 right to continue to use a telephone number or numbers  
9 indicated by the petitioner and the financial  
10 responsibility associated with the number or numbers,  
11 as set forth in subparagraph (C) of this paragraph.  
12 For purposes of this paragraph (18), the term  
13 "wireless telephone service provider" means a provider  
14 of commercial mobile service as defined in 47 U.S.C.  
15 332. The petitioner may request the transfer of each  
16 telephone number that the petitioner, or a minor child  
17 in his or her custody, uses. The clerk of the court  
18 shall serve the order on the wireless telephone  
19 service provider's agent for service of process  
20 provided to the Illinois Commerce Commission. The  
21 order shall contain all of the following:

22 (i) The name and billing telephone number of  
23 the account holder including the name of the  
24 wireless telephone service provider that serves  
25 the account.

26 (ii) Each telephone number that will be

1 transferred.

2 (iii) A statement that the provider transfers  
3 to the petitioner all financial responsibility for  
4 and right to the use of any telephone number  
5 transferred under this paragraph.

6 (B) A wireless telephone service provider shall  
7 terminate the respondent's use of, and shall transfer  
8 to the petitioner use of, the telephone number or  
9 numbers indicated in subparagraph (A) of this  
10 paragraph unless it notifies the petitioner, within 72  
11 hours after it receives the order, that one of the  
12 following applies:

13 (i) The account holder named in the order has  
14 terminated the account.

15 (ii) A difference in network technology would  
16 prevent or impair the functionality of a device on  
17 a network if the transfer occurs.

18 (iii) The transfer would cause a geographic or  
19 other limitation on network or service provision  
20 to the petitioner.

21 (iv) Another technological or operational  
22 issue would prevent or impair the use of the  
23 telephone number if the transfer occurs.

24 (C) The petitioner assumes all financial  
25 responsibility for and right to the use of any  
26 telephone number transferred under this paragraph. In

1           this paragraph, "financial responsibility" includes  
2           monthly service costs and costs associated with any  
3           mobile device associated with the number.

4           (D) A wireless telephone service provider may  
5           apply to the petitioner its routine and customary  
6           requirements for establishing an account or  
7           transferring a number, including requiring the  
8           petitioner to provide proof of identification,  
9           financial information, and customer preferences.

10          (E) Except for willful or wanton misconduct, a  
11          wireless telephone service provider is immune from  
12          civil liability for its actions taken in compliance  
13          with a court order issued under this paragraph.

14          (F) All wireless service providers that provide  
15          services to residential customers shall provide to the  
16          Illinois Commerce Commission the name and address of  
17          an agent for service of orders entered under this  
18          paragraph (18). Any change in status of the registered  
19          agent must be reported to the Illinois Commerce  
20          Commission within 30 days of such change.

21          (G) The Illinois Commerce Commission shall  
22          maintain the list of registered agents for service for  
23          each wireless telephone service provider on the  
24          Commission's website. The Commission may consult with  
25          wireless telephone service providers and the Circuit  
26          Court Clerks on the manner in which this information

1 is provided and displayed.

2 (c) Relevant factors; findings.

3 (1) In determining whether to grant a specific remedy,  
4 other than payment of support, the court shall consider  
5 relevant factors, including but not limited to the  
6 following:

7 (i) the nature, frequency, severity, pattern and  
8 consequences of the respondent's past abuse, neglect  
9 or exploitation of the petitioner or any family or  
10 household member, including the concealment of his or  
11 her location in order to evade service of process or  
12 notice, and the likelihood of danger of future abuse,  
13 neglect, or exploitation to petitioner or any member  
14 of petitioner's or respondent's family or household;  
15 and

16 (ii) the danger that any minor child will be  
17 abused or neglected or improperly relocated from the  
18 jurisdiction, improperly concealed within the State or  
19 improperly separated from the child's primary  
20 caretaker.

21 (2) In comparing relative hardships resulting to the  
22 parties from loss of possession of the family home, the  
23 court shall consider relevant factors, including but not  
24 limited to the following:

25 (i) availability, accessibility, cost, safety,  
26 adequacy, location and other characteristics of

1           alternate housing for each party and any minor child  
2           or dependent adult in the party's care;

3                   (ii) the effect on the party's employment; and

4                   (iii) the effect on the relationship of the party,  
5           and any minor child or dependent adult in the party's  
6           care, to family, school, church and community.

7           (3) Subject to the exceptions set forth in paragraph  
8           (4) of this subsection, the court shall make its findings  
9           in an official record or in writing, and shall at a minimum  
10          set forth the following:

11                   (i) That the court has considered the applicable  
12           relevant factors described in paragraphs (1) and (2)  
13           of this subsection.

14                   (ii) Whether the conduct or actions of respondent,  
15           unless prohibited, will likely cause irreparable harm  
16           or continued abuse.

17                   (iii) Whether it is necessary to grant the  
18           requested relief in order to protect petitioner or  
19           other alleged abused persons.

20          (4) For purposes of issuing an ex parte emergency  
21          order of protection, the court, as an alternative to or as  
22          a supplement to making the findings described in  
23          paragraphs (c)(3)(i) through (c)(3)(iii) of this  
24          subsection, may use the following procedure:

25                  When a verified petition for an emergency order of  
26          protection in accordance with the requirements of Sections

1           203 and 217 is presented to the court, the court shall  
2           examine petitioner on oath or affirmation. An emergency  
3           order of protection shall be issued by the court if it  
4           appears from the contents of the petition and the  
5           examination of petitioner that the averments are  
6           sufficient to indicate abuse by respondent and to support  
7           the granting of relief under the issuance of the emergency  
8           order of protection.

9           (5) Never married parties. No rights or  
10          responsibilities for a minor child born outside of  
11          marriage attach to a putative father until a father and  
12          child relationship has been established under the Illinois  
13          Parentage Act of 1984, the Illinois Parentage Act of 2015,  
14          the Illinois Public Aid Code, Section 12 of the Vital  
15          Records Act, the Juvenile Court Act of 1987, the Probate  
16          Act of 1975, the Revised Uniform Reciprocal Enforcement of  
17          Support Act, the Uniform Interstate Family Support Act,  
18          the Expedited Child Support Act of 1990, any judicial,  
19          administrative, or other act of another state or  
20          territory, any other Illinois statute, or by any foreign  
21          nation establishing the father and child relationship, any  
22          other proceeding substantially in conformity with the  
23          Personal Responsibility and Work Opportunity  
24          Reconciliation Act of 1996 (Pub. L. 104-193), or where  
25          both parties appeared in open court or at an  
26          administrative hearing acknowledging under oath or

1 admitting by affirmation the existence of a father and  
2 child relationship. Absent such an adjudication, finding,  
3 or acknowledgment, no putative father shall be granted  
4 temporary allocation of parental responsibilities,  
5 including parenting time with the minor child, or physical  
6 care and possession of the minor child, nor shall an order  
7 of payment for support of the minor child be entered.

8 (d) Balance of hardships; findings. If the court finds  
9 that the balance of hardships does not support the granting of  
10 a remedy governed by paragraph (2), (3), (10), (11), or (16) of  
11 subsection (b) of this Section, which may require such  
12 balancing, the court's findings shall so indicate and shall  
13 include a finding as to whether granting the remedy will  
14 result in hardship to respondent that would substantially  
15 outweigh the hardship to petitioner from denial of the remedy.  
16 The findings shall be an official record or in writing.

17 (e) Denial of remedies. Denial of any remedy shall not be  
18 based, in whole or in part, on evidence that:

19 (1) Respondent has cause for any use of force, unless  
20 that cause satisfies the standards for justifiable use of  
21 force provided by Article 7 of the Criminal Code of 2012;

22 (2) Respondent was voluntarily intoxicated;

23 (3) Petitioner acted in self-defense or defense of  
24 another, provided that, if petitioner utilized force, such  
25 force was justifiable under Article 7 of the Criminal Code  
26 of 2012;

1           (4) Petitioner did not act in self-defense or defense  
2 of another;

3           (5) Petitioner left the residence or household to  
4 avoid further abuse, neglect, or exploitation by  
5 respondent;

6           (6) Petitioner did not leave the residence or  
7 household to avoid further abuse, neglect, or exploitation  
8 by respondent;

9           (7) Conduct by any family or household member excused  
10 the abuse, neglect, or exploitation by respondent, unless  
11 that same conduct would have excused such abuse, neglect,  
12 or exploitation if the parties had not been family or  
13 household members.

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

15           (750 ILCS 60/217) (from Ch. 40, par. 2312-17)

16           Sec. 217. Emergency order of protection.

17           (a) Prerequisites. An emergency order of protection shall  
18 issue if petitioner satisfies the requirements of this  
19 subsection for one or more of the requested remedies. For each  
20 remedy requested, the petitioner shall establish that:

21           (1) The court has jurisdiction under Section 208;

22           (2) The requirements of Section 214 are satisfied; and

23           (3) There is good cause to grant the remedy,  
24 regardless of prior service of process or of notice upon  
25 the respondent, because:

1 (i) For the remedies of "prohibition of abuse"  
2 described in Section 214(b)(1), "stay away order and  
3 additional prohibitions" described in Section  
4 214(b)(3), "removal or concealment of minor child"  
5 described in Section 214(b)(8), "order to appear"  
6 described in Section 214(b)(9), "physical care and  
7 possession of the minor child" described in Section  
8 214(b)(5), "protection of property" described in  
9 Section 214(b)(11), "prohibition of entry" described  
10 in Section 214(b)(14), "prohibition of firearm  
11 possession" described in Section 214(b)(14.6)  
12 ~~214(b)(14.5)~~, "prohibition of access to records"  
13 described in Section 214(b)(15), and "injunctive  
14 relief" described in Section 214(b)(16), the harm  
15 which that remedy is intended to prevent would be  
16 likely to occur if the respondent were given any prior  
17 notice, or greater notice than was actually given, of  
18 the petitioner's efforts to obtain judicial relief;

19 (ii) For the remedy of "grant of exclusive  
20 possession of residence" described in Section  
21 214(b)(2), the immediate danger of further abuse of  
22 the petitioner by the respondent, if the petitioner  
23 chooses or had chosen to remain in the residence or  
24 household while the respondent was given any prior  
25 notice or greater notice than was actually given of  
26 the petitioner's efforts to obtain judicial relief,

1           outweighs the hardships to the respondent of an  
2           emergency order granting the petitioner exclusive  
3           possession of the residence or household. This remedy  
4           shall not be denied because the petitioner has or  
5           could obtain temporary shelter elsewhere while prior  
6           notice is given to the respondent, unless the  
7           hardships to respondent from exclusion from the home  
8           substantially outweigh those to the petitioner;

9           (iii) For the remedy of "possession of personal  
10          property" described in Section 214(b)(10), improper  
11          disposition of the personal property would be likely  
12          to occur if the respondent were given any prior  
13          notice, or greater notice than was actually given, of  
14          the petitioner's efforts to obtain judicial relief, or  
15          the petitioner has an immediate and pressing need for  
16          possession of that property.

17          An emergency order may not include the counseling, legal  
18          custody, payment of support, or monetary compensation  
19          remedies.

20          (a-5) When a petition for an emergency order of protection  
21          is granted, the order and file shall not be public and shall  
22          only be accessible to the court, the petitioner, law  
23          enforcement, a domestic violence advocate or counselor, the  
24          counsel of record for either party, and the State's Attorney  
25          for the county until the order is served on the respondent.

26          (b) Appearance by respondent. If the respondent appears in

1 court for this hearing for an emergency order, he or she may  
2 elect to file a general appearance and testify. Any resulting  
3 order may be an emergency order, governed by this Section.  
4 Notwithstanding the requirements of this Section, if all  
5 requirements of Section 218 have been met, the court may issue  
6 a 30-day interim order.

7 (c) Emergency orders: court holidays and evenings.

8 (1) Prerequisites. When the court is unavailable at  
9 the close of business, the petitioner may file a petition  
10 for a 21-day emergency order before any available circuit  
11 judge or associate judge who may grant relief under this  
12 Act. If the judge finds that there is an immediate and  
13 present danger of abuse to the petitioner and that the  
14 petitioner has satisfied the prerequisites set forth in  
15 subsection (a) of Section 217, that judge may issue an  
16 emergency order of protection.

17 (1.5) Issuance of order. The chief judge of the  
18 circuit court may designate for each county in the circuit  
19 at least one judge to be reasonably available to issue  
20 orally, by telephone, by facsimile, or otherwise, an  
21 emergency order of protection at all times, whether or not  
22 the court is in session.

23 (2) Certification and transfer. The judge who issued  
24 the order under this Section shall promptly communicate or  
25 convey the order to the sheriff to facilitate the entry of  
26 the order into the Law Enforcement Agencies Data System by

1 the Illinois State Police pursuant to Section 302. Any  
2 order issued under this Section and any documentation in  
3 support thereof shall be certified on the next court day  
4 to the appropriate court. The clerk of that court shall  
5 immediately assign a case number, file the petition, order  
6 and other documents with the court, and enter the order of  
7 record and file it with the sheriff for service, in  
8 accordance with Section 222. Filing the petition shall  
9 commence proceedings for further relief under Section 202.  
10 Failure to comply with the requirements of this subsection  
11 shall not affect the validity of the order.

12 (Source: P.A. 101-255, eff. 1-1-20; 102-538, eff. 8-20-21;  
13 102-831, eff. 5-13-22; revised 7-29-22.)

14 (750 ILCS 60/223) (from Ch. 40, par. 2312-23)

15 Sec. 223. Enforcement of orders of protection.

16 (a) When violation is crime. A violation of any order of  
17 protection, whether issued in a civil or criminal proceeding  
18 or by a military tribunal, shall be enforced by a criminal  
19 court when:

20 (1) The respondent commits the crime of violation of  
21 an order of protection pursuant to Section 12-3.4 or 12-30  
22 of the Criminal Code of 1961 or the Criminal Code of 2012,  
23 by having knowingly violated:

24 (i) remedies described in paragraphs (1), (2),  
25 (3), (14), ~~or~~ (14.5), or (14.6) of subsection (b) of

1 Section 214 of this Act; or

2 (ii) a remedy, which is substantially similar to  
3 the remedies authorized under paragraphs (1), (2),  
4 (3), (14), ~~and (14.5)~~, and (14.6) of subsection (b) of  
5 Section 214 of this Act, in a valid order of protection  
6 which is authorized under the laws of another state,  
7 tribe, or United States territory; or

8 (iii) any other remedy when the act constitutes a  
9 crime against the protected parties as defined by the  
10 Criminal Code of 1961 or the Criminal Code of 2012.

11 Prosecution for a violation of an order of protection  
12 shall not bar concurrent prosecution for any other crime,  
13 including any crime that may have been committed at the  
14 time of the violation of the order of protection; or

15 (2) The respondent commits the crime of child  
16 abduction pursuant to Section 10-5 of the Criminal Code of  
17 1961 or the Criminal Code of 2012, by having knowingly  
18 violated:

19 (i) remedies described in paragraphs (5), (6) or  
20 (8) of subsection (b) of Section 214 of this Act; or

21 (ii) a remedy, which is substantially similar to  
22 the remedies authorized under paragraphs (5), (6), or  
23 (8) of subsection (b) of Section 214 of this Act, in a  
24 valid order of protection which is authorized under  
25 the laws of another state, tribe, or United States  
26 territory.

1 (b) When violation is contempt of court. A violation of  
2 any valid Illinois order of protection, whether issued in a  
3 civil or criminal proceeding or by a military tribunal, may be  
4 enforced through civil or criminal contempt procedures, as  
5 appropriate, by any court with jurisdiction, regardless where  
6 the act or acts which violated the order of protection were  
7 committed, to the extent consistent with the venue provisions  
8 of this Act. Nothing in this Act shall preclude any Illinois  
9 court from enforcing any valid order of protection issued in  
10 another state. Illinois courts may enforce orders of  
11 protection through both criminal prosecution and contempt  
12 proceedings, unless the action which is second in time is  
13 barred by collateral estoppel or the constitutional  
14 prohibition against double jeopardy.

15 (1) In a contempt proceeding where the petition for a  
16 rule to show cause sets forth facts evidencing an  
17 immediate danger that the respondent will flee the  
18 jurisdiction, conceal a child, or inflict physical abuse  
19 on the petitioner or minor children or on dependent adults  
20 in petitioner's care, the court may order the attachment  
21 of the respondent without prior service of the rule to  
22 show cause or the petition for a rule to show cause.  
23 Conditions of release shall be set unless specifically  
24 denied in writing.

25 (2) A petition for a rule to show cause for violation  
26 of an order of protection shall be treated as an expedited

1 proceeding.

2 (b-1) The court shall not hold a school district or  
3 private or non-public school or any of its employees in civil  
4 or criminal contempt unless the school district or private or  
5 non-public school has been allowed to intervene.

6 (b-2) The court may hold the parents, guardian, or legal  
7 custodian of a minor respondent in civil or criminal contempt  
8 for a violation of any provision of any order entered under  
9 this Act for conduct of the minor respondent in violation of  
10 this Act if the parents, guardian, or legal custodian  
11 directed, encouraged, or assisted the respondent minor in such  
12 conduct.

13 (c) Violation of custody or support orders or temporary or  
14 final judgments allocating parental responsibilities. A  
15 violation of remedies described in paragraphs (5), (6), (8),  
16 or (9) of subsection (b) of Section 214 of this Act may be  
17 enforced by any remedy provided by Section 607.5 of the  
18 Illinois Marriage and Dissolution of Marriage Act. The court  
19 may enforce any order for support issued under paragraph (12)  
20 of subsection (b) of Section 214 in the manner provided for  
21 under Parts V and VII of the Illinois Marriage and Dissolution  
22 of Marriage Act.

23 (d) Actual knowledge. An order of protection may be  
24 enforced pursuant to this Section if the respondent violates  
25 the order after the respondent has actual knowledge of its  
26 contents as shown through one of the following means:

1 (1) By service, delivery, or notice under Section 210.

2 (2) By notice under Section 210.1 or 211.

3 (3) By service of an order of protection under Section  
4 222.

5 (4) By other means demonstrating actual knowledge of  
6 the contents of the order.

7 (e) The enforcement of an order of protection in civil or  
8 criminal court shall not be affected by either of the  
9 following:

10 (1) The existence of a separate, correlative order,  
11 entered under Section 215.

12 (2) Any finding or order entered in a conjoined  
13 criminal proceeding.

14 (f) Circumstances. The court, when determining whether or  
15 not a violation of an order of protection has occurred, shall  
16 not require physical manifestations of abuse on the person of  
17 the victim.

18 (g) Penalties.

19 (1) Except as provided in paragraph (3) of this  
20 subsection, where the court finds the commission of a  
21 crime or contempt of court under subsections (a) or (b) of  
22 this Section, the penalty shall be the penalty that  
23 generally applies in such criminal or contempt  
24 proceedings, and may include one or more of the following:  
25 incarceration, payment of restitution, a fine, payment of  
26 attorneys' fees and costs, or community service.

1           (2) The court shall hear and take into account  
2 evidence of any factors in aggravation or mitigation  
3 before deciding an appropriate penalty under paragraph (1)  
4 of this subsection.

5           (3) To the extent permitted by law, the court is  
6 encouraged to:

7                 (i) increase the penalty for the knowing violation  
8 of any order of protection over any penalty previously  
9 imposed by any court for respondent's violation of any  
10 order of protection or penal statute involving  
11 petitioner as victim and respondent as defendant;

12                 (ii) impose a minimum penalty of 24 hours  
13 imprisonment for respondent's first violation of any  
14 order of protection; and

15                 (iii) impose a minimum penalty of 48 hours  
16 imprisonment for respondent's second or subsequent  
17 violation of an order of protection

18 unless the court explicitly finds that an increased  
19 penalty or that period of imprisonment would be manifestly  
20 unjust.

21           (4) In addition to any other penalties imposed for a  
22 violation of an order of protection, a criminal court may  
23 consider evidence of any violations of an order of  
24 protection:

25                 (i) to increase, revoke or modify the conditions  
26 of pretrial release on an underlying criminal charge



1 concealed upon the person, notwithstanding that the ammunition  
2 may also be used in some rifles.

3 "Manufacturer", "ammunition manufacturer", or "registered  
4 handgun ammunition manufacturer" means any person that  
5 manufactures handgun ammunition within this State or  
6 manufactures handgun ammunition with the intent to distribute  
7 that ammunition for purposes, within this State, of sale,  
8 loan, or transfer.

9 "Pistol", "revolver", and "firearm capable of being  
10 concealed upon the person" applies to and includes any device  
11 designed to be used as a weapon, from which is expelled a  
12 projectile by the force of any explosion, or other form of  
13 combustion, and that has a barrel less than 16 inches in  
14 length. These terms also include any device that has a barrel  
15 16 inches or more in length which is designed to be  
16 interchanged with a barrel less than 16 inches in length.

17 "Public place" means an area open to the public and  
18 includes, but is not limited to, streets, sidewalks, bridges,  
19 alleys, plazas, parks, driveways, front yards, parking lots,  
20 including motor vehicles in these areas, whether moving or  
21 not, and buildings open to the general public, including those  
22 that serve food or drink, or provide entertainment, and the  
23 doorways and entrances to buildings or dwellings.

24 "Retail mercantile establishment" has the meaning ascribed  
25 to it in Section 16-0.1 of this Code.

26 "Serialized" means:

1           (1) the handgun ammunition has been identified in a  
2 manner prescribed by the Illinois State Police so that all  
3 assembled handgun ammunition contained within a package  
4 provided for retail sale, or as otherwise specified by the  
5 Illinois State Police, is uniquely identified;

6           (2) bullets used for reloading or handloading  
7 contained within a package provided for retail sale, or as  
8 otherwise specified by the Illinois State Police, are  
9 uniquely identified;

10          (3) identification of the manufacturer of the items  
11 described in subdivisions (1) and (2) of this definition;

12          (4) identification on the exterior of the items  
13 described in subdivisions (1) and (2) of this definition  
14 in a manner that permits visual inspection for the purpose  
15 of determining if the assembled handgun ammunition or  
16 bullet is serialized;

17          (5) identification on the exterior of the items  
18 described in subdivisions (1) and (2) of this definition  
19 in a manner that is maintained subsequent to the discharge  
20 of the handgun ammunition and subsequent to the impact of  
21 the bullet, based on standards prescribed by the Illinois  
22 State Police; and

23          (6) identification on the exterior of every package or  
24 container of serialized handgun ammunition, as prescribed  
25 by the Illinois State Police, with the same unique  
26 identifiers used on the assembled handgun ammunition or

1 bullets contained within the packaging or container. A  
2 package or container shall not be labeled with the same  
3 unique identifiers as any other package or container by  
4 the same manufacturer.

5 "Serialized handgun ammunition" means any of the  
6 following, which are subject to serialization under this  
7 Article:

8 (1) handgun ammunition;

9 (2) .22 caliber rimfire ammunition;

10 (3) assembled handgun ammunition packaged for retail  
11 sale; or

12 (4) bullets used for reloading or handloading handgun  
13 ammunition that are packaged for retail sale.

14 "Serialized handgun ammunition" does not include blank  
15 cartridges, shot-shells, or projectiles used in black powder  
16 handguns.

17 (720 ILCS 5/24-1.11 new)

18 Sec. 24-1.11. Serialization of handgun ammunition.

19 (a) The Illinois State Police shall enforce the  
20 requirements of the handgun serialization program and other  
21 provisions of Sections 24-1.11 through 24-1.14 of this Code.  
22 The Illinois State Police may prescribe the manner in which  
23 handgun ammunition is serialized in order to comply with  
24 Section 24-1.12 of this Code, including, but not limited to,  
25 determining how handgun ammunition that is loose, packaged, in

1 lots, series, or otherwise aggregated for purposes of  
2 manufacture or sale shall be serialized with a unique  
3 identifier, under Section 24-1.12. The Illinois State Police  
4 shall adopt rules implementing this Section no later than  
5 January 1, 2024.

6 (b) The Illinois State Police may:

7 (1) adopt rules relating to the assessment and  
8 collection of end-user fees in an amount not to exceed  
9 \$0.005 per round of handgun ammunition or per bullet, in  
10 which the accumulated fee amount may not exceed the cost  
11 to pay for the infrastructure, implementation,  
12 operational, enforcement, and future development costs of  
13 Sections 24-1.11 through 24-1.14;

14 (2) adopt rules relating to the implementation and  
15 furtherance of a retail handgun ammunition vendor's  
16 registry and the assessment and collection of fees  
17 associated with the registration program in an amount not  
18 to exceed \$50 per year per retail location, adjusted  
19 annually for inflation based upon the Consumer Price Index  
20 for the North Central Region as published by the United  
21 States Department of Labor, Bureau of Labor Statistics for  
22 the immediately preceding calendar year, in which the  
23 accumulated fee amount may not exceed the cost to pay for  
24 the infrastructure, implementation, operational,  
25 enforcement, and future development costs of Sections  
26 24-1.11 through 24-1.14; or

1           (3) adopt or amend rules relating to this Section in  
2           an effort to incorporate new technologies as they become  
3           available.

4           (720 ILCS 5/24-1.12 new)

5           Sec. 24-1.12. Unlawful manufacture, sale, or transfer of  
6           non-serialized handgun ammunition; unlawful possession of  
7           non-serialized handgun ammunition; penalties.

8           (a) Beginning January 1, 2024, and except as provided in  
9           subsection (g-15) of Section 24-2, a person commits unlawful  
10           manufacture, sale, or transfer of non-serialized handgun  
11           ammunition when he or she knowingly manufactures, causes to be  
12           manufactured, imports into this State for sale or personal  
13           use, keeps for sale, offers or exposes for sale, or gives or  
14           lends any handgun ammunition that is not serialized. A  
15           violation of this subsection (a) is a Class A misdemeanor.

16           (b) Beginning January 1, 2024, and except as provided in  
17           subsection (g-15) of Section 24-2, a person commits unlawful  
18           possession of non-serialized handgun ammunition when he or she  
19           knowingly possesses in any public place any handgun ammunition  
20           that is not serialized. A violation of this subsection is a  
21           Class C misdemeanor.

22           (c) Beginning January 1, 2024, and except as provided in  
23           subsection (g-15) of Section 24-2, a person commits unlawful  
24           possession of non-serialized handgun ammunition when he or she  
25           knowingly possesses non-serialized ammunition for a rifle

1 having one or more barrels less than 16 inches in length or a  
2 shotgun having one or more barrels less than 18 inches in  
3 length or any weapon made from a rifle or shotgun, whether by  
4 alteration, modification, or otherwise, if the weapon as  
5 modified has an overall length of less than 26 inches. A  
6 violation of this subsection is a Class C misdemeanor.

7 (d) For purposes of Sections 24-1.11 through 24-1.14, the  
8 possession of each round of non-serialized handgun ammunition  
9 or bullets constitutes a separate and distinct offense.

10 (720 ILCS 5/24-1.13 new)

11 Sec. 24-1.13. Unlawful retail sale of handgun ammunition.

12 (a) (1) Beginning January 1, 2024, a person commits  
13 unlawful retail sale of handgun ammunition if he or she  
14 knowingly engages in the retail sale of handgun ammunition and  
15 sells, leases, or transfers serialized handgun ammunition  
16 without being a registered handgun ammunition vendor as  
17 described in paragraph (2) of this subsection (a). A violation  
18 of this paragraph (1) is a Class A misdemeanor.

19 (2) As used in this Section, "vendor", "ammunition  
20 vendor", or "registered handgun ammunition vendor" means any  
21 person who is engaged in the retail sale of handgun ammunition  
22 and has all of the following:

23 (A) any regulatory or business license, or licenses,  
24 required by a unit of local government;

25 (B) a valid Retailers Occupation Tax Registration

1 Number issued by the Department of Revenue; and

2 (C) is recorded in the centralized handgun ammunition  
3 vendor's registry specified in subsection (b) of this  
4 Section.

5 (b) The Illinois State Police shall maintain a centralized  
6 registry of all persons under subparagraphs (A) through (C),  
7 inclusive, of paragraph (2) of subsection (a) of this Section.  
8 The Illinois State Police may remove from this registry any  
9 person who violates this Article. Upon removal of a vendor  
10 from this registry, notification shall be provided to local  
11 law enforcement and licensing authorities in the jurisdiction  
12 where the vendor's business is located.

13 (c) The Illinois State Police may inspect handgun  
14 ammunition vendors to ensure compliance with this Article.  
15 Nothing in this Section prohibits any unit of local government  
16 from adopting one or more ordinances relating to the  
17 inspection of handgun ammunition vendors.

18 (d) Any vendor, agent, or employee of the vendor who sells  
19 or otherwise transfers ownership of any serialized handgun  
20 ammunition shall record the following information in a format  
21 prescribed by the Illinois State Police:

22 (1) the date of the transaction;

23 (2) the name of the transferee;

24 (3) the transferee's driver's license number or other  
25 government issued identification card number and the  
26 governmental agency that issued the identification;

1           (4) in order to validate a transferee's age and ensure  
2           compliance with paragraphs (a) and (b) of subsection (A)  
3           of Section 24-3, the date of birth of the transferee;

4           (5) the unique identifier, as described in Section  
5           24-0.05, of all serialized handgun ammunition or bullets  
6           transferred; and

7           (6) all other information prescribed by the Illinois  
8           State Police.

9           (e) On the date the vendor delivers the handgun ammunition  
10          to the transferee, he or she shall report the information  
11          required in subsection (d) to the Illinois State Police in a  
12          manner prescribed by the Illinois State Police. A copy of the  
13          records required by this Section shall be maintained on the  
14          premises of the vendor for a period of not less than 3 years  
15          from the date of the recorded transfer. The records shall be  
16          subject to inspection at any time during normal business hours  
17          by any peace officer, or by any authorized employee of the  
18          Illinois State Police, if the inspection relates to an  
19          investigation in which access to those records is or may be  
20          relevant to that investigation, is seeking information about  
21          persons prohibited from owning a firearm or handgun  
22          ammunition, or is engaged in ensuring compliance with this  
23          Article, the Firearm Owners Identification Card Act, the  
24          Firearm Concealed Carry Act, or any other laws pertaining to  
25          firearms.

26          (f) Any vendor or employee or agent of a vendor who

1 knowingly fails to comply with, or falsifies the records  
2 required to be kept by subsection (e) is guilty of a Class A  
3 misdemeanor.

4 (g) Proof that a vendor or his or her agent or employee  
5 demanding, was shown, and acted in reliance upon, bona fide  
6 evidence of identity shall be a defense to any criminal  
7 prosecution under this Section if reliance upon the proof of  
8 identity was reasonable.

9 (h) Any person who presents false identification to a  
10 vendor with the intent to avoid the recording requirements of  
11 this Section is guilty of a Class A misdemeanor.

12 (i) Any vendor who refuses to permit a person authorized  
13 under subsection (e) to examine any record prepared in  
14 accordance with this Section during any inspection conducted  
15 under this Section is guilty of a Class A misdemeanor.

16 (j) Persons engaged in the noncommercial reloading of  
17 ammunition may adopt voluntary personal serialization  
18 protocols.

19 (720 ILCS 5/24-1.14 new)

20 Sec. 24-1.14. Unlawful commercial manufacture of  
21 serialized handgun ammunition.

22 (a) Beginning January 1, 2024, a person commits unlawful  
23 commercial manufacture of serialized handgun ammunition when  
24 he or she knowingly engages in the commercial manufacture of  
25 serialized handgun ammunition and sells, loans, or transfers

1 serialized handgun ammunition within this State, without being  
2 a registered handgun ammunition manufacturer. A violation of  
3 this subsection (a) is a Class A misdemeanor.

4 (b) Manufacturers shall:

5 (1) register with the Illinois State Police in a  
6 manner prescribed by the Illinois State Police;

7 (2) maintain records on the business premises for a  
8 period of 7 years concerning all sales, loans, and  
9 transfers of handgun ammunition, to, from, or within this  
10 State; and

11 (3) comply with all other rules concerning handgun  
12 ammunition manufacture and sale adopted by the Illinois  
13 State Police.

14 (c) Any manufacturer who knowingly fails to comply with  
15 the provisions of this Section is liable for a civil fine  
16 payable to the Illinois State Police of not more than \$1,000  
17 for a first violation, not more than \$5,000 for a second  
18 violation, and not more than \$10,000 for a third and  
19 subsequent violation. A civil action to enforce this Section  
20 may be brought by a municipal attorney, State's Attorney, or  
21 the Attorney General. This subsection (c) does not preclude  
22 any other remedy available under State law.

23 (d) The Illinois State Police may inspect handgun  
24 ammunition manufacturers to ensure compliance with this  
25 Section.

1 (720 ILCS 5/24-2)

2 Sec. 24-2. Exemptions.

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

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

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

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

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

25 (5) Persons licensed as private security contractors,  
26 private detectives, or private alarm contractors, or

1 employed by a private security contractor, private  
2 detective, or private alarm contractor agency licensed by  
3 the Department of Financial and Professional Regulation,  
4 if their duties include the carrying of a weapon under the  
5 provisions of the Private Detective, Private Alarm,  
6 Private Security, Fingerprint Vendor, and Locksmith Act of  
7 2004, while actually engaged in the performance of the  
8 duties of their employment or commuting between their  
9 homes and places of employment. A person shall be  
10 considered eligible for this exemption if he or she has  
11 completed the required 20 hours of training for a private  
12 security contractor, private detective, or private alarm  
13 contractor, or employee of a licensed private security  
14 contractor, private detective, or private alarm contractor  
15 agency and 28 hours of required firearm training, and has  
16 been issued a firearm control card by the Department of  
17 Financial and Professional Regulation. Conditions for the  
18 renewal of firearm control cards issued under the  
19 provisions of this Section shall be the same as for those  
20 cards issued under the provisions of the Private  
21 Detective, Private Alarm, Private Security, Fingerprint  
22 Vendor, and Locksmith Act of 2004. The firearm control  
23 card shall be carried by the private security contractor,  
24 private detective, or private alarm contractor, or  
25 employee of the licensed private security contractor,  
26 private detective, or private alarm contractor agency at

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

3 (6) Any person regularly employed in a commercial or  
4 industrial operation as a security guard for the  
5 protection of persons employed and private property  
6 related to such commercial or industrial operation, while  
7 actually engaged in the performance of his or her duty or  
8 traveling between sites or properties belonging to the  
9 employer, and who, as a security guard, is a member of a  
10 security force registered with the Department of Financial  
11 and Professional Regulation; provided that such security  
12 guard has successfully completed a course of study,  
13 approved by and supervised by the Department of Financial  
14 and Professional Regulation, consisting of not less than  
15 48 hours of training that includes the theory of law  
16 enforcement, liability for acts, and the handling of  
17 weapons. A person shall be considered eligible for this  
18 exemption if he or she has completed the required 20 hours  
19 of training for a security officer and 28 hours of  
20 required firearm training, and has been issued a firearm  
21 control card by the Department of Financial and  
22 Professional Regulation. Conditions for the renewal of  
23 firearm control cards issued under the provisions of this  
24 Section shall be the same as for those cards issued under  
25 the provisions of the Private Detective, Private Alarm,  
26 Private Security, Fingerprint Vendor, and Locksmith Act of

1           2004. The firearm control card shall be carried by the  
2 security guard at all times when he or she is in possession  
3 of a concealable weapon permitted by his or her firearm  
4 control card.

5           (7) Agents and investigators of the Illinois  
6 Legislative Investigating Commission authorized by the  
7 Commission to carry the weapons specified in subsections  
8 24-1(a)(3) and 24-1(a)(4), while on duty in the course of  
9 any investigation for the Commission.

10           (8) Persons employed by a financial institution as a  
11 security guard for the protection of other employees and  
12 property related to such financial institution, while  
13 actually engaged in the performance of their duties,  
14 commuting between their homes and places of employment, or  
15 traveling between sites or properties owned or operated by  
16 such financial institution, and who, as a security guard,  
17 is a member of a security force registered with the  
18 Department; provided that any person so employed has  
19 successfully completed a course of study, approved by and  
20 supervised by the Department of Financial and Professional  
21 Regulation, consisting of not less than 48 hours of  
22 training which includes theory of law enforcement,  
23 liability for acts, and the handling of weapons. A person  
24 shall be considered to be eligible for this exemption if  
25 he or she has completed the required 20 hours of training  
26 for a security officer and 28 hours of required firearm

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

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

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

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

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

1           (12.5) Probation officers while in the performance of  
2           their duties, or while commuting between their homes,  
3           places of employment or specific locations that are part  
4           of their assigned duties, with the consent of the chief  
5           judge of the circuit for which they are employed, if they  
6           have received weapons training according to requirements  
7           of the Peace Officer and Probation Officer Firearm  
8           Training Act.

9           (13) Court Security Officers while in the performance  
10          of their official duties, or while commuting between their  
11          homes and places of employment, with the consent of the  
12          Sheriff.

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

19          (14) Manufacture, transportation, or sale of weapons  
20          to persons authorized under subdivisions (1) through  
21          (13.5) of this subsection to possess those weapons.

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

1 (a-6) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply  
2 to or affect a qualified current or retired law enforcement  
3 officer or a current or retired deputy, county correctional  
4 officer, or correctional officer of the Department of  
5 Corrections qualified under the laws of this State or under  
6 the federal Law Enforcement Officers Safety Act.

7 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
8 24-1.6 do not apply to or affect any of the following:

9 (1) Members of any club or organization organized for  
10 the purpose of practicing shooting at targets upon  
11 established target ranges, whether public or private, and  
12 patrons of such ranges, while such members or patrons are  
13 using their firearms on those target ranges.

14 (2) Duly authorized military or civil organizations  
15 while parading, with the special permission of the  
16 Governor.

17 (3) Hunters, trappers, or fishermen while engaged in  
18 lawful hunting, trapping, or fishing under the provisions  
19 of the Wildlife Code or the Fish and Aquatic Life Code.

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

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

26 (c) Subsection 24-1(a)(7) does not apply to or affect any

1 of the following:

2 (1) Peace officers while in performance of their  
3 official duties.

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

7 (3) Members of the Armed Services or Reserve Forces of  
8 the United States or the Illinois National Guard, while in  
9 the performance of their official duty.

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

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

1 are within the lawful scope of a licensed manufacturing  
2 business described in this paragraph.

3 During transportation, such weapons shall be broken  
4 down in a non-functioning state or not immediately  
5 accessible.

6 (6) The manufacture, transport, testing, delivery,  
7 transfer or sale, and all lawful commercial or  
8 experimental activities necessary thereto, of rifles,  
9 shotguns, and weapons made from rifles or shotguns, or  
10 ammunition for such rifles, shotguns or weapons, where  
11 engaged in by a person operating as a contractor or  
12 subcontractor pursuant to a contract or subcontract for  
13 the development and supply of such rifles, shotguns,  
14 weapons or ammunition to the United States government or  
15 any branch of the Armed Forces of the United States, when  
16 such activities are necessary and incident to fulfilling  
17 the terms of such contract.

18 The exemption granted under this subdivision (c)(6)  
19 shall also apply to any authorized agent of any such  
20 contractor or subcontractor who is operating within the  
21 scope of his employment, where such activities involving  
22 such weapon, weapons or ammunition are necessary and  
23 incident to fulfilling the terms of such contract.

24 (7) A person possessing a rifle with a barrel or  
25 barrels less than 16 inches in length if: (A) the person  
26 has been issued a Curios and Relics license from the U.S.

1 Bureau of Alcohol, Tobacco, Firearms and Explosives; or  
2 (B) the person is an active member of a bona fide,  
3 nationally recognized military re-enacting group and the  
4 modification is required and necessary to accurately  
5 portray the weapon for historical re-enactment purposes;  
6 the re-enactor is in possession of a valid and current  
7 re-enacting group membership credential; and the overall  
8 length of the weapon as modified is not less than 26  
9 inches.

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

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

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

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

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

26 (2) Bonafide collectors of antique or surplus military

1           ordnance.

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

5           (4) Commerce, preparation, assembly or possession of  
6 explosive bullets by manufacturers of ammunition licensed  
7 by the federal government, in connection with the supply  
8 of those organizations and persons exempted by subdivision  
9 (g)(1) of this Section, or like organizations and persons  
10 outside this State, or the transportation of explosive  
11 bullets to any organization or person exempted in this  
12 Section by a common carrier or by a vehicle owned or leased  
13 by an exempted manufacturer.

14          (g-5) Subsection 24-1(a)(6) does not apply to or affect  
15 persons licensed under federal law to manufacture any device  
16 or attachment of any kind designed, used, or intended for use  
17 in silencing the report of any firearm, firearms, or  
18 ammunition for those firearms equipped with those devices, and  
19 actually engaged in the business of manufacturing those  
20 devices, firearms, or ammunition, but only with respect to  
21 activities that are within the lawful scope of that business,  
22 such as the manufacture, transportation, or testing of those  
23 devices, firearms, or ammunition. This exemption does not  
24 authorize the general private possession of any device or  
25 attachment of any kind designed, used, or intended for use in  
26 silencing the report of any firearm, but only such possession

1 and activities as are within the lawful scope of a licensed  
2 manufacturing business described in this subsection (g-5).  
3 During transportation, these devices shall be detached from  
4 any weapon or not immediately accessible.

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

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

18 (g-10) (Blank).

19 (g-15) Subsections 24-1.12(a) and 24-1.12(b) do not apply  
20 to or affect any of the following:

21 (1) Possession, for purposes of investigation or  
22 disposition of any non-serialized handgun ammunition, by a  
23 forensic laboratory or any authorized agent or employee of  
24 that laboratory in the course and scope of his or her  
25 authorized activities.

26 (2) Possession, for purposes of investigation,

1 evidence, or disposition, of any non-serialized handgun  
2 ammunition by any State or unit of local government agency  
3 charged with law enforcement or by the Illinois State  
4 Police or by any authorized agent or employee of the  
5 agency, within the course and scope of his or her official  
6 duties.

7 (3) Possession, for purposes of disposal, or the  
8 disposal, of non-serialized handgun ammunition by an  
9 executor or administrator of an estate if all of the  
10 following are met:

11 (A) the non-serialized handgun ammunition was  
12 lawfully possessed, included within the estate, and  
13 the executor or administrator possesses or disposes of  
14 the non-serialized handgun ammunition in a manner  
15 consistent with this Article.

16 (B) the disposition is to a person or entity that  
17 may possess the non-serialized handgun ammunition in a  
18 manner consistent with this Article and possession is  
19 otherwise lawful; and

20 (C) the disposition transfers the non-serialized  
21 handgun ammunition out of this State or to a law  
22 enforcement agency for disposition.

23 (4) Possession of non-serialized handgun ammunition  
24 for purposes of transporting it to a law enforcement  
25 agency for disposition, if possession is otherwise lawful,  
26 and if the law enforcement agency has been notified prior

1 to delivery of the handgun ammunition.

2 (5) Possession of non-serialized handgun ammunition by  
3 peace officers from other states during the discharge of  
4 their official duties in this State.

5 (6) Possession of non-serialized handgun ammunition by  
6 members of the Armed Services or Reserve Forces of the  
7 United States or the Illinois National Guard or the  
8 Reserve Officers Training Corps, while in the performance  
9 of their official duties.

10 (7) Possession or exhibition of non-serialized handgun  
11 ammunition by a museum or collector, in a fixed or mobile  
12 exhibit or for educational purposes.

13 (8) Transportation of non-serialized handgun  
14 ammunition by those permitted to be in possession of that  
15 ammunition and firearms for that ammunition from their  
16 residence to public and private shooting events and ranges  
17 for a period of 10 years after the effective date of this  
18 amendatory act of the 103rd General Assembly.

19 (9) Transfer of non-serialized handgun ammunition from  
20 a retail mercantile establishment in this state to another  
21 retail mercantile establishment outside this State.

22 (10) Possession of non-serialized handgun ammunition  
23 inventory by a retail mercantile establishment  
24 manufactured before January 1, 2024 and possessed by the  
25 retail mercantile establishment until that inventory is  
26 sold or exhausted in compliance with this Article.

1           (11) Possession of non-serialized handgun ammunition  
2           by a person issued a concealed carry license by the  
3           Illinois State Police under the Firearm Concealed Carry  
4           Act or issued a Firearm Owner's Identification Card by the  
5           Illinois State Police under the Firearm Owners  
6           Identification Card Act on his or her person, in a  
7           firearm, or in a vehicle for 15 years after the effective  
8           date of this amendatory Act of the 103rd General Assembly.

9           (12) Possession of non-serialized handgun ammunition  
10           by persons engaged in the development of new calibers, new  
11           rifles, new handguns, and ammunition that is used in those  
12           rifles and handguns or modifications to existing rifles or  
13           handguns. Possession of non-serialized handgun ammunition  
14           under this paragraph (12) must be in compliance with this  
15           Article, the number of rounds must not exceed 15,000, must  
16           be used solely for development purposes, and must be  
17           transported with the firearms for which they are used.

18           (13) Possession of non-serialized handgun ammunition  
19           by persons engaged in the non-commercial reloading of  
20           ammunition.

21           (14) Possession and storage of non-serialized handgun  
22           ammunition in the owner's dwelling, farm, or farm  
23           outbuilding, or while at a public or private firearm  
24           range.

25           (15) Possession of non-serialized handgun ammunition  
26           by persons involved in the protection of dignitaries from

1 domestic or foreign governments under the direction and  
2 authorization of the Illinois State Police, which may  
3 charge a fee for use of that ammunition which shall not  
4 exceed the cost of that ammunition to the Illinois State  
5 Police.

6 (16) Ammunition used in black powder firearms  
7 regardless of the date of manufacture of the firearms.

8 (17) Projectiles that are determined by the Illinois  
9 State Police to be less than lethal that may be fired from  
10 devices that are in possession of persons lawfully able to  
11 possess those devices.

12 (g-16) The Illinois State Police shall annually review the  
13 exemptions contained in subsection (g-15) of this Section and  
14 make recommendations to the Governor and General Assembly for  
15 changes in exemptions permitted by subsection (g-15).

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

20 (i) Nothing in this Article shall prohibit, apply to, or  
21 affect the transportation, carrying, or possession, of any  
22 pistol or revolver, stun gun, taser, or other firearm  
23 consigned to a common carrier operating under license of the  
24 State of Illinois or the federal government, where such  
25 transportation, carrying, or possession is incident to the  
26 lawful transportation in which such common carrier is engaged;

1 and nothing in this Article shall prohibit, apply to, or  
2 affect the transportation, carrying, or possession of any  
3 pistol, revolver, stun gun, taser, or other firearm, not the  
4 subject of and regulated by subsection 24-1(a)(7) or  
5 subsection 24-2(c) of this Article, which is unloaded and  
6 enclosed in a case, firearm carrying box, shipping box, or  
7 other container, by the possessor of a valid Firearm Owners  
8 Identification Card.

9 (Source: P.A. 101-80, eff. 7-12-19; 102-152, eff. 1-1-22;  
10 102-779, eff. 1-1-23; 102-837, eff. 5-13-22; revised  
11 12-14-22.)

12 (720 ILCS 5/24-4) (from Ch. 38, par. 24-4)

13 Sec. 24-4. Register of sales by dealer.

14 (a) Any seller of firearms of a size which may be concealed  
15 upon the person, other than a manufacturer selling to a bona  
16 fide wholesaler or retailer or a wholesaler selling to a bona  
17 fide retailer, shall keep a register of all firearms sold or  
18 given away.

19 (b) Such register shall contain the date of the sale or  
20 gift, the name, address, age and occupation of the person to  
21 whom the weapon is sold or given, the price of the weapon, the  
22 kind, description and number of the weapon, and the purpose  
23 for which it is purchased and obtained.

24 (c) Such seller on demand of a peace officer shall produce  
25 for inspection the register and allow such peace officer to

1 inspect such register and all stock on hand.

2 (c-5) Beginning January 1, 2024, the Illinois State Police  
3 shall maintain a centralized registry of all reports of  
4 handgun ammunition transactions reported to the Illinois State  
5 Police under Section 24-1.13, in a manner prescribed by the  
6 Illinois State Police. Information in the registry, upon  
7 proper application for that information, shall be furnished to  
8 the officers listed in Section 24-1.13, or to the person  
9 listed in the registry as the owner of the particular handgun  
10 ammunition.

11 (d) Sentence.

12 Violation of this Section is a Class B misdemeanor.

13 (Source: P.A. 77-2638.)

14 Article 99.

15 Section 99-95. No acceleration or delay. Where this Act  
16 makes changes in a statute that is represented in this Act by  
17 text that is not yet or no longer in effect (for example, a  
18 Section represented by multiple versions), the use of that  
19 text does not accelerate or delay the taking effect of (i) the  
20 changes made by this Act or (ii) provisions derived from any  
21 other Public Act.

22 Section 99-97. Severability. The provisions of this Act  
23 are severable under Section 1.31 of the Statute on Statutes.

1           Section 99-99. Effective date. This Act takes effect upon  
2           becoming law.

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7	105 ILCS 5/10-20.82 new	
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11	405 ILCS 5/6-103.3	
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25	750 ILCS 60/214	from Ch. 40, par. 2312-14

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- 2 750 ILCS 60/223 from Ch. 40, par. 2312-23
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- 4 720 ILCS 5/24-1.11 new
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- 8 720 ILCS 5/24-2
- 9 720 ILCS 5/24-4 from Ch. 38, par. 24-4