



Rep. Brandon W. Phelps

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1 AMENDMENT TO HOUSE BILL 148

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 148, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 1. Short title. This Act may be cited as the  
6 Family and Personal Protection Act.

7 Section 10. Definitions. As used in this Act:

8 "Concealed firearm" means a loaded or unloaded handgun  
9 carried on or about a person completely or mostly concealed  
10 from view of the public, or carried in a vehicle in such a way  
11 as it is concealed from view of the public.

12 "Department" means the Department of State Police.

13 "Director" means the Director of State Police.

14 "Fund" means the Citizen Safety and Self-Defense Trust  
15 Fund.

16 "Handgun" means any device which is designed to expel a

1 projectile or projectiles by the action of an explosion,  
2 expansion of gas, or escape of gas that is designed to be held  
3 and fired by the use of a single hand, and includes a  
4 combination of parts from which such a firearm can be  
5 assembled. "Handgun" does not include a stun gun or taser.

6 "License" means a license issued by the Department of State  
7 Police to carry a loaded or unloaded concealed firearm.

8 "Licensee" means a person issued a license to carry a  
9 concealed firearm.

10 "Peace officer" means (i) any person who by virtue of his  
11 or her office or public employment is vested by law with a duty  
12 to maintain public order or to make arrests for offenses,  
13 whether that duty extends to all offenses or is limited to  
14 specific offenses, or (ii) any person who, by statute, is  
15 granted and authorized to exercise powers similar to those  
16 conferred upon any peace officer employed by a law enforcement  
17 agency of this State.

18 Section 15. Citizen Safety and Self-Defense Trust Fund.  
19 Fees from applications for licenses shall be deposited into the  
20 Citizen Safety and Self-Defense Trust Fund, a special fund that  
21 is created in the State treasury. Moneys in the Fund may be  
22 invested and any income from investments shall be deposited  
23 into the Fund. Subject to appropriation, moneys in the Fund  
24 shall exclusively be used to assist the Department with the  
25 administrative costs associated with this Act.

1           Section 20. Issuance of licenses to carry a concealed  
2 firearm.

3           (a) The Department shall issue a license to an applicant  
4 who (i) meets the qualifications of Section 25; (ii) has  
5 provided the application and documentation required in Section  
6 30; and (iii) has submitted the requisite fees. The Department  
7 shall issue a renewal, corrected, or duplicate license in  
8 accordance with this Act.

9           (a-5) A licensee shall possess a license at all times the  
10 licensee carries a concealed firearm except (i) if the person  
11 is carrying or possession a concealed weapon and the person is  
12 on his or her land or in his or her abode or legal dwelling or  
13 in the abode or legal dwelling of another person as an invitee  
14 with that person's permission; (ii) if the person is authorized  
15 to carry a firearm under Section 24-2 of the Criminal Code of  
16 1961; or (iii) the weapon is broken down in a non-functioning  
17 state, is not immediately accessible, or is enclosed in a case,  
18 firearm carrying box, shipping box, or other container.

19           (a-10) A licensee shall display the license upon the  
20 request of a peace officer or person designated to enforce the  
21 provisions of Section 70.

22           (b) The Department shall make applications for a license  
23 available no later than 180 days after the effective date of  
24 this Act. Applications shall be available at Department  
25 locations, sheriff offices, on the Department's official

1 website, and any other location designated by the Department.

2 (c) A completed application for a license shall be  
3 submitted to the office of the sheriff of the county in which  
4 the applicant resides with all accompanying materials and fees.  
5 The sheriff shall review the application and submit a completed  
6 application, all accompanying materials, and the application  
7 fee to the Department within 30 days of receipt. The sheriff  
8 shall promptly return an incomplete application to the  
9 applicant. Each applicant for a license shall submit a \$100  
10 application fee, of which \$25 shall be retained by the sheriff  
11 for expenses related to receiving and reviewing applications,  
12 and \$75 shall be submitted to the Department and deposited into  
13 the Citizen Safety and Self Defense Trust Fund. The sheriff may  
14 require an applicant submit the fee in 2 portions: (1) \$25  
15 payable to the sheriff, and (2) \$75 payable to the Department.

16 (d) A sheriff may submit an objection to an application,  
17 provided the objection is in writing, includes specific reasons  
18 for the objection, and is submitted with the application. Upon  
19 request of a municipal law enforcement agency, the sheriff  
20 shall notify the department of the name, address, and date of  
21 birth of any person submitting an application for a license.  
22 The municipal police department may submit to the sheriff  
23 information deemed to be relevant to the application, and the  
24 sheriff may consider such information when determining whether  
25 to submit an objection. Any objection submitted by a sheriff,  
26 including reports submitted to a sheriff by a municipal law

1 enforcement agency, must be disclosed to the applicant unless  
2 disclosure would interfere with a criminal investigation, or as  
3 determined by the Department, disclosure may threaten the  
4 safety or welfare of the sheriff or local law enforcement  
5 agency.

6 (e) Notwithstanding subsection (a), the Department may  
7 consider any objection or recommendation made by the sheriff  
8 and may determine the applicant is ineligible based solely on  
9 those objections. If the applicant is found by the Department  
10 to be ineligible, the Department shall deny the application and  
11 notify the applicant and the sheriff in writing, stating the  
12 grounds for denial. The notice of denial must inform the  
13 applicant that he or she may, within 30 days, appeal the denial  
14 and submit additional materials relevant to the grounds for  
15 denial. Upon receiving any additional documentation, the  
16 Department shall reconsider its decision and inform the  
17 applicant within 30 days of the result of the reconsideration.  
18 If upon reconsideration the Department denies the application,  
19 the applicant must be informed of the right to administrative  
20 review.

21 (f) The license shall be issued by the Department within 45  
22 days of receipt of a completed application from a sheriff. A  
23 license shall be valid throughout the State for a period of 5  
24 years.

25 (g) The Department shall promulgate rules to implement the  
26 provisions of this Section.

1           Section 25. Qualifications of an applicant for a license.  
2           The Department shall issue a license to an applicant completing  
3           an application in accordance with Section 30 of this Act if the  
4           person:

5                   (a) is at least 21 years of age;

6                   (b) has a valid Firearm Owner's Identification Card, or  
7                   if applying for a non-resident license, has a notarized  
8                   document stating the applicant is eligible under federal  
9                   law and the laws of his or her home state to own a firearm;

10                  (c) resides within the State of Illinois or resides in  
11                  another state and requests a license under Section 65;

12                  (d) has not been convicted in Illinois or any other  
13                  state of (i) a felony, (ii) a misdemeanor involving the use  
14                  or threat of physical force or violence to any person  
15                  within the 10 years preceding the date of the application,  
16                  or (iii) a misdemeanor involving the use, possession, or  
17                  distribution of a controlled substance or cannabis within  
18                  the 10 years preceding the date of the application;

19                  (e) has not been a patient in a mental institution  
20                  within the past 5 years, has not been adjudicated as a  
21                  mental defective, and is not mentally retarded;

22                  (f) is not free on any form of bond or pretrial  
23                  release, other than for a traffic offense or other  
24                  disqualifying act, and has no outstanding warrants in  
25                  Illinois or any other state;

1 (g) does not chronically and habitually use alcoholic  
2 beverages as evidenced by the applicant having 2 or more  
3 convictions for violating Section 11-501 of the Illinois  
4 Vehicle Code or similar provision of a local ordinance  
5 within 5 years preceding the date of the application, or if  
6 the applicant has elected treatment under the supervision  
7 of a licensed program in accordance with the Alcoholism and  
8 Other Drug Abuse and Dependency Act or similar laws of any  
9 other state, within 5 years preceding the date of the  
10 application; and

11 (h) has completed firearms training and any  
12 educational component required in Section 85 of this Act.

13 Section 30. Contents of application.

14 (a) The application shall be in writing, under oath and  
15 penalty of perjury, on a standard form promulgated by the  
16 Department and shall be accompanied by the documentation  
17 required in this Section and all applicable fees.

18 (b) The application shall contain the following  
19 information:

20 (i) the applicant's name, current address, gender,  
21 date and year of birth, place of birth, height, weight,  
22 hair color, eye color, maiden name or any other name the  
23 applicant has used or identified with, and any address at  
24 which the applicant resided for more than 30 days within  
25 the 5 years preceding the date of the application;

1           (ii) the applicant's drivers license or state  
2           identification card number and the last 4 digits of the  
3           applicant's social security number;

4           (iii) questions to certify or demonstrate the  
5           applicant has completed firearms training and any  
6           educational component required in Section 85 of this Act;

7           (iv) a statement that the applicant is a resident of  
8           the State of Illinois, except persons applying under  
9           Section 65 shall be instructed to submit the information  
10          required in that Section;

11          (v) a waiver of privacy and confidentiality rights and  
12          privileges enjoyed by the applicant under all federal and  
13          State laws, including those governing access to juvenile  
14          court, criminal justice, psychological or psychiatric  
15          records, or records relating to the applicant's history of  
16          institutionalization, and an affirmative request that any  
17          person having custody of any such record provide it or  
18          information concerning it to the Department;

19          (vi) a conspicuous warning that false statements made  
20          by the applicant will result in prosecution for perjury in  
21          accordance with Section 32-2 of the Criminal Code of 1961;

22          (vii) an affirmation that the applicant either  
23          possesses a currently valid Illinois Firearm Owner's  
24          Identification Card, in which case the application shall  
25          include the card number, or is applying for the card in  
26          conjunction with the application for a license, except



1 persons applying under Section 65 shall be instructed to  
2 submit a copy of a valid license to carry a handgun issued  
3 by their home state, if applicable, or submit a notarized  
4 document stating the applicant is eligible under the laws  
5 of his or her home state to possess a handgun; and

6 (viii) an affirmation that the applicant has never been  
7 convicted in Illinois or any other state of (i) a felony,  
8 (ii) a misdemeanor involving the use or threat of physical  
9 force or violence to any person within the 10 years  
10 preceding the date of the application, or (iii) a  
11 misdemeanor involving the use, possession, or distribution  
12 of a controlled substance or cannabis within the 10 years  
13 preceding the date of the application.

14 (c) A person applying for a license shall provide a head  
15 and shoulder color photograph in a size specified by the  
16 Department that was taken within the 30 days preceding the date  
17 of the application. The applicant shall consent to the  
18 Department reviewing and using the applicant's digital  
19 driver's license or Illinois Identification photograph and  
20 signature, if available. The Secretary of State shall allow the  
21 Department access to the photograph and signature for the  
22 purpose of identifying the applicant and issuing to the  
23 applicant a license.

24 (d) A person applying for a license shall submit with an  
25 application a full set of legible fingerprints. Fingerprinting  
26 may be administered by the Department or any other federal,

1 State, county, or municipal law enforcement agency. The cost of  
2 fingerprinting shall be paid by the applicant, provided that  
3 the Department or law enforcement agency may charge no more  
4 than \$25 for a single set of fingerprints. The Department shall  
5 accept a hard copy or electronic version of fingerprints.

6 (e) A person applying for a license shall submit a  
7 photocopy of a certificate or other evidence of completion of a  
8 course to show compliance with Section 85 of this Act.

9 (f) The Department is authorized to establish a system for  
10 electronically submitting applications, including applications  
11 for renewal or a replacement license.

12 Section 35. Database of applicants and licensees.

13 (a) The Department shall maintain a database of applicants  
14 for a license and licenses. The database shall be available to  
15 all Illinois law enforcement agencies, State's Attorneys, and  
16 the Attorney General. Members and staff of the judiciary may  
17 access the database for the purpose of determining whether to  
18 confiscate a license or to ensure compliance with this Act or  
19 any other law. The database shall be searchable and provide all  
20 information included in the application, a photo of the  
21 applicant or licensee, and any information related to  
22 violations of this Act. Individual law enforcement agencies  
23 shall not maintain a separate, searchable database of  
24 applicants and licensees containing information included in  
25 the database.

1 (b) The Department shall make available on its website and  
2 upon request under the Freedom of Information Act statistical  
3 information about the number of licenses issues by county, age,  
4 race, or gender. Such report shall be updated monthly. Except  
5 as provided in this subsection, applications and information in  
6 the database shall be confidential and exempt from disclosure  
7 under the Freedom of Information Act. The Department may answer  
8 requests to confirm or deny whether a person has been issued a  
9 license as part of inquiries dealing with a criminal  
10 investigation. Individual law enforcement agencies, State's  
11 Attorneys, and judicial staff shall sign a confidentiality  
12 agreement, prepared by the Department, prior to receiving  
13 access to the database. No law enforcement agency, State's  
14 Attorney, or member or staff of the judiciary, other than the  
15 Department, shall provide any information to a requester not  
16 entitled to it by law, except as required or necessary for the  
17 conduct of a criminal investigation.

18 Section 40. Suspension or revocation of a license.

19 (a) A license issued or renewed under this Act shall be  
20 revoked if, at any time, the licensee is found ineligible for a  
21 license based on the criteria set forth in Section 25 of this  
22 Act or the licensee no longer possesses a Firearm Owner's  
23 Identification Card or a non-resident licensee if his or her  
24 home state has revoked a license to carry a firearm. This  
25 subsection shall not apply to a person who has filed an

1 application with the State Police for renewal of a Firearm  
2 Owner's Identification Card and who is not otherwise ineligible  
3 to obtain a Firearm Owner's Identification Card.

4 (b) A license shall be suspended if an order of protection  
5 under Section 112A-14 of the Code of Criminal Procedure of 1963  
6 or under Section 214 of the Illinois Domestic Violence Act of  
7 1986 is issued against a licensee. The license shall be  
8 suspended for the duration of the order or until the order is  
9 terminated by a court and the Department shall not reissue or  
10 renew a license for the duration of the order or until the  
11 order is terminated. If an order of protection is issued  
12 against a licensee, the licensee shall surrender the license,  
13 as applicable, to the court at the time the order is entered or  
14 to the law enforcement agency or entity designated to serve  
15 process at the time the licensee is served the order. The  
16 court, law enforcement agency, or entity responsible for  
17 serving the order shall transmit the license to the Department.

18 (c) The Department may temporarily or permanently suspend a  
19 license for a violation of Section 70 of this Act in accordance  
20 with subsection (i) of Section 70.

21 (d) A license shall be invalid upon expiration of the  
22 license, unless the licensee has submitted an application to  
23 renew the license. A person who fails to renew his or her  
24 application within 6 months after its expiration must reapply  
25 for a new license and pay the fee for a new application.

26 (e) The Department may suspend a license if a licensee

1 fails to submit a change of address or name or fails to report  
2 a lost or destroyed license to the Department within 30 days.

3 Section 45. Renewal of license.

4 (a) Not later than 120 days before the expiration of any  
5 license issued under this Act, the Department shall notify the  
6 licensee in writing of the expiration and furnish an  
7 application for renewal of the license or make such an  
8 application available on-line.

9 (b) Applications for renewal of a license shall be made  
10 directly to the Department. A license shall be renewed for a  
11 period of 5 years upon receipt of a completed renewal  
12 application and a \$50 renewal fee. The renewal application  
13 shall contain the information required in Section 30, except  
14 that the applicant need not resubmit a full set of  
15 fingerprints. Each applicant for a renewal shall submit, on a  
16 form prescribed by the Department, proof that the applicant (i)  
17 has participated in at least one shooting competition with a  
18 handgun within 6 months of the application for renewal, (ii)  
19 has completed an equivalent range exercise as prescribed in  
20 Section 85 and attested to by any instructor qualified under  
21 this Act, a certified law enforcement instructor, or NRA  
22 certified instructor or (iii) has completed Firearms  
23 Instructor Training under Section 90. The Department shall make  
24 the range recertification form available on its website or as  
25 part of a renewal application.

1           Section 50. Change of address, change of name, or lost or  
2 destroyed licenses.

3           (a) The licensee shall notify the Department within 30 days  
4 of moving or changing a residence or any change of name, and  
5 upon the discovery of the loss or destruction of a license.

6           (b) If a licensee changes residence within this State or  
7 changes his or her name, the licensee shall request a new  
8 license. The licensee shall submit a \$25 fee, a notarized  
9 statement that the licensee has changed residence or his or her  
10 name, and a photograph as required in Section 30 of this Act.  
11 The statement must include the prior and current address or  
12 name and the date the applicant moved or changed his or her  
13 name.

14           (c) A lost or destroyed license shall be invalid. To  
15 request a new license, the licensee shall submit (i) a \$25 fee,  
16 (ii) a notarized statement that the licensee no longer  
17 possesses the license and that it was lost or destroyed, (iii)  
18 a copy of a police report stating that the license was lost,  
19 destroyed, or stolen, and (iv) a photograph as required in  
20 Section 30 of this Act.

21           Section 65. Non-resident applications. A person from  
22 another state or territory of the United States may apply for a  
23 non-resident license. The applicant shall apply to the  
24 Department and must meet the qualifications established in

1 Section 25. The applicant shall submit (i) the application and  
2 documentation required in Section 30; (ii) a notarized document  
3 stating the applicant (A) is eligible under federal law and the  
4 laws of his or her home state to own a firearm, (B) if  
5 applicable, has a license or permit to carry a firearm or  
6 concealed firearm issued by his or her home state and that a  
7 copy is attached to the application, (C) understands Illinois  
8 laws pertaining to the possession and transport of firearms,  
9 and (D) acknowledges that the applicant is subject to the  
10 jurisdiction of the Department and Illinois courts for any  
11 violation of this Act; and (iii) a \$100 application fee. In  
12 lieu of an Illinois State driver's license or identification  
13 card, he or she shall provide similar documentation from his or  
14 her state or territory.

15 Section 70. Restrictions.

16 (a) No license issued under this Act shall authorize any  
17 person to knowingly carry a handgun into:

18 (i) Any building under the control of the Governor,  
19 Lieutenant Governor, Attorney General, Secretary of State,  
20 Comptroller, or Treasurer.

21 (ii) Any building under control of the General Assembly  
22 or any of its support service agencies, including the  
23 portion of a building in which a committee of the General  
24 Assembly convenes for the purpose of conducting meetings of  
25 committees, joint committees, or legislative commissions.

1           (iii) Any courthouse or building occupied in whole or  
2           in part by the Circuit, Appellate, or Supreme Court or a  
3           room designated as a courtroom for court proceedings by any  
4           of these courts.

5           (iv) Any meeting of the governing body of a unit of  
6           local government or special district.

7           (v) Any establishment licensed to dispense alcoholic  
8           beverages for consumption on the premises if less than 50%  
9           of its annual gross income comes from the sale of food.

10          (vi) Any area of an airport to which access is  
11          controlled by the inspection of persons and property.

12          (vii) Any place where the carrying of a firearm is  
13          prohibited by federal law.

14          (viii) Any elementary or secondary school without the  
15          consent of school authorities. School authorities shall  
16          inform the appropriate law enforcement agency and any law  
17          enforcement personnel on site of such consent.

18          (ix) Any portion of a building used as a child care  
19          facility without the consent of the manager. Nothing in  
20          this Section shall prevent the operator of a child care  
21          facility in a family home from owning or possessing a  
22          firearm or license.

23          (x) Any gaming facility licensed under the Riverboat  
24          Gambling Act or the Illinois Horse Racing Act of 1975.

25          (xi) Any gated area of an amusement park.

26          (xii) Any stadium, arena, or collegiate or



1 professional sporting event.

2 (xiii) A mental health facility.

3 (xiv) Any community college, college, or university  
4 campus without consent of the school authorities. School  
5 authorities shall inform the appropriate law enforcement  
6 agency and any law enforcement personnel on site of such  
7 consent.

8 (xv) A library without the written consent of the  
9 library's governing body. The governing body shall inform  
10 the appropriate law enforcement agency of such consent.

11 (xvi) Any police, sheriff, or State Police office or  
12 station without the consent of the chief law enforcement  
13 officer in charge of that office or station.

14 (xvii) Any adult or juvenile detention or correctional  
15 institution, prison, or jail.

16 (b) A municipality or school district may prohibit or limit  
17 licensees from carrying a handgun into or within any building  
18 owned, leased, or controlled by that municipality or school  
19 district by a majority vote of members of its governing board.  
20 A resolution or ordinance shall not prohibit a licensee from  
21 carrying a handgun in any building used for public housing, on  
22 any sidewalk, on any highway or roadway, or in any public  
23 restroom. A resolution or ordinance shall not prohibit a  
24 licensee from carrying a handgun in a public transportation  
25 facility or while accessing the services of a public  
26 transportation agency. For purposes of this Section, "public

1 transportation facility" means a terminal or other place where  
2 one may obtain public transportation. For purposes of this  
3 Section, "public transportation agency" means a public or  
4 private agency that provides for the transportation or  
5 conveyance of persons by means available to the general public,  
6 except for transportation by automobiles not used for  
7 conveyance of the general public as passengers. The resolution  
8 or ordinance may specify that persons violating the resolution  
9 or ordinance may be denied entrance to the building and  
10 subjected to a civil fine of no more than \$100 for any  
11 violation of the provisions of the resolution or ordinance.

12 (c) The owner, business or commercial lessee, or manager of  
13 a private business enterprise, or any other private  
14 organization, entity, or person, may prohibit licensees from  
15 carrying a handgun on the premises under its control. However,  
16 any owner shall allow for any lessee to carry or possess a  
17 handgun in accordance with this Act in any part of a building  
18 or upon any property he or she leases.

19 (d) Any person licensed under this Act who is prohibited  
20 from carrying a handgun into a building or on the premises as  
21 specified in subsection (a) or designated in accordance with  
22 subsection (b) or (c) shall be permitted to store that handgun  
23 or ammunition in a locked vehicle or locked compartment or  
24 container within his or her vehicle. A licensee shall not be in  
25 violation of this Section if the firearm is on his or her  
26 person or located in a vehicle on or near the premises or when

1 traveling along a public right of way specified or designated  
2 in subsection (a), (b), or (c). A licensee shall not be in  
3 violation of subsection (b) or (c) of this Section if a  
4 building or premises designated under subsection (b) or (c)  
5 fails to post a sign.

6 (e) If a law enforcement officer initiates an investigative  
7 stop, including but not limited to a traffic stop, of a  
8 licensee who is carrying a concealed firearm, the licensee  
9 shall immediately disclose to the officer that he or she is in  
10 possession of a concealed firearm pursuant to this Act.

11 (f) A licensee shall not carry a concealed firearm while  
12 under the influence of illegal drugs or hallucinogenic drugs or  
13 alcohol. For the purposes of this subsection (f), under the  
14 influence of alcohol means a blood alcohol content of .08 or  
15 greater.

16 (g) Signs stating that the carrying of a concealed weapon  
17 is prohibited shall be clearly and conspicuously posted at  
18 every entrance of a building or premises specified in  
19 subsection (a) or designated in accordance with subsection (b)  
20 or (c). The Department shall promulgate rules for standardized  
21 signs to be used under this subsection.

22 (h) A violation of subsection (a), (b), (c), (d), (e), or  
23 (f) is a Class B misdemeanor. A willful violation of subsection  
24 (a), (b), (c), (d), (e), or (f) is a Class A misdemeanor. The  
25 court may require a licensee to pay a \$150 fee, in addition to  
26 any other fees or court costs, for a violation of subsection

1 (e).

2 (i) The Department may suspend a license for up to 90 days  
3 for a violation of subsection (a), (b), (c), (d), (e), or (f)  
4 or up to 180 days for a willful violation of subsection (a),  
5 (b), (c), (d), (e), or (f). The Department shall permanently  
6 revoke a license for 3 or more violations of this Section.

7 Section 75. Immunity, employees, and agents. The office of  
8 the county sheriff, or any employee or agent of the county  
9 sheriff, or the Department of State Police shall not be liable  
10 for damages in any civil action arising from alleged wrongful  
11 or improper granting, renewing, or failure to revoke licenses  
12 issued under this Act, except for willful or wanton misconduct.  
13 The office of the county sheriff and any employees or agents  
14 shall not be liable for submitting specific or articulable  
15 reasons why an applicant should be denied a license, unless the  
16 objection contains false, malicious, or inaccurate information  
17 and the objection constituted willful and wanton misconduct.

18 Section 80. Fees.

19 (a) Fees collected under this Act by the Department and  
20 deposited into the Citizen Safety and Self-Defense Trust Fund  
21 shall be appropriated for administration of this Act.

22 (b) Fees shall be:

23 New license: \$100.

24 Renewal of license: \$50.

1 Duplicate license due to lost or destroyed: \$25.

2 Corrected license due to change of address or name: \$25.

3 Late renewal fee: \$25.

4 (c) By March 1 of each year, the Department shall submit a  
5 statistical report to the Governor, the President of the  
6 Senate, and the Speaker of the House of Representatives  
7 indicating the number of licenses issued, revoked, suspended,  
8 denied, and issued after appeal since the last report and in  
9 total and also the number of licenses currently valid. The  
10 report shall also include the number of arrests and convictions  
11 and the types of crimes committed since the last report by  
12 individuals issued handgun carry licenses.

13 (d) The Secretary of State shall conduct a study to  
14 determine the cost and feasibility of creating a method of  
15 adding an identifiable code, background, or other means to show  
16 that an individual has been issued a license to carry a handgun  
17 by the Department on the person's driver's license.

18 Section 85. Applicant training.

19 (a) The applicant training course shall be the standardized  
20 training course furnished by the Department and taught by a  
21 qualified firearms instructor, consisting of 8 hours of  
22 instruction, covering at least the following topics:

23 (i) handgun safety in the classroom, at home, on the  
24 firing range, or while carrying the firearm;

25 (ii) the basic principles of marksmanship;

1 (iii) care and cleaning of handguns; and

2 (iv) by means of a videotape produced or approved by  
3 the Department:

4 (A) the requirements for obtaining a handgun carry  
5 license in this State;

6 (B) laws relating to firearms as prescribed in the  
7 Firearm Owners Identification Card Act, Article 24 of  
8 the Criminal Code of 1961, and 18 U.S.C. 921 through  
9 930; and

10 (C) laws relating to the justifiable use of force  
11 as prescribed in Article 7 of the Criminal Code of  
12 1961.

13 (v) live firing exercises of sufficient duration for  
14 each applicant to fire a handgun:

15 (A) a minimum of 30 rounds; and

16 (B) 20 rounds from a distance of 7 yards and 10  
17 rounds from a distance of 15 yards at a B-21 silhouette  
18 or equivalent target as approved by the Department.

19 (b) The classroom portion of the course may, at the  
20 qualified firearms instructor's discretion, be divided into  
21 segments of not less than 2 hours each.

22 (c) Applicant training courses shall not be open to anyone  
23 under the age of 16 and no certificate of completion shall be  
24 issued to persons less than 20 years of age.

25 (c-5) Instructors shall maintain all records for students'  
26 performance for not less than 5 years.

1 (d) Qualified firearms instructors may only discuss the  
2 contents of the video or the statutory provisions of listed in  
3 clauses (A), (B), and (C) of subparagraph (iv) of paragraph (a)  
4 to ensure the students comprehend the subject matter for  
5 preparation of the written exam.

6 (e) At the conclusion of the classroom portion of the  
7 applicant training course, the qualified firearms instructor  
8 shall:

9 (1) distribute a standard course examination to the  
10 students;

11 (2) not leave the room in which the examination is  
12 being held while the examination is in progress;

13 (3) collect examination booklets and answer sheets  
14 from each student at the end of the examination period; and

15 (4) not grade the examinations in the presence of  
16 students.

17 (f) A person shall not:

18 (1) make an unauthorized copy of the applicant training  
19 course examination, in whole or in part;

20 (2) possess the applicant training course examination,  
21 or questions from the examination, unless authorized by the  
22 Department; or

23 (3) divulge the contents of an applicant training  
24 course examination questions to another person.

25 (g) Students shall provide their own safe, functional  
26 handgun and factory-loaded ammunition.

1 (h) Grades of "passing" shall not be given on range work to  
2 an applicant who:

3 (1) does not follow the orders of the certified  
4 firearms instructor;

5 (2) in the judgment of the certified firearms  
6 instructor, handles a firearm in a manner that poses a  
7 danger to the applicant or to others; or

8 (3) during the testing portion of the range work fails  
9 to hit the silhouette portion of the target with 70% of the  
10 30 rounds fired.

11 (i) Certified firearms instructors shall:

12 (1) allow monitoring of their classes by officials of  
13 any certifying agency;

14 (2) make all course records available upon demand to  
15 authorized personnel of the Department; and

16 (3) not divulge course records except as authorized by  
17 the certifying agency.

18 (j) Fees for applicant training courses shall be set by the  
19 instructor.

20 (k) An applicant training course shall not have more than  
21 40 students in the classroom portion or more than 5 students  
22 per range officer engaged in range firing.

23 (l) Within 3 business days after the completion of the  
24 course, the certified firearms instructor shall:

25 (1) grade the examinations; and

26 (2) issue to the student:



1           (i) a certificate of successful course completion;  
2           nothing in this Section shall prevent the instructor  
3           from issuing the certificate on the same day as the  
4           course was completed; or

5           (ii) notification that the applicant has failed  
6           the written portion of the course, the live firing  
7           portion of the course, or both, and will not be issued  
8           a certificate of completion.

9           (m) A student shall be issued a certificate of completion  
10          if he or she:

11           (i) answers at least 70% of the written examination  
12           questions correctly. The Department shall develop the  
13           written exam not to exceed 50 questions; and

14           (ii) achieves a grade of "passing" on the range work.

15           (n) (1) Students who score below 70% on the written  
16           examination may retake the examination one time without having  
17           to retake the course.

18           (2) Students who do not achieve a grade of "passing" on the  
19           range work may repeat the range work one time without having to  
20           retake the course.

21           (o) The Department shall make materials for applicant  
22           training available to qualified instructors online through the  
23           Department's website or Internet. If the Department fails to  
24           have training materials available 90 days after the effective  
25           date of this Act, then the requirements of this Section shall  
26           be deemed to have been met by the applicant providing proof of

1 passage of a National Rifle Association Basic Pistol Course.

2 (p) For purposes of this Section, successful completion of  
3 Firearms Instructor Training under Section 90 shall meet the  
4 training requirements of this Section.

5 Section 90. Firearms instructors training.

6 (a) Not later than 90 days after the effective date of this  
7 Act, the Department shall offer and teach courses to qualify  
8 instructors under this Section in each State Police District.  
9 Courses shall be available at least bi-monthly, or whenever 5  
10 or more individuals request a class in any State Police  
11 District. However, nothing in this Section shall require a  
12 course to be held if there are no requests pending, and  
13 adjoining districts may combine classes in order to have at  
14 least 5 participants.

15 (b) Persons who are not qualified firearms instructors  
16 shall not teach applicant training courses.

17 (c) Persons who are not qualified firearms instructors  
18 shall not advertise or otherwise represent courses they teach  
19 as qualifying their students to meet the requirements to  
20 receive a handgun carry license in this State.

21 (d) Persons who are not certified instructor trainers shall  
22 not teach instructor qualification courses.

23 (e) Persons wishing to become qualified firearms  
24 instructors shall:

25 (1) be at least 21 years of age;

1           (2) be a citizen of the United States; and  
2           (3) meet the requirements of subsection (c) of Section  
3       25.

4       (f) Persons wishing to become instructor trainers, in  
5       addition to the requirements of subsection (e) of this Section,  
6       shall:

7           (1) possess a high school diploma or GED certificate;  
8       and

9           (2) have at least one of the following valid firearms  
10       instructor certifications:

11           (i) any National Rifle Association Instructor  
12       Certification;

13           (ii) certification from a firearms instructor's  
14       course offered by a State or federal governmental  
15       agency; or

16           (iii) a similar firearms instructor qualifying  
17       course, approved by the Director of State Police or his  
18       or her designee.

19       (g) (1) Applicants shall agree to background checks.

20       (2) An applicant may be disqualified from taking firearms  
21       instructor training, or have his or her instructor  
22       qualification revoked, if the applicant:

23           (A) does not meet the requirements of this Act to  
24       possess a handgun carry license;

25           (B) provides false or misleading information on the  
26       application; or

1 (C) has had a prior instructor qualification revoked by  
2 the Department or other issuing body.

3 (h) The training course to certify firearms instructors and  
4 instructor trainers shall include:

5 (1) Not more than 16 hours of instruction covering at  
6 least the following topics by means of a videotape produced  
7 or approved by the Department:

8 (A) the requirements for obtaining a handgun carry  
9 license in this State;

10 (B) laws relating to firearms as contained in the  
11 Firearm Owners Identification Card Act, Article 24 of  
12 the Criminal Code of 1961, and 18 U.S.C. 921 through  
13 930;

14 (C) laws relating to the justifiable use of force  
15 as contained in Article 7 of the Criminal Code of 1961;

16 (D) the conducting of applicant training courses;

17 (E) record-keeping requirements of this Act;

18 (F) the basic nomenclature of handguns;

19 (G) the basic principles of marksmanship; and

20 (H) the safe handling of handguns.

21 (2) A classroom demonstration, during which the  
22 instructor candidate shall receive instruction on and  
23 demonstrate competency in the ability to prepare and  
24 deliver a classroom presentation using materials from the  
25 applicant curriculum.

26 (3) Range instruction and firing of live ammunition,

1 during which the instructor candidate shall receive  
2 instruction on and demonstrate competency in the ability  
3 to:

4 (i) handle and fire a handgun safely and  
5 accurately;

6 (ii) conduct a function test and safety inspection  
7 of revolvers and pistols;

8 (iii) clean revolvers and pistols; and

9 (iv) supervise and conduct live firing exercises  
10 in a safe and efficient manner.

11 (i) To qualify as a certified firearms instructor or  
12 instructor trainer, instructor candidates shall achieve:

13 (1) a minimum score of 70% on a written examination  
14 covering the material taught during the classroom portion  
15 of the course; and

16 (2) a minimum score of 70% on range firing of a handgun  
17 while aiming at a B-21 silhouette target or an equivalent  
18 as approved by the Department, with a minimum of:

19 (i) twenty rounds from 7 yards; and

20 (ii) ten rounds from 15 yards; and

21 (iii) a score of "passing" from the course  
22 instructor for demonstrating competency in each of the  
23 following:

24 (A) supervising and conducting live fire;

25 (B) cleaning and inspecting handguns; and

26 (C) preparing and delivering the classroom

1                   lecture.

2           (j) Instructor candidates who fail to meet the minimum  
3 requirements of subsection (i) of this Section may retake the  
4 examination, range work, or classroom demonstration one time  
5 without having to repeat the course.

6           (k) Qualified firearms instructor and instructor trainer  
7 certificates shall be valid for 10 years from the date of  
8 issue. Qualified firearms instructors or instructor trainers  
9 may renew their certification by successfully completing a  
10 refresher course offered or approved by the Department.

11           (l) The fees for instructor courses or refresher courses  
12 shall be \$100 per student paid to the Department. Fees shall  
13 not be refunded to those who do not pass or otherwise fail to  
14 complete a course.

15           (m) Course participants shall provide their own safe,  
16 functional handgun and factory-loaded ammunition.

17           (n) Prior to conducting range firing, the course instructor  
18 shall:

19                   (i) inspect each applicant's firearm; and

20                   (ii) not allow the firing of a handgun which is not in  
21 sound mechanical condition or otherwise may pose a safety  
22 hazard.

23           Section 95. Preemption. It is declared to be the policy of  
24 this State that it is an exclusive power and function of the  
25 State to regulate the possession and transportation of handguns

1 and the issuance of licenses to carry handguns. Except as  
2 provided in subsection (b) of Section 70, a home rule unit  
3 shall not regulate the possession or transportation of  
4 handguns. A home rule unit shall not regulate the number of  
5 handguns or require registration of handguns possessed by a  
6 person licensed under this Act. This Section is a denial of  
7 home rule powers and functions under subsection (i) of Section  
8 6 of Article VII of the Illinois Constitution.

9 Section 100. Severability. The provisions of this Act are  
10 severable under Section 1.31 of the Statute on Statutes.

11 Section 900. The Freedom of Information Act is amended by  
12 changing Section 7.5 as follows:

13 (5 ILCS 140/7.5)

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

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

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

22 (c) Applications, related documents, and medical records  
23 received by the Experimental Organ Transplantation Procedures

1 Board and any and all documents or other records prepared by  
2 the Experimental Organ Transplantation Procedures Board or its  
3 staff relating to applications it has received.

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

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

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

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

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

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

25 (j) Information and data concerning the distribution of  
26 surcharge moneys collected and remitted by wireless carriers



1 under the Wireless Emergency Telephone Safety Act.

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

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

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

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

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

24 (p) Security portions of system safety program plans,  
25 investigation reports, surveys, schedules, lists, data, or  
26 information compiled, collected, or prepared by or for the

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

4 (q) Information prohibited from being disclosed by the  
5 Personnel Records Review Act.

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

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

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

23 (u) ~~(t)~~ Records and information provided to an independent  
24 team of experts under Brian's Law.

25 (v) Information maintained by the Department of State  
26 Police in accordance with subsection (a) of Section 35 of the

1 Family and Personal Protection Act, except as authorized by  
2 that Act.

3 (Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11;  
4 96-1331, eff. 7-27-10; revised 9-2-10.)

5 Section 905. The State Finance Act is amended by adding  
6 Section 5.786 as follows:

7 (30 ILCS 105/5.786 new)

8 Sec. 5.786. The Citizen Safety and Self-Defense Trust Fund.

9 Section 910. The Criminal Code of 1961 is amended by  
10 changing Sections 21-6 and 24-2 as follows:

11 (720 ILCS 5/21-6) (from Ch. 38, par. 21-6)

12 Sec. 21-6. Unauthorized Possession or Storage of Weapons.

13 (a) Whoever possesses or stores any weapon enumerated in  
14 Section 33A-1 in any building or on land supported in whole or  
15 in part with public funds or in any building on such land  
16 without prior written permission from the chief security  
17 officer for such land or building commits a Class A  
18 misdemeanor.

19 (b) The chief security officer must grant any reasonable  
20 request for permission under paragraph (a).

21 (c) This Section shall not apply to a person acting  
22 lawfully under the Family and Personal Protection Act.

1 (Source: P.A. 89-685, eff. 6-1-97.)

2 (720 ILCS 5/24-2)

3 Sec. 24-2. Exemptions.

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

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

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

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

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

1           (5) Persons licensed as private security contractors,  
2 private detectives, or private alarm contractors, or  
3 employed by an agency certified by the Department of  
4 Professional Regulation, if their duties include the  
5 carrying of a weapon under the provisions of the Private  
6 Detective, Private Alarm, Private Security, Fingerprint  
7 Vendor, and Locksmith Act of 2004, while actually engaged  
8 in the performance of the duties of their employment or  
9 commuting between their homes and places of employment,  
10 provided that such commuting is accomplished within one  
11 hour from departure from home or place of employment, as  
12 the case may be. Persons exempted under this subdivision  
13 (a)(5) shall be required to have completed a course of  
14 study in firearms handling and training approved and  
15 supervised by the Department of Professional Regulation as  
16 prescribed by Section 28 of the Private Detective, Private  
17 Alarm, Private Security, Fingerprint Vendor, and Locksmith  
18 Act of 2004, prior to becoming eligible for this exemption.  
19 The Department of Professional Regulation shall provide  
20 suitable documentation demonstrating the successful  
21 completion of the prescribed firearms training. Such  
22 documentation shall be carried at all times when such  
23 persons are in possession of a concealable weapon.

24           (6) Any person regularly employed in a commercial or  
25 industrial operation as a security guard for the protection  
26 of persons employed and private property related to such

1 commercial or industrial operation, while actually engaged  
2 in the performance of his or her duty or traveling between  
3 sites or properties belonging to the employer, and who, as  
4 a security guard, is a member of a security force of at  
5 least 5 persons registered with the Department of  
6 Professional Regulation; provided that such security guard  
7 has successfully completed a course of study, approved by  
8 and supervised by the Department of Professional  
9 Regulation, consisting of not less than 40 hours of  
10 training that includes the theory of law enforcement,  
11 liability for acts, and the handling of weapons. A person  
12 shall be considered eligible for this exemption if he or  
13 she has completed the required 20 hours of training for a  
14 security officer and 20 hours of required firearm training,  
15 and has been issued a firearm control card by the  
16 Department of Professional Regulation. Conditions for the  
17 renewal of firearm control cards issued under the  
18 provisions of this Section shall be the same as for those  
19 cards issued under the provisions of the Private Detective,  
20 Private Alarm, Private Security, Fingerprint Vendor, and  
21 Locksmith Act of 2004. Such firearm control card shall be  
22 carried by the security guard at all times when he or she  
23 is in possession of a concealable weapon.

24 (7) Agents and investigators of the Illinois  
25 Legislative Investigating Commission authorized by the  
26 Commission to carry the weapons specified in subsections

1 24-1(a)(3) and 24-1(a)(4), while on duty in the course of  
2 any investigation for the Commission.

3 (8) Persons employed by a financial institution for the  
4 protection of other employees and property related to such  
5 financial institution, while actually engaged in the  
6 performance of their duties, commuting between their homes  
7 and places of employment, or traveling between sites or  
8 properties owned or operated by such financial  
9 institution, provided that any person so employed has  
10 successfully completed a course of study, approved by and  
11 supervised by the Department of Professional Regulation,  
12 consisting of not less than 40 hours of training which  
13 includes theory of law enforcement, liability for acts, and  
14 the handling of weapons. A person shall be considered to be  
15 eligible for this exemption if he or she has completed the  
16 required 20 hours of training for a security officer and 20  
17 hours of required firearm training, and has been issued a  
18 firearm control card by the Department of Professional  
19 Regulation. Conditions for renewal of firearm control  
20 cards issued under the provisions of this Section shall be  
21 the same as for those issued under the provisions of the  
22 Private Detective, Private Alarm, Private Security,  
23 Fingerprint Vendor, and Locksmith Act of 2004. Such firearm  
24 control card shall be carried by the person so trained at  
25 all times when such person is in possession of a  
26 concealable weapon. For purposes of this subsection,

1 "financial institution" means a bank, savings and loan  
2 association, credit union or company providing armored car  
3 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 officers  
8 pursuant to the Peace Officer Fire Investigation Act.

9 (11) Investigators of the Office of the State's  
10 Attorneys Appellate Prosecutor authorized by the board of  
11 governors of the Office of the State's Attorneys Appellate  
12 Prosecutor to carry weapons pursuant to Section 7.06 of the  
13 State's Attorneys Appellate Prosecutor's Act.

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

16 (12.5) Probation officers while in the performance of  
17 their duties, or while commuting between their homes,  
18 places of employment or specific locations that are part of  
19 their assigned duties, with the consent of the chief judge  
20 of the circuit for which they are employed.

21 (13) Court Security Officers while in the performance  
22 of their official duties, or while commuting between their  
23 homes and places of employment, with the consent of the  
24 Sheriff.

25 (13.5) A person employed as an armed security guard at  
26 a nuclear energy, storage, weapons or development site or



1 facility regulated by the Nuclear Regulatory Commission  
2 who has completed the background screening and training  
3 mandated by the rules and regulations of the Nuclear  
4 Regulatory Commission.

5 (14) Manufacture, transportation, or sale of weapons  
6 to persons authorized under subdivisions (1) through  
7 (13.5) of this subsection to possess those weapons.

8 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
9 24-1.6 do not apply to or affect any of the following:

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

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

18 (3) Hunters, trappers or fishermen with a license or  
19 permit while engaged in hunting, trapping or fishing.

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

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

26 (6) A licensee under the Family and Personal Protection

1        Act, notwithstanding Section 70 of that Act, if the  
2        licensee meets the requirements of the Family and Personal  
3        Protection Act.

4        (c) Subsection 24-1(a)(7) does not apply to or affect any  
5 of the following:

6            (1) Peace officers while in performance of their  
7 official duties.

8            (2) 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           (3) Members of the Armed Services or Reserve Forces of  
12 the United States or the Illinois National Guard, while in  
13 the performance of their official duty.

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

19           (5) Persons licensed under federal law to manufacture  
20 any weapon from which 8 or more shots or bullets can be  
21 discharged by a single function of the firing device, or  
22 ammunition for such weapons, and actually engaged in the  
23 business of manufacturing such weapons or ammunition, but  
24 only with respect to activities which are within the lawful  
25 scope of such business, such as the manufacture,  
26 transportation, or testing of such weapons or ammunition.

1 This exemption does not authorize the general private  
2 possession of any weapon from which 8 or more shots or  
3 bullets can be discharged by a single function of the  
4 firing device, but only such possession and activities as  
5 are within the lawful scope of a licensed manufacturing  
6 business described in this paragraph.

7 During transportation, such weapons shall be broken  
8 down in a non-functioning state or not immediately  
9 accessible.

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

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

1           During transportation, any such weapon shall be broken  
2           down in a non-functioning state, or not immediately  
3           accessible.

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

7           (e) Subsection 24-1(a)(8) does not apply to any owner,  
8           manager or authorized employee of any place specified in that  
9           subsection nor to any law enforcement officer or a licensee  
10          under the Family and Personal Protection Act, notwithstanding  
11          Section 70 of that Act.

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

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

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

22               (2) Bonafide collectors of antique or surplus military  
23               ordinance.

24               (3) Laboratories having a department of forensic  
25               ballistics, or specializing in the development of  
26               ammunition or explosive ordinance.

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

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

1           (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
2 24-1.6 do not apply to or affect any parole agent or parole  
3 supervisor who meets the qualifications and conditions  
4 prescribed in Section 3-14-1.5 of the Unified Code of  
5 Corrections.

6           (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and  
7 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an  
8 athlete's possession, transport on official Olympic and  
9 Paralympic transit systems established for athletes, or use of  
10 competition firearms sanctioned by the International Olympic  
11 Committee, the International Paralympic Committee, the  
12 International Shooting Sport Federation, or USA Shooting in  
13 connection with such athlete's training for and participation  
14 in shooting competitions at the 2016 Olympic and Paralympic  
15 Games and sanctioned test events leading up to the 2016 Olympic  
16 and Paralympic Games.

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

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

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

9 (Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07;  
10 95-885, eff. 1-1-09; 96-7, eff. 4-3-09; 96-230, eff. 1-1-10;  
11 96-742, eff. 8-25-09; 96-1000, eff. 7-2-10.)".