



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5785

Introduced 3/20/2024, by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

See Index

Repeals the Firearm Concealed Carry Act. Amends the Criminal Code of 2012. Provides that the unlawful use of weapons and aggravated unlawful use of a weapon statutes do not apply to or affect any person carrying a concealed pistol, revolver, or handgun and the person has been issued a currently valid Firearm Owner's Identification Card under the Firearm Owners Identification Card Act. Amends various Acts to make conforming changes.

LRB103 39901 RLC 70908 b

1 AN ACT concerning criminal law.

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

4 Section 5. The Open Meetings Act is amended by changing
5 Section 2 as follows:

6 (5 ILCS 120/2) (from Ch. 102, par. 42)

7 Sec. 2. Open meetings.

8 (a) Openness required. All meetings of public bodies shall
9 be open to the public unless excepted in subsection (c) and
10 closed in accordance with Section 2a.

11 (b) Construction of exceptions. The exceptions contained
12 in subsection (c) are in derogation of the requirement that
13 public bodies meet in the open, and therefore, the exceptions
14 are to be strictly construed, extending only to subjects
15 clearly within their scope. The exceptions authorize but do
16 not require the holding of a closed meeting to discuss a
17 subject included within an enumerated exception.

18 (c) Exceptions. A public body may hold closed meetings to
19 consider the following subjects:

20 (1) The appointment, employment, compensation,
21 discipline, performance, or dismissal of specific
22 employees, specific individuals who serve as independent
23 contractors in a park, recreational, or educational

1 setting, or specific volunteers of the public body or
2 legal counsel for the public body, including hearing
3 testimony on a complaint lodged against an employee, a
4 specific individual who serves as an independent
5 contractor in a park, recreational, or educational
6 setting, or a volunteer of the public body or against
7 legal counsel for the public body to determine its
8 validity. However, a meeting to consider an increase in
9 compensation to a specific employee of a public body that
10 is subject to the Local Government Wage Increase
11 Transparency Act may not be closed and shall be open to the
12 public and posted and held in accordance with this Act.

13 (2) Collective negotiating matters between the public
14 body and its employees or their representatives, or
15 deliberations concerning salary schedules for one or more
16 classes of employees.

17 (3) The selection of a person to fill a public office,
18 as defined in this Act, including a vacancy in a public
19 office, when the public body is given power to appoint
20 under law or ordinance, or the discipline, performance or
21 removal of the occupant of a public office, when the
22 public body is given power to remove the occupant under
23 law or ordinance.

24 (4) Evidence or testimony presented in open hearing,
25 or in closed hearing where specifically authorized by law,
26 to a quasi-adjudicative body, as defined in this Act,

1 provided that the body prepares and makes available for
2 public inspection a written decision setting forth its
3 determinative reasoning.

4 (4.5) Evidence or testimony presented to a school
5 board regarding denial of admission to school events or
6 property pursuant to Section 24-24 of the School Code,
7 provided that the school board prepares and makes
8 available for public inspection a written decision setting
9 forth its determinative reasoning.

10 (5) The purchase or lease of real property for the use
11 of the public body, including meetings held for the
12 purpose of discussing whether a particular parcel should
13 be acquired.

14 (6) The setting of a price for sale or lease of
15 property owned by the public body.

16 (7) The sale or purchase of securities, investments,
17 or investment contracts. This exception shall not apply to
18 the investment of assets or income of funds deposited into
19 the Illinois Prepaid Tuition Trust Fund.

20 (8) Security procedures, school building safety and
21 security, and the use of personnel and equipment to
22 respond to an actual, a threatened, or a reasonably
23 potential danger to the safety of employees, students,
24 staff, the public, or public property.

25 (9) Student disciplinary cases.

26 (10) The placement of individual students in special

1 education programs and other matters relating to
2 individual students.

3 (11) Litigation, when an action against, affecting or
4 on behalf of the particular public body has been filed and
5 is pending before a court or administrative tribunal, or
6 when the public body finds that an action is probable or
7 imminent, in which case the basis for the finding shall be
8 recorded and entered into the minutes of the closed
9 meeting.

10 (12) The establishment of reserves or settlement of
11 claims as provided in the Local Governmental and
12 Governmental Employees Tort Immunity Act, if otherwise the
13 disposition of a claim or potential claim might be
14 prejudiced, or the review or discussion of claims, loss or
15 risk management information, records, data, advice or
16 communications from or with respect to any insurer of the
17 public body or any intergovernmental risk management
18 association or self insurance pool of which the public
19 body is a member.

20 (13) Conciliation of complaints of discrimination in
21 the sale or rental of housing, when closed meetings are
22 authorized by the law or ordinance prescribing fair
23 housing practices and creating a commission or
24 administrative agency for their enforcement.

25 (14) Informant sources, the hiring or assignment of
26 undercover personnel or equipment, or ongoing, prior or

1 future criminal investigations, when discussed by a public
2 body with criminal investigatory responsibilities.

3 (15) Professional ethics or performance when
4 considered by an advisory body appointed to advise a
5 licensing or regulatory agency on matters germane to the
6 advisory body's field of competence.

7 (16) Self evaluation, practices and procedures or
8 professional ethics, when meeting with a representative of
9 a statewide association of which the public body is a
10 member.

11 (17) The recruitment, credentialing, discipline or
12 formal peer review of physicians or other health care
13 professionals, or for the discussion of matters protected
14 under the federal Patient Safety and Quality Improvement
15 Act of 2005, and the regulations promulgated thereunder,
16 including 42 C.F.R. Part 3 (73 FR 70732), or the federal
17 Health Insurance Portability and Accountability Act of
18 1996, and the regulations promulgated thereunder,
19 including 45 C.F.R. Parts 160, 162, and 164, by a
20 hospital, or other institution providing medical care,
21 that is operated by the public body.

22 (18) Deliberations for decisions of the Prisoner
23 Review Board.

24 (19) Review or discussion of applications received
25 under the Experimental Organ Transplantation Procedures
26 Act.

1 (20) The classification and discussion of matters
2 classified as confidential or continued confidential by
3 the State Government Suggestion Award Board.

4 (21) Discussion of minutes of meetings lawfully closed
5 under this Act, whether for purposes of approval by the
6 body of the minutes or semi-annual review of the minutes
7 as mandated by Section 2.06.

8 (22) Deliberations for decisions of the State
9 Emergency Medical Services Disciplinary Review Board.

10 (23) The operation by a municipality of a municipal
11 utility or the operation of a municipal power agency or
12 municipal natural gas agency when the discussion involves
13 (i) contracts relating to the purchase, sale, or delivery
14 of electricity or natural gas or (ii) the results or
15 conclusions of load forecast studies.

16 (24) Meetings of a residential health care facility
17 resident sexual assault and death review team or the
18 Executive Council under the Abuse Prevention Review Team
19 Act.

20 (25) Meetings of an independent team of experts under
21 Brian's Law.

22 (26) Meetings of a mortality review team appointed
23 under the Department of Juvenile Justice Mortality Review
24 Team Act.

25 (27) (Blank).

26 (28) Correspondence and records (i) that may not be

1 disclosed under Section 11-9 of the Illinois Public Aid
2 Code or (ii) that pertain to appeals under Section 11-8 of
3 the Illinois Public Aid Code.

4 (29) Meetings between internal or external auditors
5 and governmental audit committees, finance committees, and
6 their equivalents, when the discussion involves internal
7 control weaknesses, identification of potential fraud risk
8 areas, known or suspected frauds, and fraud interviews
9 conducted in accordance with generally accepted auditing
10 standards of the United States of America.

11 (30) Those meetings or portions of meetings of a
12 fatality review team or the Illinois Fatality Review Team
13 Advisory Council during which a review of the death of an
14 eligible adult in which abuse or neglect is suspected,
15 alleged, or substantiated is conducted pursuant to Section
16 15 of the Adult Protective Services Act.

17 (31) ~~(Blank). Meetings and deliberations for decisions~~
18 ~~of the Concealed Carry Licensing Review Board under the~~
19 ~~Firearm Concealed Carry Act.~~

20 (32) Meetings between the Regional Transportation
21 Authority Board and its Service Boards when the discussion
22 involves review by the Regional Transportation Authority
23 Board of employment contracts under Section 28d of the
24 Metropolitan Transit Authority Act and Sections 3A.18 and
25 3B.26 of the Regional Transportation Authority Act.

26 (33) Those meetings or portions of meetings of the

1 advisory committee and peer review subcommittee created
2 under Section 320 of the Illinois Controlled Substances
3 Act during which specific controlled substance prescriber,
4 dispenser, or patient information is discussed.

5 (34) Meetings of the Tax Increment Financing Reform
6 Task Force under Section 2505-800 of the Department of
7 Revenue Law of the Civil Administrative Code of Illinois.

8 (35) Meetings of the group established to discuss
9 Medicaid capitation rates under Section 5-30.8 of the
10 Illinois Public Aid Code.

11 (36) Those deliberations or portions of deliberations
12 for decisions of the Illinois Gaming Board in which there
13 is discussed any of the following: (i) personal,
14 commercial, financial, or other information obtained from
15 any source that is privileged, proprietary, confidential,
16 or a trade secret; or (ii) information specifically
17 exempted from the disclosure by federal or State law.

18 (37) Deliberations for decisions of the Illinois Law
19 Enforcement Training Standards Board, the Certification
20 Review Panel, and the Illinois State Police Merit Board
21 regarding certification and decertification.

22 (38) Meetings of the Ad Hoc Statewide Domestic
23 Violence Fatality Review Committee of the Illinois
24 Criminal Justice Information Authority Board that occur in
25 closed executive session under subsection (d) of Section
26 35 of the Domestic Violence Fatality Review Act.

1 (39) Meetings of the regional review teams under
2 subsection (a) of Section 75 of the Domestic Violence
3 Fatality Review Act.

4 (40) Meetings of the Firearm Owner's Identification
5 Card Review Board under Section 10 of the Firearm Owners
6 Identification Card Act.

7 (d) Definitions. For purposes of this Section:

8 "Employee" means a person employed by a public body whose
9 relationship with the public body constitutes an
10 employer-employee relationship under the usual common law
11 rules, and who is not an independent contractor.

12 "Public office" means a position created by or under the
13 Constitution or laws of this State, the occupant of which is
14 charged with the exercise of some portion of the sovereign
15 power of this State. The term "public office" shall include
16 members of the public body, but it shall not include
17 organizational positions filled by members thereof, whether
18 established by law or by a public body itself, that exist to
19 assist the body in the conduct of its business.

20 "Quasi-adjudicative body" means an administrative body
21 charged by law or ordinance with the responsibility to conduct
22 hearings, receive evidence or testimony and make
23 determinations based thereon, but does not include local
24 electoral boards when such bodies are considering petition
25 challenges.

26 (e) Final action. No final action may be taken at a closed

1 meeting. Final action shall be preceded by a public recital of
2 the nature of the matter being considered and other
3 information that will inform the public of the business being
4 conducted.

5 (Source: P.A. 102-237, eff. 1-1-22; 102-520, eff. 8-20-21;
6 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 103-311, eff.
7 7-28-23.)

8 Section 10. The Freedom of Information Act is amended by
9 changing Section 7.5 as follows:

10 (5 ILCS 140/7.5)

11 (Text of Section before amendment by P.A. 103-472)

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

15 (a) All information determined to be confidential
16 under Section 4002 of the Technology Advancement and
17 Development Act.

18 (b) Library circulation and order records identifying
19 library users with specific materials under the Library
20 Records Confidentiality Act.

21 (c) Applications, related documents, and medical
22 records received by the Experimental Organ Transplantation
23 Procedures Board and any and all documents or other
24 records prepared by the Experimental Organ Transplantation

1 Procedures Board or its staff relating to applications it
2 has received.

3 (d) Information and records held by the Department of
4 Public Health and its authorized representatives relating
5 to known or suspected cases of sexually transmissible
6 disease or any information the disclosure of which is
7 restricted under the Illinois Sexually Transmissible
8 Disease Control Act.

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

11 (f) Firm performance evaluations under Section 55 of
12 the Architectural, Engineering, and Land Surveying
13 Qualifications Based Selection Act.

14 (g) Information the disclosure of which is restricted
15 and exempted under Section 50 of the Illinois Prepaid
16 Tuition Act.

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

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

1 (j) Information and data concerning the distribution
2 of surcharge moneys collected and remitted by carriers
3 under the Emergency Telephone System Act.

4 (k) Law enforcement officer identification information
5 or driver identification information compiled by a law
6 enforcement agency or the Department of Transportation
7 under Section 11-212 of the Illinois Vehicle Code.

8 (l) Records and information provided to a residential
9 health care facility resident sexual assault and death
10 review team or the Executive Council under the Abuse
11 Prevention Review Team Act.

12 (m) Information provided to the predatory lending
13 database created pursuant to Article 3 of the Residential
14 Real Property Disclosure Act, except to the extent
15 authorized under that Article.

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

23 (o) Information that is prohibited from being
24 disclosed under Section 4 of the Illinois Health and
25 Hazardous Substances Registry Act.

26 (p) Security portions of system safety program plans,

1 investigation reports, surveys, schedules, lists, data, or
2 information compiled, collected, or prepared by or for the
3 Department of Transportation under Sections 2705-300 and
4 2705-616 of the Department of Transportation Law of the
5 Civil Administrative Code of Illinois, the Regional
6 Transportation Authority under Section 2.11 of the
7 Regional Transportation Authority Act, or the St. Clair
8 County Transit District under the Bi-State Transit Safety
9 Act (repealed).

10 (q) Information prohibited from being disclosed by the
11 Personnel Record Review Act.

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

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

16 (t) (Blank).

17 (u) Records and information provided to an independent
18 team of experts under the Developmental Disability and
19 Mental Health Safety Act (also known as Brian's Law).

20 (v) Names and information of people who have applied
21 for or received Firearm Owner's Identification Cards under
22 the Firearm Owners Identification Card Act or applied for
23 or received a concealed carry license under the Firearm
24 Concealed Carry Act, unless otherwise authorized by the
25 Firearm Concealed Carry Act; and databases under the
26 Firearm Concealed Carry Act, records of the Concealed

1 Carry Licensing Review Board under the Firearm Concealed
2 Carry Act, and law enforcement agency objections under the
3 Firearm Concealed Carry Act.

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

7 (w) Personally identifiable information which is
8 exempted from disclosure under subsection (g) of Section
9 19.1 of the Toll Highway Act.

10 (x) Information which is exempted from disclosure
11 under Section 5-1014.3 of the Counties Code or Section
12 8-11-21 of the Illinois Municipal Code.

13 (y) Confidential information under the Adult
14 Protective Services Act and its predecessor enabling
15 statute, the Elder Abuse and Neglect Act, including
16 information about the identity and administrative finding
17 against any caregiver of a verified and substantiated
18 decision of abuse, neglect, or financial exploitation of
19 an eligible adult maintained in the Registry established
20 under Section 7.5 of the Adult Protective Services Act.

21 (z) Records and information provided to a fatality
22 review team or the Illinois Fatality Review Team Advisory
23 Council under Section 15 of the Adult Protective Services
24 Act.

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

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

3 (cc) Recordings made under the Law Enforcement
4 Officer-Worn Body Camera Act, except to the extent
5 authorized under that Act.

6 (dd) Information that is prohibited from being
7 disclosed under Section 45 of the Condominium and Common
8 Interest Community Ombudsperson Act.

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

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

13 (gg) Information that is prohibited from being
14 disclosed under Section 7-603.5 of the Illinois Vehicle
15 Code.

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

18 (ii) Information which is exempted from disclosure
19 under Section 2505-800 of the Department of Revenue Law of
20 the Civil Administrative Code of Illinois.

21 (jj) Information and reports that are required to be
22 submitted to the Department of Labor by registering day
23 and temporary labor service agencies but are exempt from
24 disclosure under subsection (a-1) of Section 45 of the Day
25 and Temporary Labor Services Act.

26 (kk) Information prohibited from disclosure under the

1 Seizure and Forfeiture Reporting Act.

2 (ll) Information the disclosure of which is restricted
3 and exempted under Section 5-30.8 of the Illinois Public
4 Aid Code.

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

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

9 (oo) Communications, notes, records, and reports
10 arising out of a peer support counseling session
11 prohibited from disclosure under the First Responders
12 Suicide Prevention Act.

13 (pp) Names and all identifying information relating to
14 an employee of an emergency services provider or law
15 enforcement agency under the First Responders Suicide
16 Prevention Act.

17 (qq) Information and records held by the Department of
18 Public Health and its authorized representatives collected
19 under the Reproductive Health Act.

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

22 (ss) Data reported by an employer to the Department of
23 Human Rights pursuant to Section 2-108 of the Illinois
24 Human Rights Act.

25 (tt) Recordings made under the Children's Advocacy
26 Center Act, except to the extent authorized under that

1 Act.

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

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

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

9 (xx) Information that is exempt from disclosure or
10 information that shall not be made public under the
11 Illinois Insurance Code.

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

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

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

18 (bbb) Information that is prohibited from disclosure
19 by the Illinois Police Training Act and the Illinois State
20 Police Act.

21 (ccc) Records exempt from disclosure under Section
22 2605-304 of the Illinois State Police Law of the Civil
23 Administrative Code of Illinois.

24 (ddd) Information prohibited from being disclosed
25 under Section 35 of the Address Confidentiality for
26 Victims of Domestic Violence, Sexual Assault, Human

1 Trafficking, or Stalking Act.

2 (eee) Information prohibited from being disclosed
3 under subsection (b) of Section 75 of the Domestic
4 Violence Fatality Review Act.

5 (fff) Images from cameras under the Expressway Camera
6 Act. This subsection (fff) is inoperative on and after
7 July 1, 2025.

8 (ggg) Information prohibited from disclosure under
9 paragraph (3) of subsection (a) of Section 14 of the Nurse
10 Agency Licensing Act.

11 (hhh) Information submitted to the Illinois State
12 Police in an affidavit or application for an assault
13 weapon endorsement, assault weapon attachment endorsement,
14 .50 caliber rifle endorsement, or .50 caliber cartridge
15 endorsement under the Firearm Owners Identification Card
16 Act.

17 (iii) Data exempt from disclosure under Section 50 of
18 the School Safety Drill Act.

19 (jjj) ~~(hhh)~~ Information exempt from disclosure under
20 Section 30 of the Insurance Data Security Law.

21 (kkk) ~~(iii)~~ Confidential business information
22 prohibited from disclosure under Section 45 of the Paint
23 Stewardship Act.

24 (lll) (Reserved).

25 (mmm) ~~(iii)~~ Information prohibited from being
26 disclosed under subsection (e) of Section 1-129 of the

1 Illinois Power Agency Act.

2 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;
3 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.
4 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;
5 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.
6 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,
7 eff. 1-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23;
8 revised 1-2-24.)

9 (Text of Section after amendment by P.A. 103-472)

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11 by the statutes referenced below, the following shall be
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21 Procedures Board and any and all documents or other
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23 Procedures Board or its staff relating to applications it
24 has received.

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9 the Architectural, Engineering, and Land Surveying
10 Qualifications Based Selection Act.

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12 and exempted under Section 50 of the Illinois Prepaid
13 Tuition Act.

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15 under the State Officials and Employees Ethics Act, and
16 records of any lawfully created State or local inspector
17 general's office that would be exempt if created or
18 obtained by an Executive Inspector General's office under
19 that Act.

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

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

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2 or driver identification information compiled by a law
3 enforcement agency or the Department of Transportation
4 under Section 11-212 of the Illinois Vehicle Code.

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

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

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

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

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

1 2705-616 of the Department of Transportation Law of the
2 Civil Administrative Code of Illinois, the Regional
3 Transportation Authority under Section 2.11 of the
4 Regional Transportation Authority Act, or the St. Clair
5 County Transit District under the Bi-State Transit Safety
6 Act (repealed).

7 (q) Information prohibited from being disclosed by the
8 Personnel Record Review Act.

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

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

13 (t) (Blank).

14 (u) Records and information provided to an independent
15 team of experts under the Developmental Disability and
16 Mental Health Safety Act (also known as Brian's Law).

17 (v) Names and information of people who have applied
18 for or received Firearm Owner's Identification Cards under
19 the Firearm Owners Identification Card Act ~~or applied for~~
20 ~~or received a concealed carry license under the Firearm~~
21 ~~Concealed Carry Act, unless otherwise authorized by the~~
22 ~~Firearm Concealed Carry Act; and databases under the~~
23 ~~Firearm Concealed Carry Act, records of the Concealed~~
24 ~~Carry Licensing Review Board under the Firearm Concealed~~
25 ~~Carry Act, and law enforcement agency objections under the~~
26 ~~Firearm Concealed Carry Act.~~

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

4 (w) Personally identifiable information which is
5 exempted from disclosure under subsection (g) of Section
6 19.1 of the Toll Highway Act.

7 (x) Information which is exempted from disclosure
8 under Section 5-1014.3 of the Counties Code or Section
9 8-11-21 of the Illinois Municipal Code.

10 (y) Confidential information under the Adult
11 Protective Services Act and its predecessor enabling
12 statute, the Elder Abuse and Neglect Act, including
13 information about the identity and administrative finding
14 against any caregiver of a verified and substantiated
15 decision of abuse, neglect, or financial exploitation of
16 an eligible adult maintained in the Registry established
17 under Section 7.5 of the Adult Protective Services Act.

18 (z) Records and information provided to a fatality
19 review team or the Illinois Fatality Review Team Advisory
20 Council under Section 15 of the Adult Protective Services
21 Act.

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

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

26 (cc) Recordings made under the Law Enforcement

1 Officer-Worn Body Camera Act, except to the extent
2 authorized under that Act.

3 (dd) Information that is prohibited from being
4 disclosed under Section 45 of the Condominium and Common
5 Interest Community Ombudsperson Act.

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

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

10 (gg) Information that is prohibited from being
11 disclosed under Section 7-603.5 of the Illinois Vehicle
12 Code.

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

15 (ii) Information which is exempted from disclosure
16 under Section 2505-800 of the Department of Revenue Law of
17 the Civil Administrative Code of Illinois.

18 (jj) Information and reports that are required to be
19 submitted to the Department of Labor by registering day
20 and temporary labor service agencies but are exempt from
21 disclosure under subsection (a-1) of Section 45 of the Day
22 and Temporary Labor Services Act.

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24 Seizure and Forfeiture Reporting Act.

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26 and exempted under Section 5-30.8 of the Illinois Public

1 Aid Code.

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3 Section 4.2 of the Crime Victims Compensation Act.

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

6 (oo) Communications, notes, records, and reports
7 arising out of a peer support counseling session
8 prohibited from disclosure under the First Responders
9 Suicide Prevention Act.

10 (pp) Names and all identifying information relating to
11 an employee of an emergency services provider or law
12 enforcement agency under the First Responders Suicide
13 Prevention Act.

14 (qq) Information and records held by the Department of
15 Public Health and its authorized representatives collected
16 under the Reproductive Health Act.

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

19 (ss) Data reported by an employer to the Department of
20 Human Rights pursuant to Section 2-108 of the Illinois
21 Human Rights Act.

22 (tt) Recordings made under the Children's Advocacy
23 Center Act, except to the extent authorized under that
24 Act.

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

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

4 (wv) Information that is exempt from disclosure under
5 Section 16.8 of the State Treasurer Act.

6 (xx) Information that is exempt from disclosure or
7 information that shall not be made public under the
8 Illinois Insurance Code.

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

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

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

15 (bbb) Information that is prohibited from disclosure
16 by the Illinois Police Training Act and the Illinois State
17 Police Act.

18 (ccc) Records exempt from disclosure under Section
19 2605-304 of the Illinois State Police Law of the Civil
20 Administrative Code of Illinois.

21 (ddd) Information prohibited from being disclosed
22 under Section 35 of the Address Confidentiality for
23 Victims of Domestic Violence, Sexual Assault, Human
24 Trafficking, or Stalking Act.

25 (eee) Information prohibited from being disclosed
26 under subsection (b) of Section 75 of the Domestic

1 Violence Fatality Review Act.

2 (fff) Images from cameras under the Expressway Camera
3 Act. This subsection (fff) is inoperative on and after
4 July 1, 2025.

5 (ggg) Information prohibited from disclosure under
6 paragraph (3) of subsection (a) of Section 14 of the Nurse
7 Agency Licensing Act.

8 (hhh) Information submitted to the Illinois State
9 Police in an affidavit or application for an assault
10 weapon endorsement, assault weapon attachment endorsement,
11 .50 caliber rifle endorsement, or .50 caliber cartridge
12 endorsement under the Firearm Owners Identification Card
13 Act.

14 (iii) Data exempt from disclosure under Section 50 of
15 the School Safety Drill Act.

16 (jjj) ~~(hhh)~~ Information exempt from disclosure under
17 Section 30 of the Insurance Data Security Law.

18 (kkk) ~~(iii)~~ Confidential business information
19 prohibited from disclosure under Section 45 of the Paint
20 Stewardship Act.

21 (lll) ~~(iii)~~ Data exempt from disclosure under Section
22 2-3.196 of the School Code.

23 (mmm) ~~(iii)~~ Information prohibited from being
24 disclosed under subsection (e) of Section 1-129 of the
25 Illinois Power Agency Act.

26 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;

1 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.
2 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;
3 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.
4 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,
5 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;
6 103-580, eff. 12-8-23; revised 1-2-24.)

7 Section 15. The Illinois TRUST Act is amended by changing
8 Section 15 as follows:

9 (5 ILCS 805/15)

10 Sec. 15. Prohibition on enforcing federal civil
11 immigration laws.

12 (a) A law enforcement agency or law enforcement official
13 shall not detain or continue to detain any individual solely
14 on the basis of any immigration detainer or civil immigration
15 warrant or otherwise comply with an immigration detainer or
16 civil immigration warrant.

17 (b) A law enforcement agency or law enforcement official
18 shall not stop, arrest, search, detain, or continue to detain
19 a person solely based on an individual's citizenship or
20 immigration status.

21 (c) (Blank).

22 (d) A law enforcement agency or law enforcement official
23 acting in good faith in compliance with this Section who
24 releases a person subject to an immigration detainer or civil

1 immigration warrant shall have immunity from any civil or
2 criminal liability that might otherwise occur as a result of
3 making the release, with the exception of willful or wanton
4 misconduct.

5 (e) A law enforcement agency or law enforcement official
6 may not inquire about or investigate the citizenship or
7 immigration status or place of birth of any individual in the
8 agency or official's custody or who has otherwise been stopped
9 or detained by the agency or official. Nothing in this
10 subsection shall be construed to limit the ability of a law
11 enforcement agency or law enforcement official, pursuant to
12 State or federal law, to notify a person in the law enforcement
13 agency's custody about that person's right to communicate with
14 consular officers from that person's country of nationality,
15 or facilitate such communication, in accordance with the
16 Vienna Convention on Consular Relations or other bilateral
17 agreements. Nothing in this subsection shall be construed to
18 limit the ability of a law enforcement agency or law
19 enforcement official to request evidence of citizenship or
20 immigration status pursuant to the Firearm Owners
21 Identification Card Act, ~~the Firearm Concealed Carry Act,~~
22 Article 24 of the Criminal Code of 2012, or 18 United States
23 Code Sections 921 through 931.

24 (f) Unless otherwise limited by federal law, a law
25 enforcement agency or law enforcement official may not deny
26 services, benefits, privileges, or opportunities to an

1 individual in custody or under probation status, including,
2 but not limited to, eligibility for or placement in a lower
3 custody classification, educational, rehabilitative, or
4 diversionary programs, on the basis of the individual's
5 citizenship or immigration status, the issuance of an
6 immigration detainer or civil immigration warrant against the
7 individual, or the individual being in immigration removal
8 proceedings.

9 (g) (1) No law enforcement agency, law enforcement
10 official, or any unit of State or local government may enter
11 into or renew any contract, intergovernmental service
12 agreement, or any other agreement to house or detain
13 individuals for federal civil immigration violations.

14 (2) Any law enforcement agency, law enforcement official,
15 or unit of State or local government with an existing
16 contract, intergovernmental agreement, or other agreement,
17 whether in whole or in part, that is utilized to house or
18 detain individuals for civil immigration violations shall
19 exercise the termination provision in the agreement as applied
20 to housing or detaining individuals for civil immigration
21 violations no later than January 1, 2022.

22 (h) Unless presented with a federal criminal warrant, or
23 otherwise required by federal law, a law enforcement agency or
24 official may not:

25 (1) participate, support, or assist in any capacity
26 with an immigration agent's enforcement operations,

1 including any collateral assistance such as coordinating
2 an arrest in a courthouse or other public facility,
3 providing use of any equipment, transporting any
4 individuals, or establishing a security or traffic
5 perimeter surrounding such operations, or any other
6 on-site support;

7 (2) give any immigration agent access, including by
8 telephone, to any individual who is in that agency's
9 custody;

10 (3) transfer any person into an immigration agent's
11 custody;

12 (4) permit immigration agents use of agency facilities
13 or equipment, including any agency electronic databases
14 not available to the public, for investigative interviews
15 or other investigative or immigration enforcement purpose;

16 (5) enter into or maintain any agreement regarding
17 direct access to any electronic database or other
18 data-sharing platform maintained by any law enforcement
19 agency, or otherwise provide such direct access to the
20 U.S. Immigration and Customs Enforcement, United States
21 Customs and Border Protection or any other federal entity
22 enforcing civil immigration violations;

23 (6) provide information in response to any immigration
24 agent's inquiry or request for information regarding any
25 individual in the agency's custody; or

26 (7) provide to any immigration agent information not

1 otherwise available to the public relating to an
2 individual's release or contact information, or otherwise
3 facilitate for an immigration agent to apprehend or
4 question an individual for immigration enforcement.

5 (i) Nothing in this Section shall preclude a law
6 enforcement official from otherwise executing that official's
7 duties in investigating violations of criminal law and
8 cooperating in such investigations with federal and other law
9 enforcement agencies (including criminal investigations
10 conducted by federal Homeland Security Investigations (HSI))
11 in order to ensure public safety.

12 (Source: P.A. 102-234, eff. 8-2-21; 103-154, eff. 6-30-23.)

13 Section 20. The Gun Trafficking Information Act is amended
14 by changing Section 10-5 as follows:

15 (5 ILCS 830/10-5)

16 Sec. 10-5. Gun trafficking information.

17 (a) The Illinois State Police shall use all reasonable
18 efforts, as allowed by State law and regulations, federal law
19 and regulations, and executed Memoranda of Understanding
20 between Illinois law enforcement agencies and the U.S. Bureau
21 of Alcohol, Tobacco, Firearms and Explosives, in making
22 publicly available, on a regular and ongoing basis, key
23 information related to firearms used in the commission of
24 crimes in this State, including, but not limited to: reports

1 on crimes committed with firearms, locations where the crimes
2 occurred, the number of persons killed or injured in the
3 commission of the crimes, the state where the firearms used
4 originated, the Federal Firearms Licensee that sold the
5 firearm, the type of firearms used, if known, annual
6 statistical information concerning Firearm Owner's
7 Identification Card ~~and concealed carry license~~ applications,
8 revocations, and compliance with Section 9.5 of the Firearm
9 Owners Identification Card Act, the information required in
10 the report or on the Illinois State Police's website under
11 Section 85 of the Firearms Restraining Order Act, and firearm
12 dealer license certification inspections. The Illinois State
13 Police shall make the information available on its website,
14 which may be presented in a dashboard format, in addition to
15 electronically filing a report with the Governor and the
16 General Assembly. The report to the General Assembly shall be
17 filed with the Clerk of the House of Representatives and the
18 Secretary of the Senate in electronic form only, in the manner
19 that the Clerk and the Secretary shall direct.

20 (b) The Illinois State Police shall study, on a regular
21 and ongoing basis, and compile reports on the number of
22 Firearm Owner's Identification Card checks to determine
23 firearms trafficking or straw purchase patterns. The Illinois
24 State Police shall, to the extent not inconsistent with law,
25 share such reports and underlying data with academic centers,
26 foundations, and law enforcement agencies studying firearms

1 trafficking, provided that personally identifying information
2 is protected. For purposes of this subsection (b), a Firearm
3 Owner's Identification Card number is not personally
4 identifying information, provided that no other personal
5 information of the card holder is attached to the record. The
6 Illinois State Police may create and attach an alternate
7 unique identifying number to each Firearm Owner's
8 Identification Card number, instead of releasing the Firearm
9 Owner's Identification Card number itself.

10 (c) Each department, office, division, and agency of this
11 State shall, to the extent not inconsistent with law,
12 cooperate fully with the Illinois State Police and furnish the
13 Illinois State Police with all relevant information and
14 assistance on a timely basis as is necessary to accomplish the
15 purpose of this Act. The Illinois Criminal Justice Information
16 Authority shall submit the information required in subsection
17 (a) of this Section to the Illinois State Police, and any other
18 information as the Illinois State Police may request, to
19 assist the Illinois State Police in carrying out its duties
20 under this Act.

21 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
22 102-813, eff. 5-13-22; 103-34, eff. 6-9-23.)

23 (15 ILCS 305/13.5 rep.)

24 Section 25. The Secretary of State Act is amended by
25 repealing Section 13.5.

1 Section 30. The Department of State Police Law of the
2 Civil Administrative Code of Illinois is amended by changing
3 Sections 2605-10, 2605-45, 2605-200, 2605-300, 2605-595, and
4 2605-605 as follows:

5 (20 ILCS 2605/2605-10) (was 20 ILCS 2605/55a in part)

6 Sec. 2605-10. Powers and duties, generally.

7 (a) The Illinois State Police shall exercise the rights,
8 powers, and duties that have been vested in the Illinois State
9 Police by the following:

10 The Illinois State Police Act.

11 The Illinois State Police Radio Act.

12 The Criminal Identification Act.

13 The Illinois Vehicle Code.

14 The Firearm Owners Identification Card Act.

15 ~~The Firearm Concealed Carry Act.~~

16 The Firearm Dealer License Certification Act.

17 The Intergovernmental Missing Child Recovery Act of
18 1984.

19 The Intergovernmental Drug Laws Enforcement Act.

20 The Narcotic Control Division Abolition Act.

21 The Illinois Uniform Conviction Information Act.

22 The Murderer and Violent Offender Against Youth
23 Registration Act.

24 (b) The Illinois State Police shall have the powers and

1 duties set forth in the following Sections.

2 (c) The Illinois State Police shall exercise the rights,
3 powers, and duties vested in the Illinois State Police to
4 implement the following protective service functions for State
5 facilities, State officials, and State employees serving in
6 their official capacity:

7 (1) Utilize subject matter expertise and law
8 enforcement authority to strengthen the protection of
9 State government facilities, State employees, State
10 officials, and State critical infrastructure.

11 (2) Coordinate State, federal, and local law
12 enforcement activities involving the protection of State
13 facilities, officials, and employees.

14 (3) Conduct investigations of criminal threats to
15 State facilities, State critical infrastructure, State
16 officials, and State employees.

17 (4) Train State officials and employees in personal
18 protection, crime prevention, facility occupant emergency
19 planning, and incident management.

20 (5) Establish standard protocols for prevention and
21 response to criminal threats to State facilities, State
22 officials, State employees, and State critical
23 infrastructure and standard protocols for reporting of
24 suspicious activities.

25 (6) Establish minimum operational standards,
26 qualifications, training, and compliance requirements for

1 State employees and contractors engaged in the protection
2 of State facilities and employees.

3 (7) At the request of departments or agencies of State
4 government, conduct security assessments, including, but
5 not limited to, examination of alarm systems, cameras
6 systems, access points, personnel readiness, and emergency
7 protocols based on risk and need.

8 (8) Oversee the planning and implementation of
9 security and law enforcement activities necessary for the
10 protection of major, multi-jurisdictional events
11 implicating potential criminal threats to State officials,
12 State employees, or State-owned, State-leased, or
13 State-operated critical infrastructure or facilities.

14 (9) Oversee and direct the planning and implementation
15 of security and law enforcement activities by the
16 departments and agencies of the State necessary for the
17 protection of State employees, State officials, and
18 State-owned, State-leased, or State-operated critical
19 infrastructure or facilities from criminal activity.

20 (10) Advise the Governor and Homeland Security Advisor
21 on any matters necessary for the effective protection of
22 State facilities, critical infrastructure, officials, and
23 employees from criminal threats.

24 (11) Utilize intergovernmental agreements and
25 administrative rules as needed for the effective,
26 efficient implementation of law enforcement and support

1 activities necessary for the protection of State
2 facilities, State infrastructure, State employees, and,
3 upon the express written consent of State constitutional
4 officials, State constitutional officials.

5 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 1-1-24;
6 103-564, eff. 11-17-23.)

7 (20 ILCS 2605/2605-45) (was 20 ILCS 2605/55a-5)

8 Sec. 2605-45. Division of Justice Services. The Division
9 of Justice Services shall provide administrative and technical
10 services and support to the Illinois State Police, criminal
11 justice agencies, and the public and shall exercise the
12 following functions:

13 (1) Operate and maintain the Law Enforcement Agencies
14 Data System (LEADS), a statewide, computerized
15 telecommunications system designed to provide services,
16 information, and capabilities to the law enforcement and
17 criminal justice community in the State of Illinois. The
18 Director is responsible for establishing policy,
19 procedures, and regulations consistent with State and
20 federal rules, policies, and law by which LEADS operates.
21 The Director shall designate a statewide LEADS
22 Administrator for management of the system. The Director
23 may appoint a LEADS Advisory Policy Board to reflect the
24 needs and desires of the law enforcement and criminal
25 justice community and to make recommendations concerning

1 policies and procedures.

2 (2) Pursue research and the publication of studies
3 pertaining to local law enforcement activities.

4 (3) Serve as the State's point of contact for the
5 Federal Bureau of Investigation's Uniform Crime Reporting
6 Program and National Incident-Based Reporting System.

7 (4) Operate an electronic data processing and computer
8 center for the storage and retrieval of data pertaining to
9 criminal activity.

10 (5) Exercise the rights, powers, and duties vested in
11 the Illinois State Police by the Cannabis Regulation and
12 Tax Act and the Compassionate Use of Medical Cannabis
13 Program Act.

14 (6) (Blank).

15 (6.5) Exercise the rights, powers, and duties vested
16 in the Illinois State Police by the Firearm Owners
17 Identification Card Act, ~~the Firearm Concealed Carry Act,~~
18 the Firearm Transfer Inquiry Program, the prohibited
19 persons portal under Section 2605-304, and the Firearm
20 Dealer License Certification Act.

21 (7) Exercise other duties that may be assigned by the
22 Director to fulfill the responsibilities and achieve the
23 purposes of the Illinois State Police.

24 (8) Exercise the rights, powers, and duties vested by
25 law in the Illinois State Police by the Criminal
26 Identification Act and the Illinois Uniform Conviction

1 Information Act.

2 (9) Exercise the powers and perform the duties that
3 have been vested in the Illinois State Police by the
4 Murderer and Violent Offender Against Youth Registration
5 Act, the Sex Offender Registration Act, and the Sex
6 Offender Community Notification Law and adopt reasonable
7 rules necessitated thereby.

8 (10) Serve as the State central repository for
9 criminal history record information.

10 (11) Share all necessary information with ~~the~~
11 ~~Concealed Carry Licensing Review Board~~ and the Firearms
12 Owner's Identification Card Review Board necessary for the
13 execution of its ~~their~~ duties.

14 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 1-1-24.)

15 (20 ILCS 2605/2605-200) (was 20 ILCS 2605/55a in part)

16 Sec. 2605-200. Investigations of crime; enforcement of
17 laws; records; crime laboratories; personnel.

18 (a) To do the following:

19 (1) Investigate the origins, activities, personnel,
20 and incidents of crime and the ways and means to redress
21 the victims of crimes; study the impact, if any, of
22 legislation relative to the effusion of crime and growing
23 crime rates; and enforce the criminal laws of this State
24 related thereto.

25 (2) Enforce all laws regulating the production, sale,

1 prescribing, manufacturing, administering, transporting,
2 having in possession, dispensing, delivering,
3 distributing, or use of controlled substances and
4 cannabis.

5 (3) Employ skilled experts, scientists, technicians,
6 investigators, or otherwise specially qualified persons to
7 aid in preventing or detecting crime, apprehending
8 criminals, or preparing and presenting evidence of
9 violations of the criminal laws of the State.

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

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

18 (6) Conduct other investigations as provided by law.

19 (7) Be a central repository and custodian of criminal
20 statistics for the State.

21 (8) Be a central repository for criminal history
22 record information.

23 (9) Procure and file for record information that is
24 necessary and helpful to plan programs of crime
25 prevention, law enforcement, and criminal justice.

26 (10) Procure and file for record copies of

1 fingerprints that may be required by law.

2 (11) Establish general and field crime laboratories.

3 (12) Register and file for record information that may
4 be required by law for the issuance of firearm owner's
5 identification cards under the Firearm Owners
6 Identification Card Act ~~and concealed carry licenses under~~
7 ~~the Firearm Concealed Carry Act.~~

8 (13) Employ laboratory technicians and other specially
9 qualified persons to aid in the identification of criminal
10 activity and the identification, collection, and recovery
11 of cyber forensics, including, but not limited to, digital
12 evidence, and may employ polygraph operators and forensic
13 anthropologists.

14 (14) Undertake other identification, information,
15 laboratory, statistical, or registration activities that
16 may be required by law.

17 (b) Persons exercising the powers set forth in subsection
18 (a) within the Illinois State Police are conservators of the
19 peace and as such have all the powers possessed by policemen in
20 cities and sheriffs, except that they may exercise those
21 powers anywhere in the State in cooperation with and after
22 contact with the local law enforcement officials. Those
23 persons may use false or fictitious names in the performance
24 of their duties under this Section, upon approval of the
25 Director, and shall not be subject to prosecution under the
26 criminal laws for that use.

1 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 1-1-24.)

2 (20 ILCS 2605/2605-595)

3 Sec. 2605-595. State Police Firearm Services Fund.

4 (a) There is created in the State treasury a special fund
5 known as the State Police Firearm Services Fund. The Fund
6 shall receive revenue under ~~the Firearm Concealed Carry Act,~~
7 the Firearm Dealer License Certification Act⁷ and Section 5 of
8 the Firearm Owners Identification Card Act. The Fund may also
9 receive revenue from grants, pass-through grants, donations,
10 appropriations, and any other legal source.

11 (a-5) (Blank).

12 (b) The Illinois State Police may use moneys in the Fund to
13 finance any of its lawful purposes, mandates, functions, and
14 duties under the Firearm Owners Identification Card Act, the
15 Firearm Dealer License Certification Act, ~~and the Firearm~~
16 ~~Concealed Carry Act,~~ including the cost of sending notices of
17 expiration of Firearm Owner's Identification Cards, ~~concealed~~
18 ~~carry licenses,~~ the prompt and efficient processing of
19 applications under the Firearm Owners Identification Card Act
20 ~~and the Firearm Concealed Carry Act,~~ the improved efficiency
21 and reporting of the LEADS and federal NICS law enforcement
22 data systems, and support for investigations required under
23 that Act ~~these Acts~~ and law. Any surplus funds beyond what is
24 needed to comply with the aforementioned purposes shall be
25 used by the Illinois State Police to improve the Law

1 Enforcement Agencies Data System (LEADS) and criminal history
2 background check system.

3 (c) Investment income that is attributable to the
4 investment of moneys in the Fund shall be retained in the Fund
5 for the uses specified in this Section.

6 (Source: P.A. 102-505, eff. 8-20-21; 102-538, eff. 8-20-21;
7 103-363, eff. 7-28-23.)

8 (20 ILCS 2605/2605-605)

9 Sec. 2605-605. Violent Crime Intelligence Task Force. The
10 Director of the Illinois State Police shall establish a
11 statewide multi-jurisdictional Violent Crime Intelligence Task
12 Force led by the Illinois State Police dedicated to combating
13 gun violence, gun-trafficking, and other violent crime with
14 the primary mission of preservation of life and reducing the
15 occurrence and the fear of crime. The objectives of the Task
16 Force shall include, but not be limited to, reducing and
17 preventing illegal possession and use of firearms,
18 firearm-related homicides, and other violent crimes, and
19 solving firearm-related crimes.

20 (1) The Task Force may develop and acquire information,
21 training, tools, and resources necessary to implement a
22 data-driven approach to policing, with an emphasis on
23 intelligence development.

24 (2) The Task Force may utilize information sharing,
25 partnerships, crime analysis, and evidence-based practices to

1 assist in the reduction of firearm-related shootings,
2 homicides, and gun-trafficking, including, but not limited to,
3 ballistic data, eTrace data, DNA evidence, latent
4 fingerprints, firearm training data, and National Integrated
5 Ballistic Information Network (NIBIN) data. The Task Force may
6 design a model crime gun intelligence strategy which may
7 include, but is not limited to, comprehensive collection and
8 documentation of all ballistic evidence, timely transfer of
9 NIBIN and eTrace leads to an intelligence center, which may
10 include the Division of Criminal Investigation of the Illinois
11 State Police, timely dissemination of intelligence to
12 investigators, investigative follow-up, and coordinated
13 prosecution.

14 (3) The Task Force may recognize and utilize best
15 practices of community policing and may develop potential
16 partnerships with faith-based and community organizations to
17 achieve its goals.

18 (4) The Task Force may identify and utilize best practices
19 in drug-diversion programs and other community-based services
20 to redirect low-level offenders.

21 (5) The Task Force may assist in violence suppression
22 strategies including, but not limited to, details in
23 identified locations that have shown to be the most prone to
24 gun violence and violent crime, focused deterrence against
25 violent gangs and groups considered responsible for the
26 violence in communities, and other intelligence driven methods

1 deemed necessary to interrupt cycles of violence or prevent
2 retaliation.

3 (6) In consultation with the Chief Procurement Officer,
4 the Illinois State Police may obtain contracts for software,
5 commodities, resources, and equipment to assist the Task Force
6 with achieving this Act. Any contracts necessary to support
7 the delivery of necessary software, commodities, resources,
8 and equipment are not subject to the Illinois Procurement
9 Code, except for Sections 20-60, 20-65, 20-70, and 20-160 and
10 Article 50 of that Code, provided that the Chief Procurement
11 Officer may, in writing with justification, waive any
12 certification required under Article 50 of the Illinois
13 Procurement Code.

14 (7) The Task Force shall conduct enforcement operations
15 against persons whose Firearm Owner's Identification Cards
16 have been revoked or suspended and persons who fail to comply
17 with the requirements of Section 9.5 of the Firearm Owners
18 Identification Card Act, prioritizing individuals presenting a
19 clear and present danger to themselves or to others under
20 paragraph (2) of subsection (d) of Section 8.1 of the Firearm
21 Owners Identification Card Act.

22 (8) The Task Force shall collaborate with local law
23 enforcement agencies to enforce provisions of the Firearm
24 Owners Identification Card Act, ~~the Firearm Concealed Carry~~
25 ~~Act~~, the Firearm Dealer License Certification Act, and Article
26 24 of the Criminal Code of 2012.

1 (9) To implement this Section, the Director of the
2 Illinois State Police may establish intergovernmental
3 agreements with law enforcement agencies in accordance with
4 the Intergovernmental Cooperation Act.

5 (10) Law enforcement agencies that participate in
6 activities described in paragraphs (7) through (9) may apply
7 to the Illinois State Police for grants from the State Police
8 Revocation Enforcement Fund.

9 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
10 102-813, eff. 5-13-22.)

11 Section 35. The Illinois Criminal Justice Information Act
12 is amended by changing Section 7.9 as follows:

13 (20 ILCS 3930/7.9)

14 (Section scheduled to be repealed on July 1, 2027)

15 Sec. 7.9. Firearm Prohibitors and Records Improvement Task
16 Force.

17 (a) As used in this Section, "firearms prohibitor" means
18 any factor listed in Section 4 of the Firearm Owners
19 Identification Card Act or Section 24-3 or 24-3.1 of the
20 Criminal Code of 2012 that prohibits a person from
21 transferring or possessing a firearm, firearm ammunition, or
22 Firearm Owner's Identification Card, ~~or concealed carry~~
23 ~~license~~.

24 (b) The Firearm Prohibitors and Records Improvement Task

1 Force is created to identify and research all available
2 grants, resources, and revenue that may be applied for and
3 used by all entities responsible for reporting federal and
4 State firearm prohibitors to the Illinois State Police and the
5 National Instant Criminal Background Check System. Under the
6 Firearm Owners Identification Card Act, these reporting
7 entities include, but are not limited to, hospitals, courts,
8 law enforcement and corrections. The Task Force shall identify
9 weaknesses in reporting and recommend a strategy to direct
10 resources and revenue to ensuring reporting is reliable,
11 accurate, and timely. The Task Force shall inventory all
12 statutorily mandated firearm and gun violence related data
13 collection and reporting requirements, along with the agency
14 responsible for collecting that data, and identify gaps in
15 those requirements. The Task Force shall submit a coordinated
16 application with and through the Illinois Criminal Justice
17 Information Authority for federal funds from the National
18 Criminal History Improvement Program and the NICS Acts Record
19 Improvement Program. The Firearm Prohibitors and Records
20 Improvement Task Force shall be comprised of the following
21 members, all of whom shall serve without compensation:

22 (1) the Executive Director of the Illinois Criminal
23 Justice Information Authority, who shall serve as Chair;

24 (2) the Director of the Illinois State Police, or his
25 or her designee;

26 (3) the Secretary of Human Services, or his or her

1 designee;

2 (4) the Director of Corrections, or his or her
3 designee;

4 (5) the Attorney General, or his or her designee;

5 (6) the Director of the Administrative Office of the
6 Illinois Courts, or his or her designee;

7 (7) a representative of an association representing
8 circuit clerks appointed by the President of the Senate;

9 (8) a representative of an association representing
10 sheriffs appointed by the House Minority Leader;

11 (9) a representative of an association representing
12 State's Attorneys appointed by the House Minority Leader;

13 (10) a representative of an association representing
14 chiefs of police appointed by the Senate Minority Leader;

15 (11) a representative of an association representing
16 hospitals appointed by the Speaker of the House of
17 Representatives;

18 (12) a representative of an association representing
19 counties appointed by the President of the Senate; and

20 (13) a representative of an association representing
21 municipalities appointed by the Speaker of the House of
22 Representatives.

23 (c) The Illinois Criminal Justice Information Authority
24 shall provide administrative and other support to the Task
25 Force. The Illinois State Police Division of Justice Services
26 shall also provide support to the Illinois Criminal Justice

1 Information Authority and the Task Force.

2 (d) The Task Force may meet in person or virtually and
3 shall issue a written report of its findings and
4 recommendations to General Assembly on or before July 1, 2022.
5 The Task Force shall issue an annual report, which shall
6 include information on the state of FOID data, including a
7 review of previous activity by the Task Force to close
8 previously identified gaps; identifying known (or new) gaps; a
9 proposal of policy and practice recommendations to close those
10 gaps; and a preview of expected activities of the Task Force
11 for the coming year.

12 (e) Within 60 days of the effective date of this
13 amendatory Act of the 102nd General Assembly, the Chair shall
14 establish the Task Force.

15 (f) This Section is repealed on July 1, 2027.

16 (Source: P.A. 102-237, eff. 1-1-22.)

17 Section 40. The State Finance Act is amended by changing
18 Sections 6z-99 and 6z-127 as follows:

19 (30 ILCS 105/6z-99)

20 Sec. 6z-99. The Mental Health Reporting Fund.

21 (a) There is created in the State treasury a special fund
22 known as the Mental Health Reporting Fund. ~~The Fund shall~~
23 ~~receive revenue under the Firearm Concealed Carry Act.~~ The
24 Fund may ~~also~~ receive revenue from grants, pass-through

1 grants, donations, appropriations, and any other legal source.

2 (b) The Illinois State Police and Department of Human
3 Services shall coordinate to use moneys in the Fund to finance
4 their respective duties of collecting and reporting data on
5 mental health records and ensuring that mental health firearm
6 possession prohibitors are enforced as set forth under the
7 ~~Firearm Concealed Carry Act~~ and the Firearm Owners
8 Identification Card Act. Any surplus in the Fund beyond what
9 is necessary to ensure compliance with mental health reporting
10 under that Act ~~these Acts~~ shall be used by the Department of
11 Human Services for mental health treatment programs as
12 follows: (1) 50% shall be used to fund community-based mental
13 health programs aimed at reducing gun violence, community
14 integration and education, or mental health awareness and
15 prevention, including administrative costs; and (2) 50% shall
16 be used to award grants that use and promote the National
17 School Mental Health Curriculum model for school-based mental
18 health support, integration, and services.

19 (c) Investment income that is attributable to the
20 investment of moneys in the Fund shall be retained in the Fund
21 for the uses specified in this Section.

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

24 (30 ILCS 105/6z-127)

25 Sec. 6z-127. State Police Revocation Enforcement Fund.

1 (a) The State Police Revocation Enforcement Fund is
2 established as a special fund in the State treasury. This Fund
3 is established to receive moneys from the Firearm Owners
4 Identification Card Act to enforce that Act, ~~the Firearm~~
5 ~~Concealed Carry Act~~, Article 24 of the Criminal Code of 2012,
6 and other firearm offenses. The Fund may also receive revenue
7 from grants, donations, appropriations, and any other legal
8 source.

9 (b) The Illinois State Police may use moneys from the Fund
10 to establish task forces and, if necessary, include other law
11 enforcement agencies, under intergovernmental contracts
12 written and executed in conformity with the Intergovernmental
13 Cooperation Act.

14 (c) The Illinois State Police may use moneys in the Fund to
15 hire and train State Police officers and for the prevention of
16 violent crime.

17 (d) The State Police Revocation Enforcement Fund is not
18 subject to administrative chargebacks.

19 (e) Law enforcement agencies that participate in Firearm
20 Owner's Identification Card revocation enforcement in the
21 Violent Crime Intelligence Task Force may apply for grants
22 from the Illinois State Police.

23 (f) Any surplus in the Fund beyond what is necessary to
24 ensure compliance with subsections (a) through (e) or moneys
25 that are specifically appropriated for those purposes shall be
26 used by the Illinois State Police to award grants to assist

1 with the data reporting requirements of the Gun Trafficking
2 Information Act.

3 (Source: P.A. 102-237, eff. 1-1-22; 102-813, eff. 5-13-22;
4 103-34, eff. 6-9-23.)

5 Section 45. The Liquor Control Act of 1934 is amended by
6 changing Section 10-1 as follows:

7 (235 ILCS 5/10-1) (from Ch. 43, par. 183)

8 Sec. 10-1. Violations; penalties. Whereas a substantial
9 threat to the sound and careful control, regulation, and
10 taxation of the manufacture, sale, and distribution of
11 alcoholic liquors exists by virtue of individuals who
12 manufacture, import, distribute, or sell alcoholic liquors
13 within the State without having first obtained a valid license
14 to do so, and whereas such threat is especially serious along
15 the borders of this State, and whereas such threat requires
16 immediate correction by this Act, by active investigation and
17 prosecution by the State Commission, law enforcement
18 officials, and prosecutors, and by prompt and strict
19 enforcement through the courts of this State to punish
20 violators and to deter such conduct in the future:

21 (a) Any person who manufactures, imports for distribution
22 or use, transports from outside this State into this State, or
23 distributes or sells 108 liters (28.53 gallons) or more of
24 wine, 45 liters (11.88 gallons) or more of distilled spirits,

1 or 118 liters (31.17 gallons) or more of beer at any place
2 within the State without having first obtained a valid license
3 to do so under the provisions of this Act shall be guilty of a
4 Class 4 felony for each offense. However, any person who was
5 duly licensed under this Act and whose license expired within
6 30 days prior to a violation shall be guilty of a business
7 offense and fined not more than \$1,000 for the first such
8 offense and shall be guilty of a Class 4 felony for each
9 subsequent offense.

10 Any person who manufactures, imports for distribution,
11 transports from outside this State into this State for sale or
12 resale in this State, or distributes or sells less than 108
13 liters (28.53 gallons) of wine, less than 45 liters (11.88
14 gallons) of distilled spirits, or less than 118 liters (31.17
15 gallons) of beer at any place within the State without having
16 first obtained a valid license to do so under the provisions of
17 this Act shall be guilty of a business offense and fined not
18 more than \$1,000 for the first such offense and shall be guilty
19 of a Class 4 felony for each subsequent offense. This
20 subsection does not apply to a motor carrier or freight
21 forwarder, as defined in Section 13102 of Title 49 of the
22 United States Code, an air carrier, as defined in Section
23 40102 of Title 49 of the United States Code, or a rail carrier,
24 as defined in Section 10102 of Title 49 of the United States
25 Code.

26 Any person who: (1) has been issued an initial cease and

1 desist notice from the State Commission; and (2) for
2 compensation, does any of the following: (i) ships alcoholic
3 liquor into this State without a license authorized by Section
4 5-1 issued by the State Commission or in violation of that
5 license; or (ii) manufactures, imports for distribution,
6 transports from outside this State into this State for sale or
7 resale in this State, or distributes or sells alcoholic
8 liquors at any place without having first obtained a valid
9 license to do so is guilty of a Class 4 felony for each
10 offense.

11 (b) (1) Any retailer, caterer retailer, brew pub, special
12 event retailer, special use permit holder, homebrewer special
13 event permit holder, or craft distiller tasting permit holder
14 who knowingly causes alcoholic liquors to be imported directly
15 into the State of Illinois from outside of the State for the
16 purpose of furnishing, giving, or selling to another, except
17 when having received the product from a duly licensed
18 distributor or importing distributor, shall have his license
19 suspended for 30 days for the first offense and for the second
20 offense, shall have his license revoked by the Commission.

21 (2) In the event the State Commission receives a certified
22 copy of a final order from a foreign jurisdiction that an
23 Illinois retail licensee has been found to have violated that
24 foreign jurisdiction's laws, rules, or regulations concerning
25 the importation of alcoholic liquor into that foreign
26 jurisdiction, the violation may be grounds for the State

1 Commission to revoke, suspend, or refuse to issue or renew a
2 license, to impose a fine, or to take any additional action
3 provided by this Act with respect to the Illinois retail
4 license or licensee. Any such action on the part of the State
5 Commission shall be in accordance with this Act and
6 implementing rules.

7 For the purposes of paragraph (2): (i) "foreign
8 jurisdiction" means a state, territory, or possession of the
9 United States, the District of Columbia, or the Commonwealth
10 of Puerto Rico, and (ii) "final order" means an order or
11 judgment of a court or administrative body that determines the
12 rights of the parties respecting the subject matter of the
13 proceeding, that remains in full force and effect, and from
14 which no appeal can be taken.

15 (c) Any person who shall make any false statement or
16 otherwise violates any of the provisions of this Act in
17 obtaining any license hereunder, or who having obtained a
18 license hereunder shall violate any of the provisions of this
19 Act with respect to the manufacture, possession, distribution
20 or sale of alcoholic liquor, or with respect to the
21 maintenance of the licensed premises, or shall violate any
22 other provision of this Act, shall for a first offense be
23 guilty of a petty offense and fined not more than \$500, and for
24 a second or subsequent offense shall be guilty of a Class B
25 misdemeanor.

26 (c-5) (Blank). ~~Any owner of an establishment that serves~~

1 ~~alcohol on its premises, if more than 50% of the~~
2 ~~establishment's gross receipts within the prior 3 months is~~
3 ~~from the sale of alcohol, who knowingly fails to prohibit~~
4 ~~concealed firearms on its premises or who knowingly makes a~~
5 ~~false statement or record to avoid the prohibition of~~
6 ~~concealed firearms on its premises under the Firearm Concealed~~
7 ~~Carry Act shall be guilty of a business offense with a fine up~~
8 ~~to \$5,000.~~

9 (d) Each day any person engages in business as a
10 manufacturer, foreign importer, importing distributor,
11 distributor or retailer in violation of the provisions of this
12 Act shall constitute a separate offense.

13 (e) Any person, under the age of 21 years who, for the
14 purpose of buying, accepting or receiving alcoholic liquor
15 from a licensee, represents that he is 21 years of age or over
16 shall be guilty of a Class A misdemeanor.

17 (f) In addition to the penalties herein provided, any
18 person licensed as a wine-maker in either class who
19 manufactures more wine than authorized by his license shall be
20 guilty of a business offense and shall be fined \$1 for each
21 gallon so manufactured.

22 (g) A person shall be exempt from prosecution for a
23 violation of this Act if he is a peace officer in the
24 enforcement of the criminal laws and such activity is approved
25 in writing by one of the following:

26 (1) In all counties, the respective State's Attorney;

1 (2) The Director of the Illinois State Police under
2 Section 2605-10, 2605-15, 2605-51, 2605-52, 2605-75,
3 2605-190, 2605-200, 2605-205, 2605-210, 2605-215,
4 2605-250, 2605-275, 2605-305, 2605-315, 2605-325,
5 2605-335, 2605-340, 2605-350, 2605-355, 2605-360,
6 2605-365, 2605-375, 2605-400, 2605-405, 2605-420,
7 2605-430, 2605-435, 2605-525, or 2605-550 of the Illinois
8 State Police Law; or

9 (3) In cities over 1,000,000, the Superintendent of
10 Police.

11 (Source: P.A. 101-37, eff. 7-3-19; 102-538, eff. 8-20-21.)

12 Section 50. The Firearm Owners Identification Card Act is
13 amended by changing Sections 2, 3, 3.1, 4, 5, 7, 8.5 and 13.1
14 as follows:

15 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

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

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

23 (2) No person may acquire or possess firearm ammunition
24 within this State without having in his or her possession a

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (c) The provisions of this Section regarding the
20 acquisition and possession of firearms, firearm ammunition,
21 stun guns, and tasers do not apply to law enforcement
22 officials of this or any other jurisdiction, while engaged in
23 the operation of their official duties.

24 (c-5) (Blank). ~~The provisions of paragraphs (1) and (2) of~~
25 ~~subsection (a) of this Section regarding the possession of~~
26 ~~firearms and firearm ammunition do not apply to the holder of a~~

1 ~~valid concealed carry license issued under the Firearm~~
2 ~~Concealed Carry Act who is in physical possession of the~~
3 ~~concealed carry license.~~

4 (d) Any person who becomes a resident of this State, who is
5 not otherwise prohibited from obtaining, possessing, or using
6 a firearm or firearm ammunition, shall not be required to have
7 a Firearm Owner's Identification Card to possess firearms or
8 firearms ammunition until 60 calendar days after he or she
9 obtains an Illinois driver's license or Illinois
10 Identification Card.

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

12 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

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

25 (a-5) Any person who is not a federally licensed firearm

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

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

1 State Police for the purchase of a firearm pursuant to this
2 subsection are valid for 30 days from the date of issue.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 100-1178), failure by the private seller to maintain the
2 transfer records in accordance with this Section, or failure
3 by a transferee pursuant to subsection a-10 of this Section to
4 identify the federally licensed firearm dealer maintaining the
5 transfer record, is a Class A misdemeanor for the first
6 offense and a Class 4 felony for a second or subsequent offense
7 occurring within 10 years of the first offense and the second
8 offense was committed after conviction of the first offense.
9 Whenever any person who has not previously been convicted of
10 any violation of subsection (a-5), the court may grant
11 supervision pursuant to and consistent with the limitations of
12 Section 5-6-1 of the Unified Code of Corrections. A transferee
13 or transferor shall not be criminally liable under this
14 Section provided that he or she provides the Illinois State
15 Police with the transfer records in accordance with procedures
16 established by the Illinois State Police. The Illinois State
17 Police shall establish, by rule, a standard form on its
18 website.

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

1 Card prior to the shipment of the ammunition. The ammunition
2 may be shipped only to an address on either of those 2
3 documents.

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

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

9 (430 ILCS 65/3.1) (from Ch. 38, par. 83-3.1)

10 Sec. 3.1. Firearm Transfer Inquiry Program.

11 (a) The Illinois State Police shall provide a dial up
12 telephone system or utilize other existing technology which
13 shall be used by any federally licensed firearm dealer, gun
14 show promoter, or gun show vendor who is to transfer a firearm,
15 stun gun, or taser under the provisions of this Act. The
16 Illinois State Police may utilize existing technology which
17 allows the caller to be charged a fee not to exceed \$2. Fees
18 collected by the Illinois State Police shall be deposited in
19 the State Police Firearm Services Fund and used to provide the
20 service.

21 (b) Upon receiving a request from a federally licensed
22 firearm dealer, gun show promoter, or gun show vendor, the
23 Illinois State Police shall immediately approve or, within the
24 time period established by Section 24-3 of the Criminal Code
25 of 2012 regarding the delivery of firearms, stun guns, and

1 tasers, notify the inquiring dealer, gun show promoter, or gun
2 show vendor of any objection that would disqualify the
3 transferee from acquiring or possessing a firearm, stun gun,
4 or taser. In conducting the inquiry, the Illinois State Police
5 shall initiate and complete an automated search of its
6 criminal history record information files and those of the
7 Federal Bureau of Investigation, including the National
8 Instant Criminal Background Check System, and of the files of
9 the Department of Human Services relating to mental health and
10 developmental disabilities to obtain any felony conviction or
11 patient hospitalization information which would disqualify a
12 person from obtaining or require revocation of a currently
13 valid Firearm Owner's Identification Card.

14 (b-5) By January 1, 2023, the Illinois State Police shall
15 by rule provide a process for the automatic renewal of the
16 Firearm Owner's Identification Card of a person at the time of
17 an inquiry in subsection (b). Persons eligible for this
18 process must have a set of fingerprints on file with their
19 applications under either subsection (a-25) of Section 4 ~~or~~
20 ~~the Firearm Concealed Carry Act.~~

21 (c) If receipt of a firearm would not violate Section 24-3
22 of the Criminal Code of 2012, federal law, or this Act, the
23 Illinois State Police shall:

24 (1) assign a unique identification number to the
25 transfer; and

26 (2) provide the licensee, gun show promoter, or gun

1 show vendor with the number.

2 (d) Approvals issued by the Illinois State Police for the
3 purchase of a firearm are valid for 30 days from the date of
4 issue.

5 (e) (1) The Illinois State Police must act as the Illinois
6 Point of Contact for the National Instant Criminal Background
7 Check System.

8 (2) The Illinois State Police and the Department of Human
9 Services shall, in accordance with State and federal law
10 regarding confidentiality, enter into a memorandum of
11 understanding with the Federal Bureau of Investigation for the
12 purpose of implementing the National Instant Criminal
13 Background Check System in the State. The Illinois State
14 Police shall report the name, date of birth, and physical
15 description of any person prohibited from possessing a firearm
16 pursuant to the Firearm Owners Identification Card Act or 18
17 U.S.C. 922(g) and (n) to the National Instant Criminal
18 Background Check System Index, Denied Persons Files.

19 (3) The Illinois State Police shall provide notice of the
20 disqualification of a person under subsection (b) of this
21 Section or the revocation of a person's Firearm Owner's
22 Identification Card under Section 8 or Section 8.2 of this
23 Act, and the reason for the disqualification or revocation, to
24 all law enforcement agencies with jurisdiction to assist with
25 the seizure of the person's Firearm Owner's Identification
26 Card.

1 (f) The Illinois State Police shall adopt rules not
2 inconsistent with this Section to implement this system.

3 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
4 102-813, eff. 5-13-22.)

5 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

6 Sec. 4. Application for Firearm Owner's Identification
7 Cards.

8 (a) Each applicant for a Firearm Owner's Identification
9 Card must:

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

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

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

1 that he or she is not an individual prohibited from
2 having a Card;

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

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

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

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

6 (v) He or she is not a person with an intellectual
7 disability;

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

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

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

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

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

9 (x) (Blank);

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

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

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

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

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

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

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

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

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

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

19 (xiv) He or she is a resident of the State of
20 Illinois;

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

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

25 (xvii) He or she is not a person with a
26 developmental disability; and

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

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

20 (a-10) Each applicant for a Firearm Owner's Identification
21 Card, who is employed as a law enforcement officer, an armed
22 security officer in Illinois, or by the United States Military
23 permanently assigned in Illinois and who is not an Illinois
24 resident, shall furnish to the Illinois State Police his or
25 her driver's license number or state identification card
26 number from his or her state of residence. The Illinois State

1 Police may adopt rules to enforce the provisions of this
2 subsection (a-10).

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

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

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

26 The fingerprints must be transmitted through a live scan

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

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

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

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

24 (c) Upon such written consent, pursuant to Section 4,
25 paragraph (a)(2)(i), the parent or legal guardian giving the
26 consent shall be liable for any damages resulting from the

1 applicant's use of firearms or firearm ammunition.

2 (Source: P.A. 101-80, eff. 7-12-19; 102-237, eff. 1-1-22;
3 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1030, eff.
4 5-27-22; 102-1116, eff. 1-10-23.)

5 (430 ILCS 65/5) (from Ch. 38, par. 83-5)

6 Sec. 5. Application and renewal.

7 (a) The Illinois State Police shall either approve or deny
8 all applications within 30 days from the date they are
9 received, except as provided in subsections (b) and (c), and
10 every applicant found qualified under Section 8 of this Act by
11 the Illinois State Police shall be entitled to a Firearm
12 Owner's Identification Card upon the payment of a \$10 fee and
13 applicable processing fees. The processing fees shall be
14 limited to charges by the State Treasurer for using the
15 electronic online payment system. Any applicant who is an
16 active duty member of the Armed Forces of the United States, a
17 member of the Illinois National Guard, or a member of the
18 Reserve Forces of the United States is exempt from the
19 application fee. \$5 of each fee derived from the issuance of a
20 Firearm Owner's Identification Card or renewals thereof shall
21 be deposited in the State Police Firearm Services Fund and \$5
22 into the State Police Revocation Enforcement Fund.

23 (b) Renewal applications shall be approved or denied
24 within 60 business days, provided the applicant submitted his
25 or her renewal application prior to the expiration of his or

1 her Firearm Owner's Identification Card. If a renewal
2 application has been submitted prior to the expiration date of
3 the applicant's Firearm Owner's Identification Card, the
4 Firearm Owner's Identification Card shall remain valid while
5 the Illinois State Police processes the application, unless
6 the person is subject to or becomes subject to revocation
7 under this Act. The cost for a renewal application shall be \$10
8 and may include applicable processing fees, which shall be
9 limited to charges by the State Treasurer for using the
10 electronic online payment system, which shall be deposited
11 into the State Police Firearm Services Fund.

12 (c) (Blank). ~~If the Firearm Owner's Identification Card of~~
13 ~~a licensee under the Firearm Concealed Carry Act expires~~
14 ~~during the term of the licensee's concealed carry license, the~~
15 ~~Firearm Owner's Identification Card and the license remain~~
16 ~~valid and the licensee does not have to renew his or her~~
17 ~~Firearm Owner's Identification Card during the duration of the~~
18 ~~concealed carry license. Unless the Illinois State Police has~~
19 ~~reason to believe the licensee is no longer eligible for the~~
20 ~~card, the Illinois State Police may automatically renew the~~
21 ~~licensee's Firearm Owner's Identification Card and send a~~
22 ~~renewed Firearm Owner's Identification Card to the licensee.~~

23 (d) The Illinois State Police may adopt rules concerning
24 the use of voluntarily submitted fingerprints, as allowed by
25 State and federal law.

26 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;

1 102-813, eff. 5-13-22.)

2 (430 ILCS 65/7) (from Ch. 38, par. 83-7)

3 Sec. 7. Validity of Firearm Owner's Identification Card.

4 (a) Except as provided in Section 8 of this Act or
5 elsewhere in this Section, a Firearm Owner's Identification
6 Card issued under the provisions of this Act shall be valid for
7 the person to whom it is issued for a period of 10 years from
8 the date of issuance. Unless the person no longer meets the
9 requirements or becomes subject to suspension or revocation
10 under this Act, a card issued under an application made as
11 provided in subsection (a-25) of Section 4 shall remain valid
12 if the person meets the requirements of subsection (b-5) of
13 Section 3.1.

14 (b) If a renewal application is submitted to the
15 Department before the expiration date of the applicant's
16 current Firearm Owner's Identification Card, the Firearm
17 Owner's Identification Card shall remain valid, unless the
18 person is subject to or becomes subject to revocation under
19 this Act. Unless the person no longer meets the requirements
20 or becomes subject to suspension or revocation under this Act,
21 a card issued under a renewal application made as provided in
22 subsection (a-25) of Section 4 shall remain valid if the
23 person meets the implementation requirements of Section 3.1.

24 (c) (Blank). ~~Beginning January 1, 2022, if the Firearm~~
25 ~~Owner's Identification Card of a licensee under the Firearm~~

1 ~~Concealed Carry Act expires during the term of the licensee's~~
2 ~~concealed carry license, the Firearm Owner's Identification~~
3 ~~Card and the license remain valid during the validity of the~~
4 ~~concealed carry license and the licensee does not have to~~
5 ~~renew his or her Firearm Owner's Identification Card, if the~~
6 ~~Firearm Owner's Identification Card has not been otherwise~~
7 ~~renewed as provided in this Act. Unless the Illinois State~~
8 ~~Police has reason to believe the licensee is no longer~~
9 ~~eligible for the card, the Illinois State Police may~~
10 ~~automatically renew the licensee's Firearm Owner's~~
11 ~~Identification Card.~~

12 (Source: P.A. 102-237, eff. 1-1-22.)

13 (430 ILCS 65/8.5)

14 Sec. 8.5. Illinois State Police to monitor databases for
15 firearms prohibitors. The Illinois State Police shall
16 continuously monitor relevant State and federal databases, as
17 allowed by State and federal law, for firearms prohibitors and
18 correlate those records with Firearm Owner's Identification
19 Card holders to ensure compliance with this Act and any other
20 State and federal laws. As used in this Section, "firearms
21 prohibitor" means any factor listed in Section 8 or Section
22 8.2 of this Act or Section 24-3 or 24-3.1 of the Criminal Code
23 of 2012 that prohibits a person from transferring or
24 possessing a firearm, firearm ammunition, or Firearm Owner's
25 Identification Card, ~~or concealed carry license.~~

1 (Source: P.A. 102-237, eff. 1-1-22.)

2 (430 ILCS 65/13.1) (from Ch. 38, par. 83-13.1)

3 Sec. 13.1. Preemption.

4 (a) (Blank). ~~Except as otherwise provided in the Firearm~~
5 ~~Concealed Carry Act and subsections (b) and (c) of this~~
6 ~~Section, the provisions of any ordinance enacted by any~~
7 ~~municipality which requires registration or imposes greater~~
8 ~~restrictions or limitations on the acquisition, possession and~~
9 ~~transfer of firearms than are imposed by this Act, are not~~
10 ~~invalidated or affected by this Act.~~

11 (b) The ~~Notwithstanding subsection (a) of this Section,~~
12 ~~the~~ regulation, licensing, possession, and registration of
13 handguns and ammunition for a handgun, and the transportation
14 of any firearm and ammunition by a holder of a valid Firearm
15 Owner's Identification Card issued by the Illinois State
16 Police under this Act are exclusive powers and functions of
17 this State. Any ordinance or regulation, or portion of that
18 ordinance or regulation, enacted on or before the effective
19 date of this amendatory Act of the 98th General Assembly that
20 purports to impose regulations or restrictions on a holder of
21 a valid Firearm Owner's Identification Card issued by the
22 Illinois State Police under this Act in a manner that is
23 inconsistent with this Act, on the effective date of this
24 amendatory Act of the 98th General Assembly, shall be invalid
25 in its application to a holder of a valid Firearm Owner's

1 Identification Card issued by the Illinois State Police under
2 this Act.

3 (c) Notwithstanding subsection (a) of this Section, the
4 regulation of the possession or ownership of assault weapons
5 are exclusive powers and functions of this State. Any
6 ordinance or regulation, or portion of that ordinance or
7 regulation, that purports to regulate the possession or
8 ownership of assault weapons in a manner that is inconsistent
9 with this Act, shall be invalid unless the ordinance or
10 regulation is enacted on, before, or within 10 days after the
11 effective date of this amendatory Act of the 98th General
12 Assembly. Any ordinance or regulation described in this
13 subsection (c) enacted more than 10 days after the effective
14 date of this amendatory Act of the 98th General Assembly is
15 invalid. An ordinance enacted on, before, or within 10 days
16 after the effective date of this amendatory Act of the 98th
17 General Assembly may be amended. The enactment or amendment of
18 ordinances under this subsection (c) are subject to the
19 submission requirements of Section 13.3. For the purposes of
20 this subsection, "assault weapons" means firearms designated
21 by either make or model or by a test or list of cosmetic
22 features that cumulatively would place the firearm into a
23 definition of "assault weapon" under the ordinance.

24 (d) For the purposes of this Section, "handgun" means any
25 device which is designed to expel a projectile or projectiles
26 by the action of an explosion, expansion of gas, or escape of

1 gas that is designed to be held and fired by the use of a
2 single hand. "Handgun" does not include:

3 (1) a stun gun or taser;

4 (2) a machine gun as defined in item (i) of paragraph
5 (7) of subsection (a) of Section 24-1 of the Criminal Code
6 of 2012;

7 (3) a short-barreled rifle or shotgun as defined in
8 item (ii) of paragraph (7) of subsection (a) of Section
9 24-1 of the Criminal Code of 2012; or

10 (4) any pneumatic gun, spring gun, paint ball gun, or
11 B-B gun which expels a single globular projectile not
12 exceeding .18 inch in diameter, or which has a maximum
13 muzzle velocity of less than 700 feet per second, or which
14 expels breakable paint balls containing washable marking
15 ~~has the meaning ascribed to it in Section 5 of the Firearm~~
16 ~~Concealed Carry Act.~~

17 (e) This Section is a denial and limitation of home rule
18 powers and functions under subsection (h) of Section 6 of
19 Article VII of the Illinois Constitution.

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

21 (430 ILCS 65/13.4 rep.)

22 Section 55. The Firearm Owners Identification Card Act is
23 amended by repealing Section 13.4.

24 (430 ILCS 66/Act rep.)

1 Section 60. The Firearm Concealed Carry Act is repealed.

2 Section 65. The Firearms Restraining Order Act is amended
3 by changing Sections 35 and 40 as follows:

4 (430 ILCS 67/35)

5 Sec. 35. Ex parte orders and emergency hearings.

6 (a) A petitioner may request an emergency firearms
7 restraining order by filing an affidavit or verified pleading
8 alleging that the respondent poses an immediate and present
9 danger of causing personal injury to himself, herself, or
10 another by having in his or her custody or control,
11 purchasing, possessing, or receiving a firearm, ammunition, or
12 firearm parts that could be assembled to make an operable
13 firearm. The petition shall also describe the type and
14 location of any firearm or firearms, ammunition, or firearm
15 parts that could be assembled to make an operable firearm
16 presently believed by the petitioner to be possessed or
17 controlled by the respondent.

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

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

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

15 (d) An emergency firearms restraining order shall be
16 issued on an ex parte basis, that is, without notice to the
17 respondent.

18 (e) An emergency hearing held on an ex parte basis shall be
19 held the same day that the petition is filed or the next day
20 that the court is in session.

21 (f) If a circuit or associate judge finds probable cause
22 to believe that the respondent poses an immediate and present
23 danger of causing personal injury to himself, herself, or
24 another by having in his or her custody or control,
25 purchasing, possessing, or receiving a firearm, ammunition, or
26 firearm parts that could be assembled to make an operable

1 firearm, the circuit or associate judge shall issue an
2 emergency order.

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

19 (g) An emergency firearms restraining order shall require:

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

1 and

2 (2) the respondent to comply with Section 9.5 of the
3 Firearm Owners Identification Card Act ~~and subsection (g)~~
4 ~~of Section 70 of the Firearm Concealed Carry Act.~~

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

24 (h-5) On or before January 1, 2022, a respondent whose
25 Firearm Owner's Identification Card has been revoked or
26 suspended may petition the court, if the petitioner is present

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

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

1 firearm parts that could be assembled to make an operable
2 firearm shall be returned to him or her, provided that:

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

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

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

1 an operable firearm.

2 (i) In accordance with subsection (e) of this Section, the
3 court shall schedule a full hearing as soon as possible, but no
4 longer than 14 days from the issuance of an ex parte firearms
5 restraining order, to determine if a 6-month firearms
6 restraining order shall be issued. The court may extend an ex
7 parte order as needed, but not to exceed 14 days, to effectuate
8 service of the order or if necessary to continue protection.
9 The court may extend the order for a greater length of time by
10 mutual agreement of the parties.

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

14 (430 ILCS 67/40)

15 Sec. 40. Plenary orders.

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

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

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

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

26 (d) Upon receipt of a petition for a plenary firearms

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 parts that could be assembled to make an operable firearm to
2 the respondent or to anyone residing in the same residence as
3 the respondent.

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

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

25 (2) the firearm, ammunition, and firearm parts that
26 could be assembled to make an operable firearm are not

1 otherwise unlawfully possessed by the owner.

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

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

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

24 (Source: P.A. 101-81, eff. 7-12-19; 102-237, eff. 1-1-22;
25 102-345, eff. 6-1-22; 102-538, eff. 8-20-21; 102-813, eff.
26 5-13-22; 102-1116, eff. 1-10-23.)

1 Section 70. The Firearm Dealer License Certification Act
2 is amended by changing Section 5-85 as follows:

3 (430 ILCS 68/5-85)

4 Sec. 5-85. Disciplinary sanctions.

5 (a) For violations of this Act not penalized under Section
6 5-15, the Illinois State Police may refuse to renew or
7 restore, or may reprimand, place on probation, suspend,
8 revoke, or take other disciplinary or non-disciplinary action
9 against any licensee, and may impose a fine commensurate with
10 the severity of the violation not to exceed \$10,000 for each
11 violation for any of the following, consistent with the
12 Protection of Lawful Commerce in Arms Act, 15 U.S.C. 7901
13 through 7903:

14 (1) Violations of this Act, or any law applicable to
15 the sale or transfer of firearms.

16 (2) A pattern of practice or other behavior which
17 demonstrates incapacity or incompetency to practice under
18 this Act.

19 (3) Aiding or assisting another person in violating
20 any provision of this Act or rules adopted under this Act.

21 (4) Failing, within 60 days, to provide information in
22 response to a written request made by the Illinois State
23 Police.

24 (5) Conviction of, plea of guilty to, or plea of nolo

1 contendere to any crime that disqualifies the person from
2 obtaining a valid Firearm Owner's Identification Card.

3 (6) Continued practice, although the person has become
4 unfit to practice due to any of the following:

5 (A) Any circumstance that disqualifies the person
6 from obtaining a valid Firearm Owner's Identification
7 Card ~~or concealed carry license~~.

8 (B) Habitual or excessive use or abuse of drugs
9 defined in law as controlled substances, alcohol, or
10 any other substance that results in the inability to
11 practice with reasonable judgment, skill, or safety.

12 (7) Receiving, directly or indirectly, compensation
13 for any firearms sold or transferred illegally.

14 (8) Discipline by another United States jurisdiction,
15 foreign nation, or governmental agency, if at least one of
16 the grounds for the discipline is the same or
17 substantially equivalent to those set forth in this Act.

18 (9) Violation of any disciplinary order imposed on a
19 licensee by the Illinois State Police.

20 (10) A finding by the Illinois State Police that the
21 licensee, after having his or her certified license placed
22 on probationary status, has violated the terms of
23 probation.

24 (11) A fraudulent or material misstatement in the
25 completion of an affirmative obligation or inquiry by law
26 enforcement.

1 (b) All fines imposed under this Section shall be paid
2 within 90 days after the effective date of the final order
3 imposing the fine.

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

5 Section 75. The Wildlife Code is amended by changing
6 Sections 2.11, 2.26, 2.33, and 2.34 as follows:

7 (520 ILCS 5/2.11) (from Ch. 61, par. 2.11)

8 Sec. 2.11. Before any person may lawfully hunt wild
9 turkey, he shall first obtain a "Wild Turkey Hunting Permit"
10 in accordance with the prescribed regulations set forth in an
11 administrative rule of the Department. The fee for a Resident
12 Wild Turkey Hunting Permit shall not exceed \$15.

13 Upon submitting suitable evidence of legal residence in
14 any other state, non-residents shall be charged a fee not to
15 exceed \$125 for wild turkey hunting permits.

16 The Department may by administrative rule allocate and
17 issue non-resident Wild Turkey Permits and establish fees for
18 such permits.

19 It shall be unlawful to take wild turkey except by use of a
20 bow and arrow or a shotgun of not larger than 10 nor smaller
21 than 20 gauge with shot size not larger than No. 4, and no
22 person while attempting to so take wild turkey may have in his
23 possession any other gun ~~unless in accordance with the Firearm~~
24 ~~Concealed Carry Act.~~

1 It shall be unlawful to take, or attempt to take wild
2 turkey except during the time from 1/2 hour before sunrise to
3 1/2 hour after sunset or during such lesser period of time as
4 may be specified by administrative rule, during those days for
5 which an open season is established.

6 It shall be unlawful for any person to take, or attempt to
7 take, wild turkey by use of dogs, horses, automobiles,
8 aircraft or other vehicles, or conveyances, or by the use or
9 aid of bait or baiting of any kind. For the purposes of this
10 Section, "bait" means any material, whether liquid or solid,
11 including food, salt, minerals, and other products, except
12 pure water, that can be ingested, placed, or scattered in such
13 a manner as to attract or lure wild turkeys. "Baiting" means
14 the placement or scattering of bait to attract wild turkeys.
15 An area is considered as baited during the presence of and for
16 10 consecutive days following the removal of the bait.

17 It is unlawful for any person to take in Illinois or have
18 in his possession more than one wild turkey per valid permit.

19 For the purposes of calculating acreage under this
20 Section, the Department shall, after determining the total
21 acreage of the applicable tract or tracts of land, round
22 remaining fractional portions of an acre greater than or equal
23 to half of an acre up to the next whole acre.

24 For the purposes of taking wild turkey, nothing in this
25 Section shall be construed to prevent the manipulation,
26 including mowing or cutting, of standing crops as a normal

1 agricultural or soil stabilization practice, food plots, or
2 normal agricultural practices, including planting, harvesting,
3 and maintenance such as cultivating. Such manipulation for the
4 purpose of taking wild turkey may be further modified by
5 administrative rule.

6 (Source: P.A. 102-237, eff. 1-1-22.)

7 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

8 Sec. 2.26. Deer hunting permits. Any person attempting to
9 take deer shall first obtain a "Deer Hunting Permit" issued by
10 the Department in accordance with its administrative rules.
11 Those rules must provide for the issuance of the following
12 types of resident deer archery permits: (i) a combination
13 permit, consisting of one either-sex permit and one
14 antlerless-only permit, (ii) a single antlerless-only permit,
15 and (iii) a single either-sex permit. The fee for a Deer
16 Hunting Permit to take deer with either bow and arrow or gun
17 shall not exceed \$25 for residents of the State. The
18 Department may by administrative rule provide for non-resident
19 deer hunting permits for which the fee will not exceed \$300 in
20 2005, \$350 in 2006, and \$400 in 2007 and thereafter except as
21 provided below for non-resident landowners and non-resident
22 archery hunters. The Department may by administrative rule
23 provide for a non-resident archery deer permit consisting of
24 not more than 2 harvest tags at a total cost not to exceed \$325
25 in 2005, \$375 in 2006, and \$425 in 2007 and thereafter. The

1 fees for a youth resident and non-resident archery deer permit
2 shall be the same.

3 The Department shall create a pilot program during the
4 special 3-day, youth-only deer hunting season to allow for
5 youth deer hunting permits that are valid statewide, excluding
6 those counties or portions of counties closed to firearm deer
7 hunting. The Department shall adopt rules to implement the
8 pilot program. Nothing in this paragraph shall be construed to
9 prohibit the Department from issuing Special Hunt Area Permits
10 for the youth-only deer hunting season or establishing,
11 through administrative rule, additional requirements
12 pertaining to the youth-only deer hunting season on
13 Department-owned or Department-managed sites, including
14 site-specific quotas or drawings. The provisions of this
15 paragraph are inoperative on and after January 1, 2023.

16 The standards and specifications for use of guns and bow
17 and arrow for deer hunting shall be established by
18 administrative rule.

19 No person may have in his or her possession any firearm not
20 authorized by administrative rule for a specific hunting
21 season when taking deer ~~unless in accordance with the Firearm~~
22 ~~Concealed Carry Act.~~

23 Persons having a firearm deer hunting permit shall be
24 permitted to take deer only during the period from 1/2 hour
25 before sunrise to 1/2 hour after sunset, and only during those
26 days for which an open season is established for the taking of

1 deer by use of shotgun, handgun, rifle, or muzzle loading
2 rifle.

3 Persons having an archery deer hunting permit shall be
4 permitted to take deer only during the period from 1/2 hour
5 before sunrise to 1/2 hour after sunset, and only during those
6 days for which an open season is established for the taking of
7 deer by use of bow and arrow.

8 It shall be unlawful for any person to take deer by use of
9 dogs, horses, automobiles, aircraft or other vehicles, or by
10 the use or aid of bait or baiting of any kind. For the purposes
11 of this Section, "bait" means any material, whether liquid or
12 solid, including food, salt, minerals, and other products,
13 except pure water, that can be ingested, placed, or scattered
14 in such a manner as to attract or lure white-tailed deer.
15 "Baiting" means the placement or scattering of bait to attract
16 deer. An area is considered as baited during the presence of
17 and for 10 consecutive days following the removal of bait.
18 Nothing in this Section shall prohibit the use of a dog to
19 track wounded deer. Any person using a dog for tracking
20 wounded deer must maintain physical control of the dog at all
21 times by means of a maximum 50 foot lead attached to the dog's
22 collar or harness. Tracking wounded deer is permissible at
23 night, but at no time outside of legal deer hunting hours or
24 seasons shall any person handling or accompanying a dog being
25 used for tracking wounded deer be in possession of any firearm
26 or archery device. Persons tracking wounded deer with a dog

1 during the firearm deer seasons shall wear blaze orange or
2 solid blaze pink color as required. Dog handlers tracking
3 wounded deer with a dog are exempt from hunting license and
4 deer permit requirements so long as they are accompanied by
5 the licensed deer hunter who wounded the deer.

6 It shall be unlawful to possess or transport any wild deer
7 which has been injured or killed in any manner upon a public
8 highway or public right-of-way of this State unless exempted
9 by administrative rule.

10 Persons hunting deer must have gun unloaded and no bow and
11 arrow device shall be carried with the arrow in the nocked
12 position during hours when deer hunting is unlawful.

13 It shall be unlawful for any person, having taken the
14 legal limit of deer by gun, to further participate with gun in
15 any deer hunting party.

16 It shall be unlawful for any person, having taken the
17 legal limit of deer by bow and arrow, to further participate
18 with bow and arrow in any deer hunting party.

19 The Department may prohibit upland game hunting during the
20 gun deer season by administrative rule.

21 The Department shall not limit the number of non-resident,
22 either-sex archery deer hunting permits to less than 20,000.

23 Any person who violates any of the provisions of this
24 Section, including administrative rules, shall be guilty of a
25 Class B misdemeanor.

26 For the purposes of calculating acreage under this

1 Section, the Department shall, after determining the total
2 acreage of the applicable tract or tracts of land, round
3 remaining fractional portions of an acre greater than or equal
4 to half of an acre up to the next whole acre.

5 For the purposes of taking white-tailed deer, nothing in
6 this Section shall be construed to prevent the manipulation,
7 including mowing or cutting, of standing crops as a normal
8 agricultural or soil stabilization practice, food plots, or
9 normal agricultural practices, including planting, harvesting,
10 and maintenance such as cultivating or the use of products
11 designed for scent only and not capable of ingestion, solid or
12 liquid, placed or scattered, in such a manner as to attract or
13 lure deer. Such manipulation for the purpose of taking
14 white-tailed deer may be further modified by administrative
15 rule.

16 (Source: P.A. 101-81, eff. 7-12-19; 101-444, eff. 6-1-20;
17 102-237, eff. 1-1-22; 102-932, eff. 1-1-23.)

18 (520 ILCS 5/2.33)

19 Sec. 2.33. Prohibitions.

20 (a) It is unlawful to carry or possess any gun in any State
21 refuge unless otherwise permitted by administrative rule.

22 (b) It is unlawful to use or possess any snare or
23 snare-like device, deadfall, net, or pit trap to take any
24 species, except that snares not powered by springs or other
25 mechanical devices may be used to trap fur-bearing mammals, in

1 water sets only, if at least one-half of the snare noose is
2 located underwater at all times.

3 (c) It is unlawful for any person at any time to take a
4 wild mammal protected by this Act from its den by means of any
5 mechanical device, spade, or digging device or to use smoke or
6 other gases to dislodge or remove such mammal except as
7 provided in Section 2.37.

8 (d) It is unlawful to use a ferret or any other small
9 mammal which is used in the same or similar manner for which
10 ferrets are used for the purpose of frightening or driving any
11 mammals from their dens or hiding places.

12 (e) (Blank).

13 (f) It is unlawful to use spears, gigs, hooks, or any like
14 device to take any species protected by this Act.

15 (g) It is unlawful to use poisons, chemicals, or
16 explosives for the purpose of taking any species protected by
17 this Act.

18 (h) It is unlawful to hunt adjacent to or near any peat,
19 grass, brush, or other inflammable substance when it is
20 burning.

21 (i) It is unlawful to take, pursue or intentionally harass
22 or disturb in any manner any wild birds or mammals by use or
23 aid of any vehicle, conveyance, or unmanned aircraft as
24 defined by the Illinois Aeronautics Act, except as permitted
25 by the Code of Federal Regulations for the taking of
26 waterfowl; except that nothing in this subsection shall

1 prohibit the use of unmanned aircraft in the inspection of a
2 public utility facility, tower, or structure or a mobile
3 service facility, tower, or structure by a public utility, as
4 defined in Section 3-105 of the Public Utilities Act, or a
5 provider of mobile services as defined in Section 153 of Title
6 47 of the United States Code. It is also unlawful to use the
7 lights of any vehicle or conveyance, any light connected to
8 any vehicle or conveyance, or any other lighting device or
9 mechanism from inside or on a vehicle or conveyance in any area
10 where wildlife may be found except in accordance with Section
11 2.37 of this Act; however, nothing in this Section shall
12 prohibit the normal use of headlamps for the purpose of
13 driving upon a roadway. For purposes of this Section, any
14 other lighting device or mechanism shall include, but not be
15 limited to, any device that uses infrared or other light not
16 visible to the naked eye, electronic image intensification,
17 active illumination, thermal imaging, or night vision. Striped
18 skunk, opossum, red fox, gray fox, raccoon, bobcat, and coyote
19 may be taken during the open season by use of a small light
20 which is worn on the body or hand-held by a person on foot and
21 not in any vehicle.

22 (j) It is unlawful to use any shotgun larger than 10 gauge
23 while taking or attempting to take any of the species
24 protected by this Act.

25 (k) It is unlawful to use or possess in the field any
26 shotgun shell loaded with a shot size larger than lead BB or

1 steel T (.20 diameter) when taking or attempting to take any
2 species of wild game mammals (excluding white-tailed deer),
3 wild game birds, migratory waterfowl or migratory game birds
4 protected by this Act, except white-tailed deer as provided
5 for in Section 2.26 and other species as provided for by
6 subsection (l) or administrative rule.

7 (l) It is unlawful to take any species of wild game, except
8 white-tailed deer and fur-bearing mammals, with a shotgun
9 loaded with slugs unless otherwise provided for by
10 administrative rule.

11 (m) It is unlawful to use any shotgun capable of holding
12 more than 3 shells in the magazine or chamber combined, except
13 on game breeding and hunting preserve areas licensed under
14 Section 3.27 and except as permitted by the Code of Federal
15 Regulations for the taking of waterfowl. If the shotgun is
16 capable of holding more than 3 shells, it shall, while being
17 used on an area other than a game breeding and shooting
18 preserve area licensed pursuant to Section 3.27, be fitted
19 with a one-piece plug that is irremovable without dismantling
20 the shotgun or otherwise altered to render it incapable of
21 holding more than 3 shells in the magazine and chamber,
22 combined.

23 (n) It is unlawful for any person, except persons who
24 possess a permit to hunt from a vehicle as provided in this
25 Section and persons otherwise permitted by law, to have or
26 carry any gun in or on any vehicle, conveyance, or aircraft,

1 unless such gun is unloaded and enclosed in a case, except that
2 at field trials authorized by Section 2.34 of this Act,
3 unloaded guns or guns loaded with blank cartridges only may be
4 carried on horseback while not contained in a case, or to have
5 or carry any bow or arrow device in or on any vehicle unless
6 such bow or arrow device is unstrung or enclosed in a case, or
7 otherwise made inoperable ~~unless in accordance with the~~
8 ~~Firearm Concealed Carry Act.~~

9 (o) (Blank).

10 (p) It is unlawful to take game birds, migratory game
11 birds or migratory waterfowl with a rifle, pistol, revolver,
12 or air rifle.

13 (q) It is unlawful to fire a rifle, pistol, revolver, or
14 air rifle on, over, or into any waters of this State, including
15 frozen waters.

16 (r) It is unlawful to discharge any gun or bow and arrow
17 device along, upon, across, or from any public right-of-way or
18 highway in this State.

19 (s) It is unlawful to use a silencer or other device to
20 muffle or mute the sound of the explosion or report resulting
21 from the firing of any gun.

22 (t) It is unlawful for any person to take or attempt to
23 take any species of wildlife or parts thereof, or allow a dog
24 to hunt, within or upon the land of another, or upon waters
25 flowing over or standing on the land of another, or to
26 knowingly shoot a gun or bow and arrow device at any wildlife

1 physically on or flying over the property of another without
2 first obtaining permission from the owner or the owner's
3 designee. For the purposes of this Section, the owner's
4 designee means anyone who the owner designates in a written
5 authorization and the authorization must contain (i) the legal
6 or common description of property for which such authority is
7 given, (ii) the extent that the owner's designee is authorized
8 to make decisions regarding who is allowed to take or attempt
9 to take any species of wildlife or parts thereof, and (iii) the
10 owner's notarized signature. Before enforcing this Section,
11 the law enforcement officer must have received notice from the
12 owner or the owner's designee of a violation of this Section.
13 Statements made to the law enforcement officer regarding this
14 notice shall not be rendered inadmissible by the hearsay rule
15 when offered for the purpose of showing the required notice.

16 (u) It is unlawful for any person to discharge any firearm
17 for the purpose of taking any of the species protected by this
18 Act, or hunt with gun or dog, or allow a dog to hunt, within
19 300 yards of an inhabited dwelling without first obtaining
20 permission from the owner or tenant, except that while
21 trapping, hunting with bow and arrow, hunting with dog and
22 shotgun using shot shells only, or hunting with shotgun using
23 shot shells only, or providing outfitting services under a
24 waterfowl outfitter permit, or on licensed game breeding and
25 hunting preserve areas, as defined in Section 3.27, on
26 federally owned and managed lands and on Department owned,

1 managed, leased, or controlled lands, a 100 yard restriction
2 shall apply.

3 (v) It is unlawful for any person to remove fur-bearing
4 mammals from, or to move or disturb in any manner, the traps
5 owned by another person without written authorization of the
6 owner to do so.

7 (w) It is unlawful for any owner of a dog to allow his or
8 her dog to pursue, harass, or kill deer, except that nothing in
9 this Section shall prohibit the tracking of wounded deer with
10 a dog in accordance with the provisions of Section 2.26 of this
11 Code.

12 (x) It is unlawful for any person to wantonly or
13 carelessly injure or destroy, in any manner whatsoever, any
14 real or personal property on the land of another while engaged
15 in hunting or trapping thereon.

16 (y) It is unlawful to hunt wild game protected by this Act
17 between one-half hour after sunset and one-half hour before
18 sunrise, except that hunting hours between one-half hour after
19 sunset and one-half hour before sunrise may be established by
20 administrative rule for fur-bearing mammals.

21 (z) It is unlawful to take any game bird (excluding wild
22 turkeys and crippled pheasants not capable of normal flight
23 and otherwise irretrievable) protected by this Act when not
24 flying. Nothing in this Section shall prohibit a person from
25 carrying an uncased, unloaded shotgun in a boat, while in
26 pursuit of a crippled migratory waterfowl that is incapable of

1 normal flight, for the purpose of attempting to reduce the
2 migratory waterfowl to possession, provided that the attempt
3 is made immediately upon downing the migratory waterfowl and
4 is done within 400 yards of the blind from which the migratory
5 waterfowl was downed. This exception shall apply only to
6 migratory game birds that are not capable of normal flight.
7 Migratory waterfowl that are crippled may be taken only with a
8 shotgun as regulated by subsection (j) of this Section using
9 shotgun shells as regulated in subsection (k) of this Section.

10 (aa) It is unlawful to use or possess any device that may
11 be used for tree climbing or cutting while hunting fur-bearing
12 mammals, excluding coyotes. However, coyotes may not be hunted
13 utilizing these devices during open season for deer except by
14 properly licensed deer hunters.

15 (bb) It is unlawful for any person, except licensed game
16 breeders, pursuant to Section 2.29 to import, carry into, or
17 possess alive in this State any species of wildlife taken
18 outside of this State, without obtaining permission to do so
19 from the Director.

20 (cc) It is unlawful for any person to have in his or her
21 possession any freshly killed species protected by this Act
22 during the season closed for taking.

23 (dd) It is unlawful to take any species protected by this
24 Act and retain it alive except as provided by administrative
25 rule.

26 (ee) It is unlawful to possess any rifle while in the field

1 during gun deer season except as provided in Sections 2.25 and
2 2.26 and administrative rules.

3 (ff) It is unlawful for any person to take any species
4 protected by this Act, except migratory waterfowl, during the
5 gun deer hunting season in those counties open to gun deer
6 hunting, unless he or she wears, when in the field, a cap and
7 upper outer garment of a solid blaze orange color or solid
8 blaze pink color, with such articles of clothing displaying a
9 minimum of 400 square inches of blaze orange or solid blaze
10 pink color material.

11 (gg) It is unlawful during the upland game season for any
12 person to take upland game with a firearm unless he or she
13 wears, while in the field, a cap of solid blaze orange color or
14 solid blaze pink color. For purposes of this Act, upland game
15 is defined as Bobwhite Quail, Hungarian Partridge, Ring-necked
16 Pheasant, Eastern Cottontail, and Swamp Rabbit.

17 (hh) It shall be unlawful to kill or cripple any species
18 protected by this Act for which there is a bag limit without
19 making a reasonable effort to retrieve such species and
20 include such in the bag limit. It shall be unlawful for any
21 person having control over harvested game mammals, game birds,
22 or migratory game birds for which there is a bag limit to
23 wantonly waste or destroy the usable meat of the game, except
24 this shall not apply to wildlife taken under Sections 2.37 or
25 3.22 of this Code. For purposes of this subsection, "usable
26 meat" means the breast meat of a game bird or migratory game

1 bird and the hind ham and front shoulders of a game mammal. It
2 shall be unlawful for any person to place, leave, dump, or
3 abandon a wildlife carcass or parts of it along or upon a
4 public right-of-way or highway or on public or private
5 property, including a waterway or stream, without the
6 permission of the owner or tenant. It shall not be unlawful to
7 discard game meat that is determined to be unfit for human
8 consumption.

9 (ii) This Section shall apply only to those species
10 protected by this Act taken within the State. Any species or
11 any parts thereof, legally taken in and transported from other
12 states or countries, may be possessed within the State, except
13 as provided in this Section and Sections 2.35, 2.36, and 3.21.

14 (jj) (Blank).

15 (kk) Nothing contained in this Section shall prohibit the
16 Director from issuing permits to paraplegics or to other
17 persons with disabilities who meet the requirements set forth
18 in administrative rule to shoot or hunt from a vehicle as
19 provided by that rule, provided that such is otherwise in
20 accord with this Act.

21 (ll) Nothing contained in this Act shall prohibit the
22 taking of aquatic life protected by the Fish and Aquatic Life
23 Code or birds and mammals protected by this Act, except deer
24 and fur-bearing mammals, from a boat not camouflaged or
25 disguised to alter its identity or to further provide a place
26 of concealment and not propelled by sail or mechanical power.

1 However, only shotguns not larger than 10 gauge nor smaller
2 than .410 bore loaded with not more than 3 shells of a shot
3 size no larger than lead BB or steel T (.20 diameter) may be
4 used to take species protected by this Act.

5 (mm) Nothing contained in this Act shall prohibit the use
6 of a shotgun, not larger than 10 gauge nor smaller than a 20
7 gauge, with a rifled barrel.

8 (nn) It shall be unlawful to possess any species of
9 wildlife or wildlife parts taken unlawfully in Illinois, any
10 other state, or any other country, whether or not the wildlife
11 or wildlife parts are indigenous to Illinois. For the purposes
12 of this subsection, the statute of limitations for unlawful
13 possession of wildlife or wildlife parts shall not cease until
14 2 years after the possession has permanently ended.

15 (oo) It is unlawful while deer hunting:

16 (1) to possess or be in close proximity to a rifle that
17 is not centerfire; or

18 (2) to be in possession of or in close proximity to a
19 magazine that is capable of making a rifle not a single
20 shot.

21 (Source: P.A. 102-237, eff. 1-1-22; 102-837, eff. 5-13-22;
22 102-932, eff. 1-1-23; 103-154, eff. 6-30-23.)

23 (520 ILCS 5/2.34) (from Ch. 61, par. 2.34)

24 Sec. 2.34. Dog trials.

25 (a) Dogs of any breed may be trained the year round in

1 accordance with the provisions of this Act.

2 (b) During the periods of time when it is unlawful to take
3 species protected by this Act, the only firearms which shall
4 be used in the training of dogs from sunrise to sunset shall be
5 pistols with blank cartridges. No other gun or ammunition may
6 be in immediate possession during this time. No person or
7 persons in, along with, or accompanying the dog training
8 party, shall be in possession of any firearm or live
9 ammunition, except pistols capable of firing only blank
10 cartridges during the hours from sunset to sunrise. All
11 organized field trials or training grounds approved by the
12 Department shall be exempt from this provision ~~unless in~~
13 ~~accordance with the Firearm Concealed Carry Act.~~

14 (c) No field trial shall be held without a permit from the
15 Department.

16 The following Department areas shall be designated as
17 horseback field trial sites; Lee County Conservation Area, Des
18 Plains Conservation Area, Moraine View State Park, Middle
19 Fork Fish and Wildlife Area, Hamilton County Conservation
20 Area, and Wayne Fitzgerald State Park. The Department shall
21 provide and maintain quality wildlife habitat on these sites.

22 Field trials shall be scheduled only from September 1
23 through April 30 in the Northern Zone and September 1 through
24 April 15 in the Southern Zone. The Department maintains the
25 authority to schedule and administer field trials. The
26 boundary between the Northern Zone and the Southern Zone shall

1 be U.S. Route 36. However, (i) if the opening date of the field
2 trial season falls on Sunday, the season will begin on
3 Saturday of that weekend; and (ii) if the closing date of the
4 field trial season falls on Saturday, the season will conclude
5 on Sunday of that weekend; and (iii) if during the final days
6 of the field trial season a field trial organization begins a
7 field trial which is subsequently interrupted due to inclement
8 weather, the field trial organization may complete the trial,
9 subject to the Department's approval, even though the field
10 trial season has ended. The field trial organization must
11 complete the trial on the first possible day or days. Field
12 trials for the retrieving breeds are exempt from these field
13 trials season provisions and shall have no closed season.

14 The fee for field trials shall be established by the
15 Department by rule.

16 (d) The Department is authorized to designate dog training
17 areas and to grant permits for all field trials including
18 those field trials where game birds reared under Section 3.23
19 are released and taken in accordance with the rules and
20 regulations set forth by the Department. Applications for
21 permits for such trials and training areas shall be
22 accompanied by detailed information as to the date and the
23 location of the grounds where such trial area or training
24 grounds is located. Applicants for field trial or dog training
25 permits must have the consent of the landowner prior to
26 applying for such permit. Fees and other regulations will be

1 set by administrative rule.

2 (e) All permits for designated dog training areas shall
3 expire March 31st of each year.

4 (f) Permit holders for designated dog training areas must
5 possess a wild game breeder's permit or a game breeding and
6 hunting preserve area permit and may utilize live bird recall
7 devices on such areas.

8 (g) Nothing shall prevent an individual from using a dog
9 in the taking of squirrel during the open season.

10 (h) All hand reared game released and shot at field trials
11 shall be properly identified with tags as provided for by this
12 Act and such birds shall be banded before they are removed from
13 the field trial area.

14 (Source: P.A. 102-237, eff. 1-1-22.)

15 Section 80. The Criminal Code of 2012 is amended by
16 changing Sections 24-1, 24-1.6, 24-1.9, 24-1.10, 24-2, and
17 24-3 as follows:

18 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

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

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

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

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

17 (3) Carries on or about his person or in any vehicle, a
18 tear gas gun projector or bomb or any object containing
19 noxious liquid gas or substance, other than an object
20 containing a non-lethal noxious liquid gas or substance
21 designed solely for personal defense carried by a person
22 18 years of age or older; or

23 (4) Carries or possesses in any vehicle or concealed
24 on or about his person except when on his land or in his
25 own abode, legal dwelling, or fixed place of business, or
26 on the land or in the legal dwelling of another person as

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

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

7 (ii) are not immediately accessible; or

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

12 (iv) are carried or possessed ~~in accordance with~~
13 ~~the Firearm Concealed Carry Act~~ by a person who has
14 been issued a currently valid Firearm Owner's
15 Identification Card under the Firearm Owners
16 Identification Card Act ~~license under the Firearm~~
17 ~~Concealed Carry Act~~; or

18 (5) Sets a spring gun; or

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

22 (7) Sells, manufactures, purchases, possesses or
23 carries:

24 (i) a machine gun, which shall be defined for the
25 purposes of this subsection as any weapon, which
26 shoots, is designed to shoot, or can be readily

1 restored to shoot, automatically more than one shot
2 without manually reloading by a single function of the
3 trigger, including the frame or receiver of any such
4 weapon, or sells, manufactures, purchases, possesses,
5 or carries any combination of parts designed or
6 intended for use in converting any weapon into a
7 machine gun, or any combination or parts from which a
8 machine gun can be assembled if such parts are in the
9 possession or under the control of a person;

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

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

22 (8) Carries or possesses any firearm, stun gun or
23 taser or other deadly weapon in any place which is
24 licensed to sell intoxicating beverages, or at any public
25 gathering held pursuant to a license issued by any
26 governmental body or any public gathering at which an

1 admission is charged, excluding a place where a showing,
2 demonstration or lecture involving the exhibition of
3 unloaded firearms is conducted.

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

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

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

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

1 (ii) are not immediately accessible; or
2 (iii) are unloaded and enclosed in a case, firearm
3 carrying box, shipping box, or other container by a
4 person who has been issued a currently valid Firearm
5 Owner's Identification Card; or
6 (iv) are carried or possessed in accordance with
7 the Firearm Owners Identification Card Act ~~Concealed~~
8 ~~Carry Act~~ by a person who has been issued a currently
9 valid ~~license under the~~ Firearm Owner's Identification
10 Card ~~Concealed Carry Act~~.

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

23 (11) Sells, manufactures, delivers, imports,
24 possesses, or purchases any assault weapon attachment or
25 .50 caliber cartridge in violation of Section 24-1.9 or
26 any explosive bullet. For purposes of this paragraph (a)

1 "explosive bullet" means the projectile portion of an
2 ammunition cartridge which contains or carries an
3 explosive charge which will explode upon contact with the
4 flesh of a human or an animal. "Cartridge" means a tubular
5 metal case having a projectile affixed at the front
6 thereof and a cap or primer at the rear end thereof, with
7 the propellant contained in such tube between the
8 projectile and the cap; or

9 (12) (Blank); or

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

18 (14) Manufactures, possesses, sells, or offers to
19 sell, purchase, manufacture, import, transfer, or use any
20 device, part, kit, tool, accessory, or combination of
21 parts that is designed to and functions to increase the
22 rate of fire of a semiautomatic firearm above the standard
23 rate of fire for semiautomatic firearms that is not
24 equipped with that device, part, or combination of parts;
25 or

26 (15) Carries or possesses any assault weapon or .50

1 caliber rifle in violation of Section 24-1.9; or

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

5 (b) Sentence. A person convicted of a violation of
6 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),
7 subsection 24-1(a)(11), subsection 24-1(a)(13), or 24-1(a)(15)
8 commits a Class A misdemeanor. A person convicted of a
9 violation of subsection 24-1(a)(8) or 24-1(a)(9) commits a
10 Class 4 felony; a person convicted of a violation of
11 subsection 24-1(a)(6), 24-1(a)(7)(ii), 24-1(a)(7)(iii), or
12 24-1(a)(16) commits a Class 3 felony. A person convicted of a
13 violation of subsection 24-1(a)(7)(i) commits a Class 2 felony
14 and shall be sentenced to a term of imprisonment of not less
15 than 3 years and not more than 7 years, unless the weapon is
16 possessed in the passenger compartment of a motor vehicle as
17 defined in Section 1-146 of the Illinois Vehicle Code, or on
18 the person, while the weapon is loaded, in which case it shall
19 be a Class X felony. A person convicted of a second or
20 subsequent violation of subsection 24-1(a)(4), 24-1(a)(8),
21 24-1(a)(9), 24-1(a)(10), or 24-1(a)(15) commits a Class 3
22 felony. A person convicted of a violation of subsection
23 24-1(a)(2.5) or 24-1(a)(14) commits a Class 2 felony. The
24 possession of each weapon or device in violation of this
25 Section constitutes a single and separate violation.

26 (c) Violations in specific places.

1 (1) A person who violates subsection 24-1(a)(6) or
2 24-1(a)(7) in any school, regardless of the time of day or
3 the time of year, in residential property owned, operated
4 or managed by a public housing agency or leased by a public
5 housing agency as part of a scattered site or mixed-income
6 development, in a public park, in a courthouse, on the
7 real property comprising any school, regardless of the
8 time of day or the time of year, on residential property
9 owned, operated or managed by a public housing agency or
10 leased by a public housing agency as part of a scattered
11 site or mixed-income development, on the real property
12 comprising any public park, on the real property
13 comprising any courthouse, in any conveyance owned, leased
14 or contracted by a school to transport students to or from
15 school or a school related activity, in any conveyance
16 owned, leased, or contracted by a public transportation
17 agency, or on any public way within 1,000 feet of the real
18 property comprising any school, public park, courthouse,
19 public transportation facility, or 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 commits a Class 2 felony
23 and shall be sentenced to a term of imprisonment of not
24 less than 3 years and not more than 7 years.

25 (1.5) A person who violates subsection 24-1(a)(4),
26 24-1(a)(9), or 24-1(a)(10) in any school, regardless of

1 the time of day or the time of year, in residential
2 property owned, operated, or managed by a public housing
3 agency or leased by a public housing agency as part of a
4 scattered site or mixed-income development, in a public
5 park, in a courthouse, on the real property comprising any
6 school, regardless of the time of day or the time of year,
7 on residential property owned, operated, or managed by a
8 public housing agency or leased by a public housing agency
9 as part of a scattered site or mixed-income development,
10 on the real property comprising any public park, on the
11 real property comprising any courthouse, in any conveyance
12 owned, leased, or contracted by a school to transport
13 students to or from school or a school related activity,
14 in any conveyance owned, leased, or contracted by a public
15 transportation agency, or on any public way within 1,000
16 feet of the real property comprising any school, public
17 park, courthouse, public transportation facility, or
18 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 commits a Class 3 felony.

22 (2) A person who violates subsection 24-1(a)(1),
23 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the
24 time of day or the time of year, in residential property
25 owned, operated or managed by a public housing agency or
26 leased by a public housing agency as part of a scattered

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

21 (3) Paragraphs (1), (1.5), and (2) of this subsection
22 (c) shall not apply to law enforcement officers or
23 security officers of such school, college, or university
24 or to students carrying or possessing firearms for use in
25 training courses, parades, hunting, target shooting on
26 school ranges, or otherwise with the consent of school

1 authorities and which firearms are transported unloaded
2 enclosed in a suitable case, box, or transportation
3 package.

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

7 (5) For the purposes of this subsection (c), "public
8 transportation agency" means a public or private agency
9 that provides for the transportation or conveyance of
10 persons by means available to the general public, except
11 for transportation by automobiles not used for conveyance
12 of the general public as passengers; and "public
13 transportation facility" means a terminal or other place
14 where one may obtain public transportation.

15 (d) The presence in an automobile other than a public
16 omnibus of any weapon, instrument or substance referred to in
17 subsection (a)(7) is prima facie evidence that it is in the
18 possession of, and is being carried by, all persons occupying
19 such automobile at the time such weapon, instrument or
20 substance is found, except under the following circumstances:
21 (i) if such weapon, instrument or instrumentality is found
22 upon the person of one of the occupants therein; or (ii) if
23 such weapon, instrument or substance is found in an automobile
24 operated for hire by a duly licensed driver in the due, lawful
25 and proper pursuit of his or her trade, then such presumption
26 shall not apply to the driver.

1 (e) Exemptions.

2 (1) Crossbows, Common or Compound bows and Underwater
3 Spearguns are exempted from the definition of ballistic
4 knife as defined in paragraph (1) of subsection (a) of
5 this Section.

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

17 (Source: P.A. 101-223, eff. 1-1-20; 102-538, eff. 8-20-21;
18 102-1116, eff. 1-10-23.)

19 (720 ILCS 5/24-1.6)

20 Sec. 24-1.6. Aggravated unlawful use of a weapon.

21 (a) A person commits the offense of aggravated unlawful
22 use of a weapon when he or she knowingly:

23 (1) Carries on or about his or her person or in any
24 vehicle or concealed on or about his or her person except
25 when on his or her land or in his or her abode, legal

1 dwelling, or fixed place of business, or on the land or in
2 the legal dwelling of another person as an invitee with
3 that person's permission, any pistol, revolver, stun gun
4 or taser or other firearm; or

5 (2) Carries or possesses on or about his or her
6 person, upon any public street, alley, or other public
7 lands within the corporate limits of a city, village or
8 incorporated town, except when an invitee thereon or
9 therein, for the purpose of the display of such weapon or
10 the lawful commerce in weapons, or except when on his or
11 her own land or in his or her own abode, legal dwelling, or
12 fixed place of business, or on the land or in the legal
13 dwelling of another person as an invitee with that
14 person's permission, any pistol, revolver, stun gun or
15 taser or other firearm; and

16 (3) One of the following factors is present:

17 (A) the firearm, other than a pistol, revolver, or
18 handgun, possessed was uncased, loaded, and
19 immediately accessible at the time of the offense; or

20 (A-5) the pistol, revolver, or handgun possessed
21 was uncased, loaded, and immediately accessible at the
22 time of the offense and the person possessing the
23 pistol, revolver, or handgun has not been issued a
24 currently valid Firearm Owner's Identification Card
25 under the Firearm Owners Identification Card license
26 ~~under the Firearm Concealed Carry Act~~; or

1 (B) the firearm, other than a pistol, revolver, or
2 handgun, possessed was uncased, unloaded, and the
3 ammunition for the weapon was immediately accessible
4 at the time of the offense; or

5 (B-5) the pistol, revolver, or handgun possessed
6 was uncased, unloaded, and the ammunition for the
7 weapon was immediately accessible at the time of the
8 offense and the person possessing the pistol,
9 revolver, or handgun has not been issued a currently
10 valid Firearm Owner's Identification Card under the
11 Firearm Owners Identification Card ~~license under the~~
12 ~~Firearm Concealed Carry Act~~; or

13 (C) the person possessing the firearm has not been
14 issued a currently valid Firearm Owner's
15 Identification Card; or

16 (D) the person possessing the weapon was
17 previously adjudicated a delinquent minor under the
18 Juvenile Court Act of 1987 for an act that if committed
19 by an adult would be a felony; or

20 (E) the person possessing the weapon was engaged
21 in a misdemeanor violation of the Cannabis Control
22 Act, in a misdemeanor violation of the Illinois
23 Controlled Substances Act, or in a misdemeanor
24 violation of the Methamphetamine Control and Community
25 Protection Act; or

26 (F) (blank); or

1 (G) the person possessing the weapon had an order
2 of protection issued against him or her within the
3 previous 2 years; or

4 (H) the person possessing the weapon was engaged
5 in the commission or attempted commission of a
6 misdemeanor involving the use or threat of violence
7 against the person or property of another; or

8 (I) the person possessing the weapon was under 21
9 years of age and in possession of a handgun, unless the
10 person under 21 is engaged in lawful activities under
11 the Wildlife Code or described in subsection
12 24-2(b) (1), (b) (3), or 24-2(f).

13 (a-5) "Handgun" as used in this Section has the meaning
14 given to it in Section 13.1 of the Firearm Owners
15 Identification Card ~~Section 5 of the Firearm Concealed Carry~~
16 Act.

17 (b) "Stun gun or taser" as used in this Section has the
18 same definition given to it in Section 24-1 of this Code.

19 (c) This Section does not apply to or affect the
20 transportation or possession of weapons that:

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

22 (ii) are not immediately accessible; or

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

1 (d) Sentence.

2 (1) Aggravated unlawful use of a weapon is a Class 4
3 felony; a second or subsequent offense is a Class 2 felony
4 for which the person shall be sentenced to a term of
5 imprisonment of not less than 3 years and not more than 7
6 years, except as provided for in Section 5-4.5-110 of the
7 Unified Code of Corrections.

8 (2) Except as otherwise provided in paragraphs (3) and
9 (4) of this subsection (d), a first offense of aggravated
10 unlawful use of a weapon committed with a firearm by a
11 person 18 years of age or older where the factors listed in
12 both items (A) and (C) or both items (A-5) and (C) of
13 paragraph (3) of subsection (a) are present is a Class 4
14 felony, for which the person shall be sentenced to a term
15 of imprisonment of not less than one year and not more than
16 3 years.

17 (3) Aggravated unlawful use of a weapon by a person
18 who has been previously convicted of a felony in this
19 State or another jurisdiction is a Class 2 felony for
20 which the person shall be sentenced to a term of
21 imprisonment of not less than 3 years and not more than 7
22 years, except as provided for in Section 5-4.5-110 of the
23 Unified Code of Corrections.

24 (4) Aggravated unlawful use of a weapon while wearing
25 or in possession of body armor as defined in Section 33F-1
26 by a person who has not been issued a valid Firearms

1 Owner's Identification Card in accordance with Section 5
2 of the Firearm Owners Identification Card Act is a Class X
3 felony.

4 (e) The possession of each firearm in violation of this
5 Section constitutes a single and separate violation.

6 (Source: P.A. 100-3, eff. 1-1-18; 100-201, eff. 8-18-17.)

7 (720 ILCS 5/24-1.9)

8 Sec. 24-1.9. Manufacture, possession, delivery, sale, and
9 purchase of assault weapons, .50 caliber rifles, and .50
10 caliber cartridges.

11 (a) Definitions. In this Section:

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

14 (A) A semiautomatic rifle that has the capacity to
15 accept a detachable magazine or that may be readily
16 modified to accept a detachable magazine, if the firearm
17 has one or more of the following:

18 (i) a pistol grip or thumbhole stock;

19 (ii) any feature capable of functioning as a
20 protruding grip that can be held by the non-trigger
21 hand;

22 (iii) a folding, telescoping, thumbhole, or
23 detachable stock, or a stock that is otherwise
24 foldable or adjustable in a manner that operates to
25 reduce the length, size, or any other dimension, or

1 otherwise enhances the concealability of, the weapon;

2 (iv) a flash suppressor;

3 (v) a grenade launcher;

4 (vi) a shroud attached to the barrel or that
5 partially or completely encircles the barrel, allowing
6 the bearer to hold the firearm with the non-trigger
7 hand without being burned, but excluding a slide that
8 encloses the barrel.

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

14 (C) A semiautomatic pistol that has the capacity to
15 accept a detachable magazine or that may be readily
16 modified to accept a detachable magazine, if the firearm
17 has one or more of the following:

18 (i) a threaded barrel;

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

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

1 (iv) a flash suppressor;

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

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

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

10 (E) Any shotgun with a revolving cylinder.

11 (F) A semiautomatic shotgun that has one or more of
12 the following:

13 (i) a pistol grip or thumbhole stock;

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

17 (iii) a folding or thumbhole stock;

18 (iv) a grenade launcher;

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

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

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

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

26 (I) Any part or combination of parts designed or

1 intended to convert a firearm into an assault weapon,
2 including any combination of parts from which an assault
3 weapon may be readily assembled if those parts are in the
4 possession or under the control of the same person.

5 (J) All of the following rifles, copies, duplicates,
6 variants, or altered facsimiles with the capability of any
7 such weapon:

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

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

12 (II) IZHMAASH Saiga AK.

13 (III) MAADI AK47 and ARM.

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

15 (V) Poly Technologies AK47 and AKS.

16 (VI) SKS with a detachable magazine.

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

18 (I) AR-10.

19 (II) AR-15.

20 (III) Alexander Arms Overmatch Plus 16.

21 (IV) Armalite M15 22LR Carbine.

22 (V) Armalite M15-T.

23 (VI) Barrett REC7.

24 (VII) Beretta AR-70.

25 (VIII) Black Rain Ordnance Recon Scout.

26 (IX) Bushmaster ACR.

- 1 (X) Bushmaster Carbon 15.
- 2 (XI) Bushmaster MOE series.
- 3 (XII) Bushmaster XM15.
- 4 (XIII) Chiappa Firearms MFour rifles.
- 5 (XIV) Colt Match Target rifles.
- 6 (XV) CORE Rifle Systems CORE15 rifles.
- 7 (XVI) Daniel Defense M4A1 rifles.
- 8 (XVII) Devil Dog Arms 15 Series rifles.
- 9 (XVIII) Diamondback DB15 rifles.
- 10 (XIX) DoubleStar AR rifles.
- 11 (XX) DPMS Tactical rifles.
- 12 (XXI) DSA Inc. ZM-4 Carbine.
- 13 (XXII) Heckler & Koch MR556.
- 14 (XXIII) High Standard HSA-15 rifles.
- 15 (XXIV) Jesse James Nomad AR-15 rifle.
- 16 (XXV) Knight's Armament SR-15.
- 17 (XXVI) Lancer L15 rifles.
- 18 (XXVII) MGI Hydra Series rifles.
- 19 (XXVIII) Mossberg MMR Tactical rifles.
- 20 (XXIX) Noreen Firearms BN 36 rifle.
- 21 (XXX) Olympic Arms.
- 22 (XXXI) POF USA P415.
- 23 (XXXII) Precision Firearms AR rifles.
- 24 (XXXIII) Remington R-15 rifles.
- 25 (XXXIV) Rhino Arms AR rifles.
- 26 (XXXV) Rock River Arms LAR-15 or Rock River

1 Arms LAR-47.

2 (XXXVI) Sig Sauer SIG516 rifles and MCX
3 rifles.

4 (XXXVII) Smith & Wesson M&P15 rifles.

5 (XXXVIII) Stag Arms AR rifles.

6 (XXXIX) Sturm, Ruger & Co. SR556 and AR-556
7 rifles.

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

9 (XLI) Windham Weaponry AR rifles.

10 (XLII) WMD Guns Big Beast.

11 (XLIII) Yankee Hill Machine Company, Inc.
12 YHM-15 rifles.

13 (iii) Barrett M107A1.

14 (iv) Barrett M82A1.

15 (v) Beretta CX4 Storm.

16 (vi) Calico Liberty Series.

17 (vii) CETME Sporter.

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

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

22 (x) Feather Industries AT-9.

23 (xi) Galil Model AR and Model ARM.

24 (xii) Hi-Point Carbine.

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

26 (xiv) IWI TAVOR, Galil ACE rifle.

- 1 (xv) Kel-Tec Sub-2000, SU-16, and RFB.
- 2 (xvi) SIG AMT, SIG PE-57, Sig Sauer SG 550, Sig
3 Sauer SG 551, and SIG MCX.
- 4 (xvii) Springfield Armory SAR-48.
- 5 (xviii) Steyr AUG.
- 6 (xix) Sturm, Ruger & Co. Mini-14 Tactical Rifle
7 M-14/20CF.
- 8 (xx) All Thompson rifles, including the following:
- 9 (I) Thompson M1SB.
- 10 (II) Thompson T1100D.
- 11 (III) Thompson T150D.
- 12 (IV) Thompson T1B.
- 13 (V) Thompson T1B100D.
- 14 (VI) Thompson T1B50D.
- 15 (VII) Thompson T1BSB.
- 16 (VIII) Thompson T1-C.
- 17 (IX) Thompson T1D.
- 18 (X) Thompson T1SB.
- 19 (XI) Thompson T5.
- 20 (XII) Thompson T5100D.
- 21 (XIII) Thompson TM1.
- 22 (XIV) Thompson TM1C.
- 23 (xxi) UMAREX UZI rifle.
- 24 (xxii) UZI Mini Carbine, UZI Model A Carbine, and
25 UZI Model B Carbine.
- 26 (xxiii) Valmet M62S, M71S, and M78.

1 (xxiv) Vector Arms UZI Type.

2 (xxv) Weaver Arms Nighthawk.

3 (xxvi) Wilkinson Arms Linda Carbine.

4 (K) All of the following pistols, copies, duplicates,
5 variants, or altered facsimiles with the capability of any
6 such weapon thereof:

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

8 (I) Centurion 39 AK pistol.

9 (II) CZ Scorpion pistol.

10 (III) Draco AK-47 pistol.

11 (IV) HCR AK-47 pistol.

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

13 (VI) Krinkov pistol.

14 (VII) Mini Draco AK-47 pistol.

15 (VIII) PAP M92 pistol.

16 (IX) Yugo Krebs Krink pistol.

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

18 (I) American Spirit AR-15 pistol.

19 (II) Bushmaster Carbon 15 pistol.

20 (III) Chiappa Firearms M4 Pistol GEN II.

21 (IV) CORE Rifle Systems CORE15 Roscoe pistol.

22 (V) Daniel Defense MK18 pistol.

23 (VI) DoubleStar Corporation AR pistol.

24 (VII) DPMS AR-15 pistol.

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

26 (IX) Olympic Arms AR-15 pistol.

- 1 (X) Osprey Armament MK-18 pistol.
- 2 (XI) POF USA AR pistols.
- 3 (XII) Rock River Arms LAR 15 pistol.
- 4 (XIII) Uselton Arms Air-Lite M-4 pistol.
- 5 (iii) Calico pistols.
- 6 (iv) DSA SA58 PKP FAL pistol.
- 7 (v) Encom MP-9 and MP-45.
- 8 (vi) Heckler & Koch model SP-89 pistol.
- 9 (vii) Intratec AB-10, TEC-22 Scorpion, TEC-9, and
10 TEC-DC9.
- 11 (viii) IWI Galil Ace pistol, UZI PRO pistol.
- 12 (ix) Kel-Tec PLR 16 pistol.
- 13 (x) All MAC types, including the following:
- 14 (I) MAC-10.
- 15 (II) MAC-11.
- 16 (III) Masterpiece Arms MPA A930 Mini Pistol,
17 MPA460 Pistol, MPA Tactical Pistol, and MPA Mini
18 Tactical Pistol.
- 19 (IV) Military Armament Corp. Ingram M-11.
- 20 (V) Velocity Arms VMAC.
- 21 (xi) Sig Sauer P556 pistol.
- 22 (xii) Sites Spectre.
- 23 (xiii) All Thompson types, including the
24 following:
- 25 (I) Thompson TA510D.
- 26 (II) Thompson TA5.

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

2 (L) All of the following shotguns, copies, duplicates,
3 variants, or altered facsimiles with the capability of any
4 such weapon thereof:

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

6 (ii) Doruk Lethal shotguns.

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

8 (iv) All IZHMASH Saiga 12 types, including the
9 following:

10 (I) IZHMASH Saiga 12.

11 (II) IZHMASH Saiga 12S.

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

13 (IV) IZHMASH Saiga 12K.

14 (V) IZHMASH Saiga 12K-030.

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

16 (v) Streetsweeper.

17 (vi) Striker 12.

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

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

21 (B) An antique firearm or a replica of an antique
22 firearm.

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

26 (D) Any air rifle as defined in Section 24.8-0.1 of

1 this Code.

2 (E) Any handgun, as defined under Section 13.1 of the
3 Firearm Owners Identification Card Act ~~the Firearm~~
4 ~~Concealed Carry Act~~, unless otherwise listed in this
5 Section.

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

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

12 (5) ".50 caliber rifle" means a centerfire rifle capable
13 of firing a .50 caliber cartridge. The term does not include
14 any antique firearm, any shotgun including a shotgun that has
15 a rifle barrel, or any muzzle-loader which uses black powder
16 for hunting or historical reenactments.

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

26 (7) "Detachable magazine" means an ammunition feeding

1 device that may be removed from a firearm without disassembly
2 of the firearm action, including an ammunition feeding device
3 that may be readily removed from a firearm with the use of a
4 bullet, cartridge, accessory, or other tool, or any other
5 object that functions as a tool, including a bullet or
6 cartridge.

7 (8) "Fixed magazine" means an ammunition feeding device
8 that is permanently attached to a firearm, or contained in and
9 not removable from a firearm, or that is otherwise not a
10 detachable magazine, but does not include an attached tubular
11 device designed to accept, and capable of operating only with,
12 .22 caliber rimfire ammunition.

13 (b) Except as provided in subsections (c), (d), and (e),
14 on or after January 10, 2023 (the effective date of Public Act
15 102-1116) ~~this amendatory Act of the 102nd General Assembly,~~
16 it is unlawful for any person within this State to knowingly
17 manufacture, deliver, sell, import, or purchase or cause to be
18 manufactured, delivered, sold, imported, or purchased by
19 another, an assault weapon, assault weapon attachment, .50
20 caliber rifle, or .50 caliber cartridge.

21 (c) Except as otherwise provided in subsection (d),
22 beginning January 1, 2024, it is unlawful for any person
23 within this State to knowingly possess an assault weapon,
24 assault weapon attachment, .50 caliber rifle, or .50 caliber
25 cartridge.

26 (d) This Section does not apply to a person's possession

1 of an assault weapon, assault weapon attachment, .50 caliber
2 rifle, or .50 caliber cartridge device if the person lawfully
3 possessed that assault weapon, assault weapon attachment, .50
4 caliber rifle, or .50 caliber cartridge prohibited by
5 subsection (c) of this Section, if the person has provided in
6 an endorsement affidavit, prior to January 1, 2024, under oath
7 or affirmation and in the form and manner prescribed by the
8 Illinois State Police, no later than October 1, 2023:

9 (1) the affiant's Firearm Owner's Identification Card
10 number;

11 (2) an affirmation that the affiant: (i) possessed an
12 assault weapon, assault weapon attachment, .50 caliber
13 rifle, or .50 caliber cartridge before January 10, 2023
14 (the effective date of Public Act 102-1116) ~~this~~
15 ~~amendatory Act of the 102nd General Assembly~~; or (ii)
16 inherited the assault weapon, assault weapon attachment,
17 .50 caliber rifle, or .50 caliber cartridge from a person
18 with an endorsement under this Section or from a person
19 authorized under subdivisions (1) through (5) of
20 subsection (e) to possess the assault weapon, assault
21 weapon attachment, .50 caliber rifle, or .50 caliber
22 cartridge; and

23 (3) the make, model, caliber, and serial number of the
24 .50 caliber rifle or assault weapon or assault weapons
25 listed in paragraphs (J), (K), and (L) of subdivision (1)
26 of subsection (a) of this Section possessed by the affiant

1 prior to January 10, 2023 (the effective date of Public
2 Act 102-1116) ~~this amendatory Act of the 102nd General~~
3 ~~Assembly~~ and any assault weapons identified and published
4 by the Illinois State Police pursuant to this subdivision
5 (3). No later than October 1, 2023, and every October 1
6 thereafter, the Illinois State Police shall, via
7 rulemaking, identify, publish, and make available on its
8 website, the list of assault weapons subject to an
9 endorsement affidavit under this subsection (d). The list
10 shall identify, but is not limited to, the copies,
11 duplicates, variants, and altered facsimiles of the
12 assault weapons identified in paragraphs (J), (K), and (L)
13 of subdivision (1) of subsection (a) of this Section and
14 shall be consistent with the definition of "assault
15 weapon" identified in this Section. The Illinois State
16 Police may adopt emergency rulemaking in accordance with
17 Section 5-45 of the Illinois Administrative Procedure Act.
18 The adoption of emergency rules authorized by Section 5-45
19 of the Illinois Administrative Procedure Act and this
20 paragraph is deemed to be necessary for the public
21 interest, safety, and welfare.

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

1 In any administrative, civil, or criminal proceeding in
2 this State, a completed endorsement affidavit submitted to the
3 Illinois State Police by a person under this Section creates a
4 rebuttable presumption that the person is entitled to possess
5 and transport the assault weapon, assault weapon attachment,
6 .50 caliber rifle, or .50 caliber cartridge.

7 Beginning 90 days after January 10, 2023 (the effective
8 date of Public Act 102-1116) ~~this amendatory Act of the 102nd~~
9 ~~General Assembly~~, a person authorized under this Section to
10 possess an assault weapon, assault weapon attachment, .50
11 caliber rifle, or .50 caliber cartridge shall possess such
12 items only:

13 (1) on private property owned or immediately
14 controlled by the person;

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

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

20 (4) while engaged in the legal use of the assault
21 weapon, assault weapon attachment, .50 caliber rifle, or
22 .50 caliber cartridge at a properly licensed firing range
23 or sport shooting competition venue; or

24 (5) while traveling to or from these locations,
25 provided that the assault weapon, assault weapon
26 attachment, or .50 caliber rifle is unloaded and the

1 assault weapon, assault weapon attachment, .50 caliber
2 rifle, or .50 caliber cartridge is enclosed in a case,
3 firearm carrying box, shipping box, or other container.

4 Beginning on January 1, 2024, the person with the
5 endorsement for an assault weapon, assault weapon attachment,
6 .50 caliber rifle, or .50 caliber cartridge or a person
7 authorized under subdivisions (1) through (5) of subsection
8 (e) to possess an assault weapon, assault weapon attachment,
9 .50 caliber rifle, or .50 caliber cartridge may transfer the
10 assault weapon, assault weapon attachment, .50 caliber rifle,
11 or .50 caliber cartridge only to an heir, an individual
12 residing in another state maintaining it in another state, or
13 a dealer licensed as a federal firearms dealer under Section
14 923 of the federal Gun Control Act of 1968. Within 10 days
15 after transfer of the weapon except to an heir, the person
16 shall notify the Illinois State Police of the name and address
17 of the transferee and comply with the requirements of
18 subsection (b) of Section 3 of the Firearm Owners
19 Identification Card Act. The person to whom the weapon or
20 ammunition is transferred shall, within 60 days of the
21 transfer, complete an affidavit required under this Section. A
22 person to whom the weapon is transferred may transfer it only
23 as provided in this subsection.

24 Except as provided in subsection (e) and beginning on
25 January 1, 2024, any person who moves into this State in
26 possession of an assault weapon, assault weapon attachment,

1 .50 caliber rifle, or .50 caliber cartridge shall, within 60
2 days, apply for a Firearm Owners Identification Card and
3 complete an endorsement application as outlined in subsection
4 (d).

5 Notwithstanding any other law, information contained in
6 the endorsement affidavit shall be confidential, is exempt
7 from disclosure under the Freedom of Information Act, and
8 shall not be disclosed, except to law enforcement agencies
9 acting in the performance of their duties.

10 (e) The provisions of this Section regarding the purchase
11 or possession of assault weapons, assault weapon attachments,
12 .50 caliber rifles, and .50 cartridges, as well as the
13 provisions of this Section that prohibit causing those items
14 to be purchased or possessed, do not apply to:

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

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

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

25 (4) Wardens, superintendents, and keepers of prisons,
26 penitentiaries, jails, and other institutions for the

1 detention of persons accused or convicted of an offense.

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

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

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

25 The provisions of this Section do not apply to the
26 manufacture, delivery, sale, import, purchase, or possession

1 of an assault weapon, assault weapon attachment, .50 caliber
2 rifle, or .50 caliber cartridge or causing the manufacture,
3 delivery, sale, importation, purchase, or possession of those
4 items:

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

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

10 (C) for sale or transfer in another state or for
11 export.

12 This Section does not apply to or affect any of the
13 following:

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

1 or target shooting coach is engaging in those practices or
2 events. For the purposes of this paragraph (8), "firearm"
3 has the meaning provided in Section 1.1 of the Firearm
4 Owners Identification Card Act.

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

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

26 (iv) Possession of a weapon only for hunting use

1 expressly permitted under the Wildlife Code, or while
2 traveling to or from a location authorized for this
3 hunting use under the Wildlife Code if the weapon is
4 broken down in a nonfunctioning state, is not immediately
5 accessible, or is unloaded and enclosed in a firearm case,
6 carrying box, shipping box, or other similar portable
7 container designed for the safe transportation of
8 firearms. By October 1, 2023, the Illinois State Police,
9 in consultation with the Department of Natural Resources,
10 shall adopt rules concerning the list of applicable
11 weapons approved under this subparagraph (iv). The
12 Illinois State Police may adopt emergency rules in
13 accordance with Section 5-45 of the Illinois
14 Administrative Procedure Act. The adoption of emergency
15 rules authorized by Section 5-45 of the Illinois
16 Administrative Procedure Act and this paragraph is deemed
17 to be necessary for the public interest, safety, and
18 welfare.

19 (v) The manufacture, transportation, possession, sale,
20 or rental of blank-firing assault weapons and .50 caliber
21 rifles, or the weapon's respective attachments, to persons
22 authorized or permitted, or both authorized and permitted,
23 to acquire and possess these weapons or attachments for
24 the purpose of rental for use solely as props for a motion
25 picture, television, or video production or entertainment
26 event.

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

3 (f) Any sale or transfer with a background check initiated
4 to the Illinois State Police on or before January 10, 2023 (the
5 effective date of Public Act 102-1116) ~~this amendatory Act of~~
6 ~~the 102nd General Assembly~~ is allowed to be completed after
7 January 10, 2023 ~~the effective date of this amendatory Act~~
8 once an approval is issued by the Illinois State Police and any
9 applicable waiting period under Section 24-3 has expired.

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

13 (h) The Illinois ~~Department of the~~ State Police shall also
14 develop and implement a public notice and public outreach
15 campaign to promote awareness about the provisions of Public
16 Act 102-1116 ~~this amendatory Act of the 102nd General Assembly~~
17 and to increase compliance with this Section.

18 (Source: P.A. 102-1116, eff. 1-10-23; revised 4-6-23.)

19 (720 ILCS 5/24-1.10)

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

22 (a) In this Section:

23 "Handgun" has the meaning ascribed to it in Section 13.1
24 of the Firearm Owners Identification Card Act ~~the Firearm~~
25 ~~Concealed Carry Act.~~

1 "Long gun" means a rifle or shotgun.

2 "Large capacity ammunition feeding device" means:

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

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

10 "Large capacity ammunition feeding device" does not
11 include an attached tubular device designed to accept, and
12 capable of operating only with, .22 caliber rimfire
13 ammunition. "Large capacity ammunition feeding device" does
14 not include a tubular magazine that is contained in a
15 lever-action firearm or any device that has been made
16 permanently inoperable.

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

22 (c) Except as provided in subsections (d), (e), and (f),
23 and beginning 90 days after January 10, 2023 (the effective
24 date of Public Act 102-1116) ~~this amendatory Act of the 102nd~~
25 ~~General Assembly~~, it is unlawful to knowingly possess a large
26 capacity ammunition feeding device.

1 (d) Subsection (c) does not apply to a person's possession
2 of a large capacity ammunition feeding device if the person
3 lawfully possessed that large capacity ammunition feeding
4 device before January 10, 2023 (the effective date of Public
5 Act 102-1116) ~~this amendatory Act of the 102nd General~~
6 ~~Assembly~~, provided that the person shall possess such device
7 only:

8 (1) on private property owned or immediately
9 controlled by the person;

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

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

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

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

22 A person authorized under this Section to possess a large
23 capacity ammunition feeding device may transfer the large
24 capacity ammunition feeding device only to an heir, an
25 individual residing in another state maintaining it in another
26 state, or a dealer licensed as a federal firearms dealer under

1 Section 923 of the federal Gun Control Act of 1968. Within 10
2 days after transfer of the large capacity ammunition feeding
3 device except to an heir, the person shall notify the Illinois
4 State Police of the name and address of the transferee and
5 comply with the requirements of subsection (b) of Section 3 of
6 the Firearm Owners Identification Card Act. The person to whom
7 the large capacity ammunition feeding device is transferred
8 shall, within 60 days of the transfer, notify the Illinois
9 State Police of the person's acquisition and comply with the
10 requirements of subsection (b) of Section 3 of the Firearm
11 Owners Identification Card Act. A person to whom the large
12 capacity ammunition feeding device is transferred may transfer
13 it only as provided in this subsection.

14 Except as provided in subsections (e) and (f) and
15 beginning 90 days after January 10, 2023 (the effective date
16 of Public Act 102-1116) ~~this amendatory Act of the 102nd~~
17 ~~General Assembly~~, any person who moves into this State in
18 possession of a large capacity ammunition feeding device
19 shall, within 60 days, apply for a Firearm Owners
20 Identification Card.

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

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

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

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

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

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

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

26 (7) Any private security contractor agency licensed

1 under the Private Detective, Private Alarm, Private
2 Security, Fingerprint Vendor, and Locksmith Act of 2004
3 that employs private security contractors and any private
4 security contractor who is licensed and has been issued a
5 firearm control card under the Private Detective, Private
6 Alarm, Private Security, Fingerprint Vendor, and Locksmith
7 Act of 2004 while performing official duties.

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

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

14 (A) for sale or transfer to persons authorized
15 under subdivisions (1) through (7) of subsection (e)
16 to possess those items;

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

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

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

1 entertainment event.

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

10 (h) The Illinois ~~Department of the~~ State Police shall also
11 develop and implement a public notice and public outreach
12 campaign to promote awareness about the provisions of Public
13 Act 102-1116 ~~this amendatory Act of the 102nd General Assembly~~
14 and to increase compliance with this Section.

15 (Source: P.A. 102-1116, eff. 1-10-23; revised 4-6-23.)

16 (720 ILCS 5/24-2)

17 Sec. 24-2. Exemptions.

18 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
19 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
20 the following:

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

24 (2) Wardens, superintendents and keepers of prisons,
25 penitentiaries, jails and other institutions for the

1 detention of persons accused or convicted of an offense,
2 while in the performance of their official duty, or while
3 commuting between their homes and places of employment.

4 (3) Members of the Armed Services or Reserve Forces of
5 the United States or the Illinois National Guard or the
6 Reserve Officers Training Corps, while in the performance
7 of their official duty.

8 (4) Special agents employed by a railroad or a public
9 utility to perform police functions, and guards of armored
10 car companies, while actually engaged in the performance
11 of the duties of their employment or commuting between
12 their homes and places of employment; and watchmen while
13 actually engaged in the performance of the duties of their
14 employment.

15 (5) Persons licensed as private security contractors,
16 private detectives, or private alarm contractors, or
17 employed by a private security contractor, private
18 detective, or private alarm contractor agency licensed by
19 the Department of Financial and Professional Regulation,
20 if their duties include the carrying of a weapon under the
21 provisions of the Private Detective, Private Alarm,
22 Private Security, Fingerprint Vendor, and Locksmith Act of
23 2004, while actually engaged in the performance of the
24 duties of their employment or commuting between their
25 homes and places of employment. A person shall be
26 considered eligible for this exemption if he or she has

1 completed the required 20 hours of training for a private
2 security contractor, private detective, or private alarm
3 contractor, or employee of a licensed private security
4 contractor, private detective, or private alarm contractor
5 agency and 28 hours of required firearm training, and has
6 been issued a firearm control card by the Department of
7 Financial and Professional Regulation. Conditions for the
8 renewal of firearm control cards issued under the
9 provisions of this Section shall be the same as for those
10 cards issued under the provisions of the Private
11 Detective, Private Alarm, Private Security, Fingerprint
12 Vendor, and Locksmith Act of 2004. The firearm control
13 card shall be carried by the private security contractor,
14 private detective, or private alarm contractor, or
15 employee of the licensed private security contractor,
16 private detective, or private alarm contractor agency at
17 all times when he or she is in possession of a concealable
18 weapon permitted by his or her firearm control card.

19 (6) Any person regularly employed in a commercial or
20 industrial operation as a security guard for the
21 protection of persons employed and private property
22 related to such commercial or industrial operation, while
23 actually engaged in the performance of his or her duty or
24 traveling between sites or properties belonging to the
25 employer, and who, as a security guard, is a member of a
26 security force registered with the Department of Financial

1 and Professional Regulation; provided that such security
2 guard has successfully completed a course of study,
3 approved by and supervised by the Department of Financial
4 and Professional Regulation, consisting of not less than
5 48 hours of training that includes the theory of law
6 enforcement, liability for acts, and the handling of
7 weapons. A person shall be considered eligible for this
8 exemption if he or she has completed the required 20 hours
9 of training for a security officer and 28 hours of
10 required firearm training, and has been issued a firearm
11 control card by the Department of Financial and
12 Professional Regulation. Conditions for the renewal of
13 firearm control cards issued under the provisions of this
14 Section shall be the same as for those cards issued under
15 the provisions of the Private Detective, Private Alarm,
16 Private Security, Fingerprint Vendor, and Locksmith Act of
17 2004. The firearm control card shall be carried by the
18 security guard at all times when he or she is in possession
19 of a concealable weapon permitted by his or her firearm
20 control card.

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

26 (8) Persons employed by a financial institution as a

1 security guard for the protection of other employees and
2 property related to such financial institution, while
3 actually engaged in the performance of their duties,
4 commuting between their homes and places of employment, or
5 traveling between sites or properties owned or operated by
6 such financial institution, and who, as a security guard,
7 is a member of a security force registered with the
8 Department; provided that any person so employed has
9 successfully completed a course of study, approved by and
10 supervised by the Department of Financial and Professional
11 Regulation, consisting of not less than 48 hours of
12 training which includes theory of law enforcement,
13 liability for acts, and the handling of weapons. A person
14 shall be considered to be eligible for this exemption if
15 he or she has completed the required 20 hours of training
16 for a security officer and 28 hours of required firearm
17 training, and has been issued a firearm control card by
18 the Department of Financial and Professional Regulation.
19 Conditions for renewal of firearm control cards issued
20 under the provisions of this Section shall be the same as
21 for those issued under the provisions of the Private
22 Detective, Private Alarm, Private Security, Fingerprint
23 Vendor, and Locksmith Act of 2004. The firearm control
24 card shall be carried by the security guard at all times
25 when he or she is in possession of a concealable weapon
26 permitted by his or her firearm control card. For purposes

1 of this subsection, "financial institution" means a bank,
2 savings and loan association, credit union or company
3 providing armored car services.

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

7 (10) Persons who have been classified as peace
8 officers pursuant to the Peace Officer Fire Investigation
9 Act.

10 (11) Investigators of the Office of the State's
11 Attorneys Appellate Prosecutor authorized by the board of
12 governors of the Office of the State's Attorneys Appellate
13 Prosecutor to carry weapons pursuant to Section 7.06 of
14 the State's Attorneys Appellate Prosecutor's Act.

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

17 (12.5) Probation officers while in the performance of
18 their duties, or while commuting between their homes,
19 places of employment or specific locations that are part
20 of their assigned duties, with the consent of the chief
21 judge of the circuit for which they are employed, if they
22 have received weapons training according to requirements
23 of the Peace Officer and Probation Officer Firearm
24 Training Act.

25 (13) Court Security Officers while in the performance
26 of their official duties, or while commuting between their

1 homes and places of employment, with the consent of the
2 Sheriff.

3 (13.5) A person employed as an armed security guard at
4 a nuclear energy, storage, weapons or development site or
5 facility regulated by the Nuclear Regulatory Commission
6 who has completed the background screening and training
7 mandated by the rules and regulations of the Nuclear
8 Regulatory Commission.

9 (14) Manufacture, transportation, or sale of weapons
10 to persons authorized under subdivisions (1) through
11 (13.5) of this subsection to possess those weapons.

12 (a-5) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
13 24-1.6 do not apply to or affect any person carrying a
14 concealed pistol, revolver, or handgun and the person has been
15 issued a currently valid Firearm Owner's Identification Card
16 under the Firearm Owners Identification Card ~~license under the~~
17 ~~Firearm Concealed Carry Act~~ at the time of the commission of
18 the offense.

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

25 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
26 24-1.6 do not apply to or affect any of the following:

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

6 (2) Duly authorized military or civil organizations
7 while parading, with the special permission of the
8 Governor.

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

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

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

18 (c) Subsection 24-1(a) (7) does not apply to or affect any
19 of the following:

20 (1) Peace officers while in performance of their
21 official duties.

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

25 (3) Members of the Armed Services or Reserve Forces of
26 the United States or the Illinois National Guard, while in

1 the performance of their official duty.

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

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

21 During transportation, such weapons shall be broken
22 down in a non-functioning state or not immediately
23 accessible.

24 (6) The manufacture, transport, testing, delivery,
25 transfer or sale, and all lawful commercial or
26 experimental activities necessary thereto, of rifles,

1 shotguns, and weapons made from rifles or shotguns, or
2 ammunition for such rifles, shotguns or weapons, where
3 engaged in by a person operating as a contractor or
4 subcontractor pursuant to a contract or subcontract for
5 the development and supply of such rifles, shotguns,
6 weapons or ammunition to the United States government or
7 any branch of the Armed Forces of the United States, when
8 such activities are necessary and incident to fulfilling
9 the terms of such contract.

10 The exemption granted under this subdivision (c)(6)
11 shall also apply to any authorized agent of any such
12 contractor or subcontractor who is operating within the
13 scope of his employment, where such activities involving
14 such weapon, weapons or ammunition are necessary and
15 incident to fulfilling the terms of such contract.

16 (7) A person possessing a rifle with a barrel or
17 barrels less than 16 inches in length if: (A) the person
18 has been issued a Curios and Relics license from the U.S.
19 Bureau of Alcohol, Tobacco, Firearms and Explosives; or
20 (B) the person is an active member of a bona fide,
21 nationally recognized military re-enacting group and the
22 modification is required and necessary to accurately
23 portray the weapon for historical re-enactment purposes;
24 the re-enactor is in possession of a valid and current
25 re-enacting group membership credential; and the overall
26 length of the weapon as modified is not less than 26

1 inches.

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

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

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

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

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

18 (2) Bonafide collectors of antique or surplus military
19 ordnance.

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

23 (4) Commerce, preparation, assembly or possession of
24 explosive bullets by manufacturers of ammunition licensed
25 by the federal government, in connection with the supply
26 of those organizations and persons exempted by subdivision

1 (g)(1) of this Section, or like organizations and persons
2 outside this State, or the transportation of explosive
3 bullets to any organization or person exempted in this
4 Section by a common carrier or by a vehicle owned or leased
5 by an exempted manufacturer.

6 (g-5) Subsection 24-1(a)(6) does not apply to or affect
7 persons licensed under federal law to manufacture any device
8 or attachment of any kind designed, used, or intended for use
9 in silencing the report of any firearm, firearms, or
10 ammunition for those firearms equipped with those devices, and
11 actually engaged in the business of manufacturing those
12 devices, firearms, or ammunition, but only with respect to
13 activities that are within the lawful scope of that business,
14 such as the manufacture, transportation, or testing of those
15 devices, firearms, or ammunition. This exemption does not
16 authorize the general private possession of any device or
17 attachment of any kind designed, used, or intended for use in
18 silencing the report of any firearm, but only such possession
19 and activities as are within the lawful scope of a licensed
20 manufacturing business described in this subsection (g-5).
21 During transportation, these devices shall be detached from
22 any weapon or not immediately accessible.

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

1 Corrections.

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

10 (g-10) (Blank).

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

15 (i) Nothing in this Article shall prohibit, apply to, or
16 affect the transportation, carrying, or possession, of any
17 pistol or revolver, stun gun, taser, or other firearm
18 consigned to a common carrier operating under license of the
19 State of Illinois or the federal government, where such
20 transportation, carrying, or possession is incident to the
21 lawful transportation in which such common carrier is engaged;
22 and nothing in this Article shall prohibit, apply to, or
23 affect the transportation, carrying, or possession of any
24 pistol, revolver, stun gun, taser, or other firearm, not the
25 subject of and regulated by subsection 24-1(a)(7) or
26 subsection 24-2(c) of this Article, which is unloaded and

1 enclosed in a case, firearm carrying box, shipping box, or
2 other container, by the possessor of a valid Firearm Owners
3 Identification Card.

4 (Source: P.A. 102-152, eff. 1-1-22; 102-779, eff. 1-1-23;
5 102-837, eff. 5-13-22; 103-154, eff. 6-30-23.)

6 (720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

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

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

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

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

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

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

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

24 "Mental institution" means any hospital,
25 institution, clinic, evaluation facility, mental

1 health center, or part thereof, which is used
2 primarily for the care or treatment of persons with
3 mental illness.

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

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

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

1 firearms dealer to a nonresident of Illinois under which
2 the firearm is mailed to a federally licensed firearms
3 dealer outside the boundaries of Illinois; (3) (blank);
4 (4) the sale of a firearm to a dealer licensed as a federal
5 firearms dealer under Section 923 of the federal Gun
6 Control Act of 1968 (18 U.S.C. 923); or (5) the transfer or
7 sale of any rifle, shotgun, or other long gun to a resident
8 registered competitor or attendee or non-resident
9 registered competitor or attendee by any dealer licensed
10 as a federal firearms dealer under Section 923 of the
11 federal Gun Control Act of 1968 at competitive shooting
12 events held at the World Shooting Complex sanctioned by a
13 national governing body. For purposes of transfers or
14 sales under subparagraph (5) of this paragraph (g), the
15 Department of Natural Resources shall give notice to the
16 Illinois State Police at least 30 calendar days prior to
17 any competitive shooting events at the World Shooting
18 Complex sanctioned by a national governing body. The
19 notification shall be made on a form prescribed by the
20 Illinois State Police. The sanctioning body shall provide
21 a list of all registered competitors and attendees at
22 least 24 hours before the events to the Illinois State
23 Police. Any changes to the list of registered competitors
24 and attendees shall be forwarded to the Illinois State
25 Police as soon as practicable. The Illinois State Police
26 must destroy the list of registered competitors and

1 attendees no later than 30 days after the date of the
2 event. Nothing in this paragraph (g) relieves a federally
3 licensed firearm dealer from the requirements of
4 conducting a NICS background check through the Illinois
5 Point of Contact under 18 U.S.C. 922(t). For purposes of
6 this paragraph (g), "application" means when the buyer and
7 seller reach an agreement to purchase a firearm. For
8 purposes of this paragraph (g), "national governing body"
9 means a group of persons who adopt rules and formulate
10 policy on behalf of a national firearm sporting
11 organization.

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

25 (i) Sells or gives a firearm of any size to any person
26 under 18 years of age who does not possess a valid Firearm

1 Owner's Identification Card.

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

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

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

23 (k) Sells or transfers ownership of a firearm to a
24 person who does not display to the seller or transferor of
25 the firearm ~~either: (1)~~ a currently valid Firearm Owner's
26 Identification Card that has previously been issued in the

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

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

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

1 willful or wanton misconduct on the part of the seller
2 or transferor.

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

9 (B) Paragraph (h) of subsection (A) does not include
10 firearms sold within 6 months after enactment of Public Act
11 78-355 (approved August 21, 1973, effective October 1, 1973),
12 nor is any firearm legally owned or possessed by any citizen or
13 purchased by any citizen within 6 months after the enactment
14 of Public Act 78-355 subject to confiscation or seizure under
15 the provisions of that Public Act. Nothing in Public Act
16 78-355 shall be construed to prohibit the gift or trade of any
17 firearm if that firearm was legally held or acquired within 6
18 months after the enactment of that Public Act.

19 (C) Sentence.

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

23 (2) Any person convicted of unlawful sale or delivery
24 of firearms in violation of paragraph (b) or (i) of
25 subsection (A) commits a Class 3 felony.

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

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

3 (4) Any person convicted of unlawful sale or delivery
4 of firearms in violation of paragraph (a), (b), or (i) of
5 subsection (A) in any school, on the real property
6 comprising a school, within 1,000 feet of the real
7 property comprising a school, at a school related
8 activity, or on or within 1,000 feet of any conveyance
9 owned, leased, or contracted by a school or school
10 district to transport students to or from school or a
11 school related activity, regardless of the time of day or
12 time of year at which the offense was committed, commits a
13 Class 1 felony. Any person convicted of a second or
14 subsequent violation of unlawful sale or delivery of
15 firearms in violation of paragraph (a), (b), or (i) of
16 subsection (A) in any school, on the real property
17 comprising a school, within 1,000 feet of the real
18 property comprising a school, at a school related
19 activity, or on or within 1,000 feet of any conveyance
20 owned, leased, or contracted by a school or school
21 district to transport students to or from school or a
22 school related activity, regardless of the time of day or
23 time of year at which the offense was committed, commits a
24 Class 1 felony for which the sentence shall be a term of
25 imprisonment of no less than 5 years and no more than 15
26 years.

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

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

21 (7) Any person convicted of unlawful sale or delivery
22 of firearms in violation of paragraph (k) of subsection
23 (A) commits a Class 4 felony, except that a violation of
24 subparagraph (1) of paragraph (k) of subsection (A) shall
25 not be punishable as a crime or petty offense. A third or
26 subsequent conviction for a violation of paragraph (k) of

1 subsection (A) is a Class 1 felony.

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

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

14 (10) Any person convicted of unlawful sale or delivery
15 of firearms in violation of paragraph (l) of subsection
16 (A) commits a Class 2 felony if the delivery is of one
17 firearm. Any person convicted of unlawful sale or delivery
18 of firearms in violation of paragraph (l) of subsection
19 (A) commits a Class 1 felony if the delivery is of not less
20 than 2 and not more than 5 firearms at the same time or
21 within a one-year period. Any person convicted of unlawful
22 sale or delivery of firearms in violation of paragraph (l)
23 of subsection (A) commits a Class X felony for which he or
24 she shall be sentenced to a term of imprisonment of not
25 less than 6 years and not more than 30 years if the
26 delivery is of not less than 6 and not more than 10

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

21 (D) For purposes of this Section:

22 "School" means a public or private elementary or secondary
23 school, community college, college, or university.

24 "School related activity" means any sporting, social,
25 academic, or other activity for which students' attendance or
26 participation is sponsored, organized, or funded in whole or

1 in part by a school or school district.

2 (E) A prosecution for a violation of paragraph (k) of
3 subsection (A) of this Section may be commenced within 6 years
4 after the commission of the offense. A prosecution for a
5 violation of this Section other than paragraph (g) of
6 subsection (A) of this Section may be commenced within 5 years
7 after the commission of the offense defined in the particular
8 paragraph.

9 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
10 102-813, eff. 5-13-22.)

11 Section 85. The Unified Code of Corrections is amended by
12 changing Section 5-6-1 as follows:

13 (730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

14 Sec. 5-6-1. Sentences of probation and of conditional
15 discharge and disposition of supervision. The General
16 Assembly finds that in order to protect the public, the
17 criminal justice system must compel compliance with the
18 conditions of probation by responding to violations with
19 swift, certain and fair punishments and intermediate
20 sanctions. The Chief Judge of each circuit shall adopt a
21 system of structured, intermediate sanctions for violations of
22 the terms and conditions of a sentence of probation,
23 conditional discharge or disposition of supervision.

24 (a) Except where specifically prohibited by other

1 provisions of this Code, the court shall impose a sentence of
2 probation or conditional discharge upon an offender unless,
3 having regard to the nature and circumstance of the offense,
4 and to the history, character and condition of the offender,
5 the court is of the opinion that:

6 (1) his imprisonment or periodic imprisonment is
7 necessary for the protection of the public; or

8 (2) probation or conditional discharge would deprecate
9 the seriousness of the offender's conduct and would be
10 inconsistent with the ends of justice; or

11 (3) a combination of imprisonment with concurrent or
12 consecutive probation when an offender has been admitted
13 into a drug court program under Section 20 of the Drug
14 Court Treatment Act is necessary for the protection of the
15 public and for the rehabilitation of the offender.

16 The court shall impose as a condition of a sentence of
17 probation, conditional discharge, or supervision, that the
18 probation agency may invoke any sanction from the list of
19 intermediate sanctions adopted by the chief judge of the
20 circuit court for violations of the terms and conditions of
21 the sentence of probation, conditional discharge, or
22 supervision, subject to the provisions of Section 5-6-4 of
23 this Act.

24 (b) The court may impose a sentence of conditional
25 discharge for an offense if the court is of the opinion that
26 neither a sentence of imprisonment nor of periodic

1 imprisonment nor of probation supervision is appropriate.

2 (b-1) Subsections (a) and (b) of this Section do not apply
3 to a defendant charged with a misdemeanor or felony under the
4 Illinois Vehicle Code or reckless homicide under Section 9-3
5 of the Criminal Code of 1961 or the Criminal Code of 2012 if
6 the defendant within the past 12 months has been convicted of
7 or pleaded guilty to a misdemeanor or felony under the
8 Illinois Vehicle Code or reckless homicide under Section 9-3
9 of the Criminal Code of 1961 or the Criminal Code of 2012.

10 (c) The court may, upon a plea of guilty or a stipulation
11 by the defendant of the facts supporting the charge or a
12 finding of guilt, defer further proceedings and the imposition
13 of a sentence, and enter an order for supervision of the
14 defendant, if the defendant is not charged with: (i) a Class A
15 misdemeanor, as defined by the following provisions of the
16 Criminal Code of 1961 or the Criminal Code of 2012: Sections
17 11-9.1; 12-3.2; 11-1.50 or 12-15; 26-5 or 48-1; 31-1; 31-6;
18 31-7; paragraphs (2) and (3) of subsection (a) of Section
19 21-1; paragraph (1) through (5), (8), (10), and (11) of
20 subsection (a) of Section 24-1; (ii) a Class A misdemeanor
21 violation of Section 3.01, 3.03-1, or 4.01 of the Humane Care
22 for Animals Act; or (iii) a felony. If the defendant is not
23 barred from receiving an order for supervision as provided in
24 this subsection, the court may enter an order for supervision
25 after considering the circumstances of the offense, and the
26 history, character and condition of the offender, if the court

1 is of the opinion that:

2 (1) the offender is not likely to commit further
3 crimes;

4 (2) the defendant and the public would be best served
5 if the defendant were not to receive a criminal record;
6 and

7 (3) in the best interests of justice an order of
8 supervision is more appropriate than a sentence otherwise
9 permitted under this Code.

10 (c-5) Subsections (a), (b), and (c) of this Section do not
11 apply to a defendant charged with a second or subsequent
12 violation of Section 6-303 of the Illinois Vehicle Code
13 committed while his or her driver's license, permit or
14 privileges were revoked because of a violation of Section 9-3
15 of the Criminal Code of 1961 or the Criminal Code of 2012,
16 relating to the offense of reckless homicide, or a similar
17 provision of a law of another state.

18 (d) The provisions of paragraph (c) shall not apply to a
19 defendant charged with violating Section 11-501 of the
20 Illinois Vehicle Code or a similar provision of a local
21 ordinance when the defendant has previously been:

22 (1) convicted for a violation of Section 11-501 of the
23 Illinois Vehicle Code or a similar provision of a local
24 ordinance or any similar law or ordinance of another
25 state; or

26 (2) assigned supervision for a violation of Section

1 11-501 of the Illinois Vehicle Code or a similar provision
2 of a local ordinance or any similar law or ordinance of
3 another state; or

4 (3) pleaded guilty to or stipulated to the facts
5 supporting a charge or a finding of guilty to a violation
6 of Section 11-503 of the Illinois Vehicle Code or a
7 similar provision of a local ordinance or any similar law
8 or ordinance of another state, and the plea or stipulation
9 was the result of a plea agreement.

10 The court shall consider the statement of the prosecuting
11 authority with regard to the standards set forth in this
12 Section.

13 (e) The provisions of paragraph (c) shall not apply to a
14 defendant charged with violating Section 16-25 or 16A-3 of the
15 Criminal Code of 1961 or the Criminal Code of 2012 if said
16 defendant has within the last 5 years been:

17 (1) convicted for a violation of Section 16-25 or
18 16A-3 of the Criminal Code of 1961 or the Criminal Code of
19 2012; or

20 (2) assigned supervision for a violation of Section
21 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal
22 Code of 2012.

23 The court shall consider the statement of the prosecuting
24 authority with regard to the standards set forth in this
25 Section.

26 (f) The provisions of paragraph (c) shall not apply to a

1 defendant charged with: (1) violating Sections 15-111, 15-112,
2 15-301, paragraph (b) of Section 6-104, Section 11-605,
3 paragraph (d-5) of Section 11-605.1, Section 11-1002.5, or
4 Section 11-1414 of the Illinois Vehicle Code or a similar
5 provision of a local ordinance; or (2) committing a Class A
6 misdemeanor under subsection (c) of Section 11-907 of the
7 Illinois Vehicle Code or a similar provision of a local
8 ordinance.

9 (g) Except as otherwise provided in paragraph (i) of this
10 Section, the provisions of paragraph (c) shall not apply to a
11 defendant charged with violating Section 3-707, 3-708, 3-710,
12 or 5-401.3 of the Illinois Vehicle Code or a similar provision
13 of a local ordinance if the defendant has within the last 5
14 years been:

15 (1) convicted for a violation of Section 3-707, 3-708,
16 3-710, or 5-401.3 of the Illinois Vehicle Code or a
17 similar provision of a local ordinance; or

18 (2) assigned supervision for a violation of Section
19 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle
20 Code or a similar provision of a local ordinance.

21 The court shall consider the statement of the prosecuting
22 authority with regard to the standards set forth in this
23 Section.

24 (h) The provisions of paragraph (c) shall not apply to a
25 defendant under the age of 21 years charged with violating a
26 serious traffic offense as defined in Section 1-187.001 of the

1 Illinois Vehicle Code:

2 (1) unless the defendant, upon payment of the fines,
3 penalties, and costs provided by law, agrees to attend and
4 successfully complete a traffic safety program approved by
5 the court under standards set by the Conference of Chief
6 Circuit Judges. The accused shall be responsible for
7 payment of any traffic safety program fees. If the accused
8 fails to file a certificate of successful completion on or
9 before the termination date of the supervision order, the
10 supervision shall be summarily revoked and conviction
11 entered. The provisions of Supreme Court Rule 402 relating
12 to pleas of guilty do not apply in cases when a defendant
13 enters a guilty plea under this provision; or

14 (2) if the defendant has previously been sentenced
15 under the provisions of paragraph (c) on or after January
16 1, 1998 for any serious traffic offense as defined in
17 Section 1-187.001 of the Illinois Vehicle Code.

18 (h-1) The provisions of paragraph (c) shall not apply to a
19 defendant under the age of 21 years charged with an offense
20 against traffic regulations governing the movement of vehicles
21 or any violation of Section 6-107 or Section 12-603.1 of the
22 Illinois Vehicle Code, unless the defendant, upon payment of
23 the fines, penalties, and costs provided by law, agrees to
24 attend and successfully complete a traffic safety program
25 approved by the court under standards set by the Conference of
26 Chief Circuit Judges. The accused shall be responsible for

1 payment of any traffic safety program fees. If the accused
2 fails to file a certificate of successful completion on or
3 before the termination date of the supervision order, the
4 supervision shall be summarily revoked and conviction entered.
5 The provisions of Supreme Court Rule 402 relating to pleas of
6 guilty do not apply in cases when a defendant enters a guilty
7 plea under this provision.

8 (i) The provisions of paragraph (c) shall not apply to a
9 defendant charged with violating Section 3-707 of the Illinois
10 Vehicle Code or a similar provision of a local ordinance if the
11 defendant has been assigned supervision for a violation of
12 Section 3-707 of the Illinois Vehicle Code or a similar
13 provision of a local ordinance.

14 (j) The provisions of paragraph (c) shall not apply to a
15 defendant charged with violating Section 6-303 of the Illinois
16 Vehicle Code or a similar provision of a local ordinance when
17 the revocation or suspension was for a violation of Section
18 11-501 or a similar provision of a local ordinance or a
19 violation of Section 11-501.1 or paragraph (b) of Section
20 11-401 of the Illinois Vehicle Code if the defendant has
21 within the last 10 years been:

22 (1) convicted for a violation of Section 6-303 of the
23 Illinois Vehicle Code or a similar provision of a local
24 ordinance; or

25 (2) assigned supervision for a violation of Section
26 6-303 of the Illinois Vehicle Code or a similar provision

1 of a local ordinance.

2 (k) The provisions of paragraph (c) shall not apply to a
3 defendant charged with violating any provision of the Illinois
4 Vehicle Code or a similar provision of a local ordinance that
5 governs the movement of vehicles if, within the 12 months
6 preceding the date of the defendant's arrest, the defendant
7 has been assigned court supervision on 2 occasions for a
8 violation that governs the movement of vehicles under the
9 Illinois Vehicle Code or a similar provision of a local
10 ordinance. The provisions of this paragraph (k) do not apply
11 to a defendant charged with violating Section 11-501 of the
12 Illinois Vehicle Code or a similar provision of a local
13 ordinance.

14 (l) (Blank).

15 (m) (Blank).

16 (n) The provisions of paragraph (c) shall not apply to any
17 person under the age of 18 who commits an offense against
18 traffic regulations governing the movement of vehicles or any
19 violation of Section 6-107 or Section 12-603.1 of the Illinois
20 Vehicle Code, except upon personal appearance of the defendant
21 in court and upon the written consent of the defendant's
22 parent or legal guardian, executed before the presiding judge.
23 The presiding judge shall have the authority to waive this
24 requirement upon the showing of good cause by the defendant.

25 (o) The provisions of paragraph (c) shall not apply to a
26 defendant charged with violating Section 6-303 of the Illinois

1 Vehicle Code or a similar provision of a local ordinance when
2 the suspension was for a violation of Section 11-501.1 of the
3 Illinois Vehicle Code and when:

4 (1) at the time of the violation of Section 11-501.1
5 of the Illinois Vehicle Code, the defendant was a first
6 offender pursuant to Section 11-500 of the Illinois
7 Vehicle Code and the defendant failed to obtain a
8 monitoring device driving permit; or

9 (2) at the time of the violation of Section 11-501.1
10 of the Illinois Vehicle Code, the defendant was a first
11 offender pursuant to Section 11-500 of the Illinois
12 Vehicle Code, had subsequently obtained a monitoring
13 device driving permit, but was driving a vehicle not
14 equipped with a breath alcohol ignition interlock device
15 as defined in Section 1-129.1 of the Illinois Vehicle
16 Code.

17 (p) The provisions of paragraph (c) shall not apply to a
18 defendant charged with violating Section 11-601.5 of the
19 Illinois Vehicle Code or a similar provision of a local
20 ordinance when the defendant has previously been:

21 (1) convicted for a violation of Section 11-601.5 of
22 the Illinois Vehicle Code or a similar provision of a
23 local ordinance or any similar law or ordinance of another
24 state; or

25 (2) assigned supervision for a violation of Section
26 11-601.5 of the Illinois Vehicle Code or a similar

1 provision of a local ordinance or any similar law or
2 ordinance of another state.

3 (q) The provisions of paragraph (c) shall not apply to a
4 defendant charged with violating subsection (b) of Section
5 11-601 or Section 11-601.5 of the Illinois Vehicle Code when
6 the defendant was operating a vehicle, in an urban district,
7 at a speed that is 26 miles per hour or more in excess of the
8 applicable maximum speed limit established under Chapter 11 of
9 the Illinois Vehicle Code.

10 (r) The provisions of paragraph (c) shall not apply to a
11 defendant charged with violating any provision of the Illinois
12 Vehicle Code or a similar provision of a local ordinance if the
13 violation was the proximate cause of the death of another and
14 the defendant's driving abstract contains a prior conviction
15 or disposition of court supervision for any violation of the
16 Illinois Vehicle Code, other than an equipment violation, or a
17 suspension, revocation, or cancellation of the driver's
18 license.

19 (s) (Blank). ~~The provisions of paragraph (c) shall not~~
20 ~~apply to a defendant charged with violating subsection (i) of~~
21 ~~Section 70 of the Firearm Concealed Carry Act.~~

22 (Source: P.A. 100-987, eff. 7-1-19; 101-173, eff. 1-1-20.)

23 Section 95. No acceleration or delay. Where this Act makes
24 changes in a statute that is represented in this Act by text
25 that is not yet or no longer in effect (for example, a Section

1 represented by multiple versions), the use of that text does
2 not accelerate or delay the taking effect of (i) the changes
3 made by this Act or (ii) provisions derived from any other
4 Public Act.

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3 5 ILCS 120/2 from Ch. 102, par. 42

4 5 ILCS 140/7.5

5 5 ILCS 805/15

6 5 ILCS 830/10-5

7 15 ILCS 305/13.5 rep.

8 20 ILCS 2605/2605-10 was 20 ILCS 2605/55a in part

9 20 ILCS 2605/2605-45 was 20 ILCS 2605/55a-5

10 20 ILCS 2605/2605-200 was 20 ILCS 2605/55a in part

11 20 ILCS 2605/2605-595

12 20 ILCS 2605/2605-605

13 20 ILCS 3930/7.9

14 30 ILCS 105/6z-99

15 30 ILCS 105/6z-127

16 235 ILCS 5/10-1 from Ch. 43, par. 183

17 430 ILCS 65/2 from Ch. 38, par. 83-2

18 430 ILCS 65/3 from Ch. 38, par. 83-3

19 430 ILCS 65/3.1 from Ch. 38, par. 83-3.1

20 430 ILCS 65/4 from Ch. 38, par. 83-4

21 430 ILCS 65/5 from Ch. 38, par. 83-5

22 430 ILCS 65/7 from Ch. 38, par. 83-7

23 430 ILCS 65/8.5

24 430 ILCS 65/13.1 from Ch. 38, par. 83-13.1

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