

1 AN ACT concerning firearms.

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

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

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

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

11 "Department" means the Department of State Police.

12 "Director" means the Director of State Police.

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

15 "Handgun" means any device which is designed to expel a  
16 projectile or projectiles by the action of an explosion,  
17 expansion of gas, or escape of gas that is designed to be held  
18 and fired by the use of a single hand, and includes a  
19 combination of parts from which such a firearm can be  
20 assembled. "Handgun" does not include a stun gun or taser.

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

23 "Licensee" means a person issued a license to carry a

1 concealed firearm.

2 "Peace officer" means (i) any person who by virtue of his  
3 or her office or public employment is vested by law with a duty  
4 to maintain public order or to make arrests for offenses,  
5 whether that duty extends to all offenses or is limited to  
6 specific offenses, or (ii) any person who, by statute, is  
7 granted and authorized to exercise powers similar to those  
8 conferred upon any peace officer employed by a law enforcement  
9 agency of this State.

10 Section 15. Citizen Safety and Self-Defense Trust Fund.  
11 Fees from applications for licenses shall be deposited into the  
12 Citizen Safety and Self-Defense Trust Fund, a special fund that  
13 is created in the State treasury. Moneys in the Fund may be  
14 invested and any income from investments shall be deposited  
15 into the Fund. Subject to appropriation, moneys in the Fund  
16 shall exclusively be used to assist the Department with the  
17 administrative costs associated with this Act.

18 Section 20. Issuance of licenses to carry a concealed  
19 firearm.

20 (a) The Department shall issue a license to an applicant  
21 who (i) meets the qualifications of Section 25; (ii) has  
22 provided the application and documentation required in Section  
23 30; and (iii) has submitted the requisite fees. The Department  
24 shall issue a renewal, corrected, or duplicate license in

1 accordance with this Act.

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

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

15 (b) The Department shall make applications for a license  
16 available no later than 180 days after the effective date of  
17 this Act. Applications shall be available at Department  
18 locations, sheriff offices, on the Department's official  
19 website, and any other location designated by the Department.

20 (c) A completed application for a license shall be  
21 submitted to the office of the sheriff of the county in which  
22 the applicant resides with all accompanying materials and fees.  
23 The sheriff shall review the application and submit a completed  
24 application, all accompanying materials, and the application  
25 fee to the Department within 30 days of receipt. The sheriff  
26 shall promptly return an incomplete application to the

1 applicant. Each applicant for a license shall submit a \$100  
2 application fee, of which \$25 shall be retained by the sheriff  
3 for expenses related to receiving and reviewing applications,  
4 and \$75 shall be submitted to the Department and deposited into  
5 the Citizen Safety and Self Defense Trust Fund. The sheriff may  
6 require an applicant submit the fee in 2 portions: (1) \$25  
7 payable to the sheriff, and (2) \$75 payable to the Department.

8 (d) A sheriff may submit an objection to an application,  
9 provided the objection is in writing, includes specific reasons  
10 for the objection, and is submitted with the application. Upon  
11 request of a municipal law enforcement agency, the sheriff  
12 shall notify the department of the name, address, and date of  
13 birth of any person submitting an application for a license.  
14 The municipal police department may submit to the sheriff  
15 information deemed to be relevant to the application, and the  
16 sheriff may consider such information when determining whether  
17 to submit an objection. Any objection submitted by a sheriff,  
18 including reports submitted to a sheriff by a municipal law  
19 enforcement agency, must be disclosed to the applicant unless  
20 disclosure would interfere with a criminal investigation, or as  
21 determined by the Department, disclosure may threaten the  
22 safety or welfare of the sheriff or local law enforcement  
23 agency.

24 (e) Notwithstanding subsection (a), the Department may  
25 consider any objection or recommendation made by the sheriff  
26 and may determine the applicant is ineligible based solely on

1 those objections. If the applicant is found by the Department  
2 to be ineligible, the Department shall deny the application and  
3 notify the applicant and the sheriff in writing, stating the  
4 grounds for denial. The notice of denial must inform the  
5 applicant that he or she may, within 30 days, appeal the denial  
6 and submit additional materials relevant to the grounds for  
7 denial. Upon receiving any additional documentation, the  
8 Department shall reconsider its decision and inform the  
9 applicant within 30 days of the result of the reconsideration.  
10 If upon reconsideration the Department denies the application,  
11 the applicant must be informed of the right to administrative  
12 review.

13 (f) The license shall be issued by the Department within 45  
14 days of receipt of a completed application from a sheriff. A  
15 license shall be valid throughout the State for a period of 5  
16 years.

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

19 Section 25. Qualifications of an applicant for a license.  
20 The Department shall issue a license to an applicant completing  
21 an application in accordance with Section 30 of this Act if the  
22 person:

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

24 (b) has a valid Firearm Owner's Identification Card, or  
25 if applying for a non-resident license, has a notarized

1 document stating the applicant is eligible under federal  
2 law and the laws of his or her home state to own a handgun;

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

5 (d) has not been convicted in Illinois or any other  
6 state of (i) a felony, (ii) a misdemeanor involving the use  
7 or threat of physical force or violence to any person  
8 within the 10 years preceding the date of the application,  
9 or (iii) a misdemeanor involving the use, possession, or  
10 distribution of a controlled substance or cannabis within  
11 the 10 years preceding the date of the application;

12 (e) has not been a patient in a mental institution  
13 within the past 5 years, has not been adjudicated as having  
14 a mental defect, or is not mentally retarded;

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

19 (g) does not chronically and habitually abuse  
20 alcoholic beverages as evidenced by the applicant having 2  
21 or more convictions for violating Section 11-501 of the  
22 Illinois Vehicle Code or similar provision of a local  
23 ordinance within 5 years preceding the date of the  
24 application, or if the applicant has elected treatment  
25 under the supervision of a licensed program in accordance  
26 with the Alcoholism and Other Drug Abuse and Dependency Act

1 or similar laws of any other state, within 5 years  
2 preceding the date of the application; and

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

5 Section 30. Contents of application.

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

10 (b) The application shall contain the following  
11 information:

12 (i) the applicant's name, current address, gender,  
13 date and year of birth, place of birth, height, weight,  
14 hair color, eye color, maiden name or any other name the  
15 applicant has used or identified with, and any address at  
16 which the applicant resided for more than 30 days within  
17 the 5 years preceding the date of the application;

18 (ii) the applicant's driver's license or state  
19 identification card number and the last 4 digits of the  
20 applicant's social security number;

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

24 (iv) a statement that the applicant is a resident of  
25 the State of Illinois, except persons applying under

1 Section 65 shall be instructed to submit the information  
2 required in that Section;

3 (v) a waiver of privacy and confidentiality rights and  
4 privileges enjoyed by the applicant under all federal and  
5 State laws, including those governing access to juvenile  
6 court, criminal justice, psychological or psychiatric  
7 records, or records relating to the applicant's history of  
8 institutionalization, and an affirmative request that any  
9 person having custody of any such record provide it or  
10 information concerning it to the Department;

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

14 (vii) an affirmation that the applicant either  
15 possesses a currently valid Illinois Firearm Owner's  
16 Identification Card, in which case the application shall  
17 include the card number, or is applying for the card in  
18 conjunction with the application for a license, except  
19 persons applying under Section 65 shall be instructed to  
20 submit a copy of a valid license to carry a handgun issued  
21 by their home state, if applicable, or submit a notarized  
22 document stating the applicant is eligible under the laws  
23 of his or her home state to possess a handgun; and

24 (viii) an affirmation that the applicant has never been  
25 convicted in Illinois or any other state of (i) a felony,  
26 (ii) a misdemeanor involving the use or threat of physical



1 force or violence to any person within the 10 years  
2 preceding the date of the application, or (iii) a  
3 misdemeanor involving the use, possession, or distribution  
4 of a controlled substance or cannabis within the 10 years  
5 preceding the date of the application.

6 (c) A person applying for a license shall provide a head  
7 and shoulder color photograph in a size specified by the  
8 Department that was taken within the 30 days preceding the date  
9 of the application. The applicant shall consent to the  
10 Department reviewing and using the applicant's digital  
11 driver's license or Illinois Identification photograph and  
12 signature, if available. The Secretary of State shall allow the  
13 Department access to the photograph and signature for the  
14 purpose of identifying the applicant and issuing to the  
15 applicant a license.

16 (d) A person applying for a license shall submit with an  
17 application a full set of legible fingerprints. Fingerprinting  
18 may be administered by the Department or any other federal,  
19 State, county, or municipal law enforcement agency. The cost of  
20 fingerprinting shall be paid by the applicant, provided that  
21 the Department or law enforcement agency may charge no more  
22 than \$25 for a single set of fingerprints. The Department shall  
23 accept a hard copy or electronic version of fingerprints.

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

1           (f) The Department is authorized to establish a system for  
2 electronically submitting applications, including applications  
3 for renewal or a replacement license.

4           Section 35. Database of applicants and licensees.

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

18           (b) The Department shall make available on its website and  
19 upon request under the Freedom of Information Act statistical  
20 information about the number of licenses issues by county, age,  
21 race, or gender. Such report shall be updated monthly. Except  
22 as provided in this subsection, applications and information in  
23 the database shall be confidential and exempt from disclosure  
24 under the Freedom of Information Act. The Department may answer  
25 requests to confirm or deny whether a person has been issued a

1 license as part of inquiries dealing with a criminal  
2 investigation. Individual law enforcement agencies, State's  
3 Attorneys, and judicial staff shall sign a confidentiality  
4 agreement, prepared by the Department, prior to receiving  
5 access to the database. No law enforcement agency, State's  
6 Attorney, or member or staff of the judiciary, other than the  
7 Department, shall provide any information to a requester not  
8 entitled to it by law, except as required or necessary for the  
9 conduct of a criminal investigation.

10 Section 40. Suspension or revocation of a license.

11 (a) A license issued or renewed under this Act shall be  
12 revoked if, at any time, the licensee is found ineligible for a  
13 license based on the criteria set forth in Section 25 of this  
14 Act or the licensee no longer possesses a Firearm Owner's  
15 Identification Card or a non-resident licensee if his or her  
16 home state has revoked a license to carry a firearm. This  
17 subsection shall not apply to a person who has filed an  
18 application with the State Police for renewal of a Firearm  
19 Owner's Identification Card and who is not otherwise ineligible  
20 to obtain a Firearm Owner's Identification Card.

21 (b) A license shall be suspended if an order of protection  
22 under Section 112A-14 of the Code of Criminal Procedure of 1963  
23 or under Section 214 of the Illinois Domestic Violence Act of  
24 1986 is issued against a licensee. The license shall be  
25 suspended for the duration of the order or until the order is

1 terminated by a court and the Department shall not reissue or  
2 renew a license for the duration of the order or until the  
3 order is terminated. If an order of protection is issued  
4 against a licensee, the licensee shall surrender the license,  
5 as applicable, to the court at the time the order is entered or  
6 to the law enforcement agency or entity designated to serve  
7 process at the time the licensee is served the order. The  
8 court, law enforcement agency, or entity responsible for  
9 serving the order shall transmit the license to the Department.

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

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

18 (e) The Department may suspend a license if a licensee  
19 fails to submit a change of address or name or fails to report  
20 a lost or destroyed license to the Department within 30 days.

21 Section 45. Renewal of license.

22 (a) Not later than 120 days before the expiration of any  
23 license issued under this Act, the Department shall notify the  
24 licensee in writing of the expiration and furnish an  
25 application for renewal of the license or make such an

1 application available on-line.

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

19 Section 50. Change of address, change of name, or lost or  
20 destroyed licenses.

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

24 (b) If a licensee changes residence within this State or  
25 changes his or her name, the licensee shall request a new

1 license. The licensee shall submit a \$25 fee, a notarized  
2 statement that the licensee has changed residence or his or her  
3 name, and a photograph as required in Section 30 of this Act.  
4 The statement must include the prior and current address or  
5 name and the date the applicant moved or changed his or her  
6 name.

7 (c) A lost or destroyed license shall be invalid. To  
8 request a new license, the licensee shall submit (i) a \$25 fee,  
9 (ii) a notarized statement that the licensee no longer  
10 possesses the license and that it was lost or destroyed, (iii)  
11 a copy of a police report stating that the license was lost,  
12 destroyed, or stolen, and (iv) a photograph as required in  
13 Section 30 of this Act.

14 Section 65. Non-resident applications. A person from  
15 another state or territory of the United States may apply for a  
16 non-resident license. The applicant shall apply to the  
17 Department and must meet the qualifications established in  
18 Section 25. The applicant shall submit (i) the application and  
19 documentation required in Section 30; (ii) a notarized document  
20 stating the applicant (A) is eligible under federal law and the  
21 laws of his or her home state to own a firearm, (B) if  
22 applicable, has a license or permit to carry a firearm or  
23 concealed firearm issued by his or her home state and that a  
24 copy is attached to the application, (C) understands Illinois  
25 laws pertaining to the possession and transport of firearms,

1 and (D) acknowledges that the applicant is subject to the  
2 jurisdiction of the Department and Illinois courts for any  
3 violation of this Act; and (iii) a \$100 application fee. In  
4 lieu of an Illinois State driver's license or identification  
5 card, he or she shall provide similar documentation from his or  
6 her state or territory.

7 Section 70. Restrictions.

8 (a) No license issued under this Act shall authorize any  
9 person to knowingly carry a concealed firearm into:

10 (i) Any building under the control of the Governor,  
11 Lieutenant Governor, Attorney General, Secretary of State,  
12 Comptroller, or Treasurer.

13 (ii) Any building under control of the General Assembly  
14 or any of its support service agencies, including the  
15 portion of a building in which a committee of the General  
16 Assembly convenes for the purpose of conducting meetings of  
17 committees, joint committees, or legislative commissions.

18 (iii) Any courthouse or building occupied in whole or  
19 in part by the Circuit, Appellate, or Supreme Court or a  
20 room designated as a courtroom for court proceedings by any  
21 of these courts.

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

24 (v) Any establishment licensed to dispense alcoholic  
25 beverages for consumption on the premises if less than 50%

1 of its annual gross income comes from the sale of food.

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

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

6 (viii) Any elementary or secondary school without the  
7 consent of school authorities. School authorities shall  
8 inform the appropriate law enforcement agency and any law  
9 enforcement personnel on site of such consent.

10 (ix) Any portion of a building used as a child care  
11 facility without the consent of the manager. Nothing in  
12 this Section shall prevent the operator of a child care  
13 facility in a family home from owning or possessing a  
14 firearm or license.

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

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

18 (xii) Any stadium, arena, or collegiate or  
19 professional sporting event.

20 (xiii) A mental health facility.

21 (xiv) Any community college, college, or university  
22 campus without consent of the school authorities. School  
23 authorities shall inform the appropriate law enforcement  
24 agency and any law enforcement personnel on site of such  
25 consent.

26 (xv) A library without the written consent of the



1 library's governing body. The governing body shall inform  
2 the appropriate law enforcement agency of such consent.

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

6 (xvii) Any adult or juvenile detention or correctional  
7 institution, prison, or jail.

8 (b) A municipality or school district may prohibit or limit  
9 licensees from carrying a concealed firearm into or within any  
10 building owned, leased, or controlled by that municipality or  
11 school district by a majority vote of members of its governing  
12 board. A resolution or ordinance shall not prohibit a licensee  
13 from carrying a concealed firearm in any building used for  
14 public housing, on any sidewalk, on any highway or roadway, or  
15 in any public restroom. A resolution or ordinance shall not  
16 prohibit a licensee from carrying a concealed firearm in a  
17 public transportation facility or while accessing the services  
18 of a public transportation agency. For purposes of this  
19 Section, "public transportation facility" means a terminal or  
20 other place where one may obtain public transportation. For  
21 purposes of this Section, "public transportation agency" means  
22 a public or private agency that provides for the transportation  
23 or conveyance of persons by means available to the general  
24 public, except for transportation by automobiles not used for  
25 conveyance of the general public as passengers. The resolution  
26 or ordinance may specify that persons violating the resolution

1 or ordinance may be denied entrance to the building and  
2 subjected to a civil fine of no more than \$100 for any  
3 violation of the provisions of the resolution or ordinance.

4 (c) The owner, business or commercial lessee, or manager of  
5 a private business enterprise, or any other private  
6 organization, entity, or person, may prohibit licensees from  
7 carrying a concealed firearm on the premises under its control.  
8 However, any owner shall allow for any lessee to carry or  
9 possess a concealed firearm in accordance with this Act in any  
10 part of a building or upon any property he or she leases.

11 (d) Any person licensed under this Act who is prohibited  
12 from carrying a concealed firearm into a building or on the  
13 premises as specified in subsection (a) or designated in  
14 accordance with subsection (b) or (c) shall be permitted to  
15 store that handgun or ammunition out of plain sight in a locked  
16 vehicle or in a locked compartment or container within his or  
17 her vehicle. A licensee shall not be in violation of this  
18 Section while he or she is traveling along a public right of  
19 way that touches or crosses any of the premises specified in  
20 subsection (a) or designated under subsection (b) or (c) if the  
21 handgun is carried on his or her person in accordance with the  
22 provisions of this Act or is being transported in a vehicle by  
23 the licensee in accordance with all other applicable provisions  
24 of law. A licensee shall not be in violation of subsection (b)  
25 or (c) of this Section if a building or premises designated  
26 under subsection (b) or (c) fails to post a sign.

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

6           (f) A licensee shall not carry a concealed firearm while  
7 under the influence of illegal drugs or hallucinogenic drugs or  
8 alcohol. For the purposes of this subsection (f), under the  
9 influence of alcohol means a blood alcohol content of .08 or  
10 greater.

11           (g) Signs stating that the carrying of a concealed firearm  
12 is prohibited shall be clearly and conspicuously posted at  
13 every entrance of a building or premises specified in  
14 subsection (a) or designated in accordance with subsection (b)  
15 or (c). The Department shall promulgate rules for standardized  
16 signs to be used under this subsection.

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

23           (i) The Department may suspend a license for up to 90 days  
24 for a violation of subsection (a), (b), (c), (d), (e), or (f)  
25 or up to 180 days for a willful violation of subsection (a),  
26 (b), (c), (d), (e), or (f). The Department shall permanently

1 revoke a license for 3 or more violations of this Section.

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

13 Section 80. Fees.

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

17 (b) Fees shall be:

18 New license: \$100.

19 Renewal of license: \$50.

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

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

22 Late renewal fee: \$25.

23 (c) By March 1 of each year, the Department shall submit a  
24 statistical report to the Governor, the President of the

1 Senate, and the Speaker of the House of Representatives  
2 indicating the number of licenses issued, revoked, suspended,  
3 denied, and issued after appeal since the last report and in  
4 total and also the number of licenses currently valid. The  
5 report shall also include the number of arrests and convictions  
6 and the types of crimes committed since the last report by  
7 licensees.

8 (d) The Secretary of State shall conduct a study to  
9 determine the cost and feasibility of creating a method of  
10 adding an identifiable code, background, or other means to show  
11 that an individual has been issued a license by the Department  
12 on the person's driver's license.

13 Section 85. Applicant training.

14 (a) The applicant training course shall be the standardized  
15 training course furnished by the Department and taught by a  
16 qualified firearms instructor, consisting of 8 hours of  
17 instruction, covering at least the following topics:

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

20 (ii) the basic principles of marksmanship;

21 (iii) care and cleaning of handguns; and

22 (iv) by means of a videotape produced or approved by  
23 the Department:

24 (A) the requirements for obtaining a license to  
25 carry a concealed firearm in this State;

1 (B) laws relating to firearms as prescribed in the  
2 Firearm Owners Identification Card Act, Article 24 of  
3 the Criminal Code of 1961, and 18 U.S.C. 921 through  
4 930; and

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

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

10 (A) a minimum of 30 rounds; and

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

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

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

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

22 (d) Qualified firearms instructors may only discuss the  
23 contents of the video or the statutory provisions listed in  
24 clauses (A), (B), and (C) of subparagraph (iv) of paragraph (a)  
25 to ensure the students comprehend the subject matter for  
26 preparation of the written exam.

1 (e) At the conclusion of the classroom portion of the  
2 applicant training course, the qualified firearms instructor  
3 shall:

4 (1) distribute a standard course examination to the  
5 students;

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

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

10 (4) not grade the examinations in the presence of  
11 students.

12 (f) A person shall not:

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

15 (2) possess the applicant training course examination,  
16 or questions from the examination, unless authorized by the  
17 Department; or

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

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

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

24 (1) does not follow the orders of the certified  
25 firearms instructor;

26 (2) in the judgment of the certified firearms

1 instructor, handles a firearm in a manner that poses a  
2 danger to the applicant or to others; or

3 (3) during the testing portion of the range work fails  
4 to hit the silhouette portion of the target with 70% of the  
5 30 rounds fired.

6 (i) Certified firearms instructors shall:

7 (1) allow monitoring of their classes by officials of  
8 any certifying agency;

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

11 (3) not divulge course records except as authorized by  
12 the certifying agency.

13 (j) Fees for applicant training courses shall be set by the  
14 instructor.

15 (k) An applicant training course shall not have more than  
16 40 students in the classroom portion or more than 5 students  
17 per range officer engaged in range firing.

18 (1) Within 3 business days after the completion of the  
19 course, the certified firearms instructor shall:

20 (1) grade the examinations; and

21 (2) issue to the student:

22 (i) a certificate of successful course completion;  
23 nothing in this Section shall prevent the instructor  
24 from issuing the certificate on the same day as the  
25 course was completed; or

26 (ii) notification that the applicant has failed



1           the written portion of the course, the live firing  
2           portion of the course, or both, and will not be issued  
3           a certificate of completion.

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

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

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

10          (n) (1) Students who score below 70% on the written  
11          examination may retake the examination one time without having  
12          to retake the course.

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

16          (o) The Department shall make materials for applicant  
17          training available to qualified instructors online through the  
18          Department's website or Internet. If the Department fails to  
19          have training materials available 90 days after the effective  
20          date of this Act, then the requirements of this Section shall  
21          be deemed to have been met by the applicant providing proof of  
22          passage of a National Rifle Association Basic Pistol Course.

23          (p) For purposes of this Section, successful completion of  
24          Firearms Instructor Training under Section 90 shall meet the  
25          training requirements of this Section.

1 Section 90. Firearms instructors training.

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

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

13 (c) Persons who are not qualified firearms instructors  
14 shall not advertise or otherwise represent courses they teach  
15 as qualifying their students to meet the requirements to  
16 receive a license under this Act.

17 (d) Persons who are not certified instructor trainers shall  
18 not teach instructor qualification courses.

19 (e) Persons wishing to become qualified firearms  
20 instructors shall:

- 21 (1) be at least 21 years of age;
- 22 (2) be a citizen of the United States; and
- 23 (3) meet the requirements of subsection (c) of Section  
24 25.

25 (f) Persons wishing to become instructor trainers, in  
26 addition to the requirements of subsection (e) of this Section,

1 shall:

2 (1) possess a high school diploma or GED certificate;

3 and

4 (2) have at least one of the following valid firearms  
5 instructor certifications:

6 (i) any National Rifle Association Instructor  
7 Certification;

8 (ii) certification from a firearms instructor's  
9 course offered by a State or federal governmental  
10 agency; or

11 (iii) a similar firearms instructor qualifying  
12 course, approved by the Director of State Police or his  
13 or her designee.

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

15 (2) An applicant may be disqualified from taking firearms  
16 instructor training, or have his or her instructor  
17 qualification revoked, if the applicant:

18 (A) does not meet the requirements of this Act to  
19 possess a license;

20 (B) provides false or misleading information on the  
21 application; or

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

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

26 (1) Not more than 16 hours of instruction covering at

1 least the following topics by means of a videotape produced  
2 or approved by the Department:

3 (A) the requirements for obtaining a license under  
4 this Act;

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

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

11 (D) the conducting of applicant training courses;

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

13 (F) the basic nomenclature of handguns;

14 (G) the basic principles of marksmanship; and

15 (H) the safe handling of handguns.

16 (2) A classroom demonstration, during which the  
17 instructor candidate shall receive instruction on and  
18 demonstrate competency in the ability to prepare and  
19 deliver a classroom presentation using materials from the  
20 applicant curriculum.

21 (3) Range instruction and firing of live ammunition,  
22 during which the instructor candidate shall receive  
23 instruction on and demonstrate competency in the ability  
24 to:

25 (i) handle and fire a handgun safely and  
26 accurately;

1           (ii) conduct a function test and safety inspection  
2           of revolvers and pistols;

3           (iii) clean revolvers and pistols; and

4           (iv) supervise and conduct live firing exercises  
5           in a safe and efficient manner.

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

8           (1) a minimum score of 70% on a written examination  
9           covering the material taught during the classroom portion  
10          of the course; and

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

14               (i) twenty rounds from 7 yards; and

15               (ii) ten rounds from 15 yards; and

16               (iii) a score of "passing" from the course  
17          instructor for demonstrating competency in each of the  
18          following:

19                       (A) supervising and conducting live fire;

20                       (B) cleaning and inspecting handguns; and

21                       (C) preparing and delivering the classroom  
22          lecture.

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

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

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

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

12          (n) Prior to conducting range firing, the course instructor  
13 shall:

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

15           (ii) not allow the firing of a handgun which is not in  
16 sound mechanical condition or otherwise may pose a safety  
17 hazard.

18          Section 95. Preemption. It is declared to be the policy of  
19 this State that it is an exclusive power and function of the  
20 State to regulate the possession and transportation of handguns  
21 and the issuance of licenses to carry a concealed firearm.  
22 Except as provided in subsection (b) of Section 70, a home rule  
23 unit shall not regulate the possession or transportation of  
24 handguns. A home rule unit shall not regulate the number of  
25 handguns or require registration of handguns possessed by a

1 person licensed under this Act. This Section is a denial of  
2 home rule powers and functions under subsection (i) of Section  
3 6 of Article VII of the Illinois Constitution.

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

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

8 (5 ILCS 140/7.5)

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

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

14 (b) Library circulation and order records identifying  
15 library users with specific materials under the Library Records  
16 Confidentiality Act.

17 (c) Applications, related documents, and medical records  
18 received by the Experimental Organ Transplantation Procedures  
19 Board and any and all documents or other records prepared by  
20 the Experimental Organ Transplantation Procedures Board or its  
21 staff relating to applications it has received.

22 (d) Information and records held by the Department of  
23 Public Health and its authorized representatives relating to

1 known or suspected cases of sexually transmissible disease or  
2 any information the disclosure of which is restricted under the  
3 Illinois Sexually Transmissible Disease Control Act.

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

6 (f) Firm performance evaluations under Section 55 of the  
7 Architectural, Engineering, and Land Surveying Qualifications  
8 Based Selection Act.

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

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

16 (i) Information contained in a local emergency energy plan  
17 submitted to a municipality in accordance with a local  
18 emergency energy plan ordinance that is adopted under Section  
19 11-21.5-5 of the Illinois Municipal Code.

20 (j) Information and data concerning the distribution of  
21 surcharge moneys collected and remitted by wireless carriers  
22 under the Wireless Emergency Telephone Safety Act.

23 (k) Law enforcement officer identification information or  
24 driver identification information compiled by a law  
25 enforcement agency or the Department of Transportation under  
26 Section 11-212 of the Illinois Vehicle Code.



1           (l) Records and information provided to a residential  
2 health care facility resident sexual assault and death review  
3 team or the Executive Council under the Abuse Prevention Review  
4 Team Act.

5           (m) Information provided to the predatory lending database  
6 created pursuant to Article 3 of the Residential Real Property  
7 Disclosure Act, except to the extent authorized under that  
8 Article.

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

16           (o) Information that is prohibited from being disclosed  
17 under Section 4 of the Illinois Health and Hazardous Substances  
18 Registry Act.

19           (p) Security portions of system safety program plans,  
20 investigation reports, surveys, schedules, lists, data, or  
21 information compiled, collected, or prepared by or for the  
22 Regional Transportation Authority under Section 2.11 of the  
23 Regional Transportation Authority Act or the St. Clair County  
24 Transit District under the Bi-State Transit Safety Act.

25           (q) Information prohibited from being disclosed by the  
26 Personnel Records Review Act.

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

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

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

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

20 (v) Information maintained by the Department of State  
21 Police in accordance with subsection (a) of Section 35 of the  
22 Family and Personal Protection Act, except as authorized by  
23 that Act.

24 (Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11;  
25 96-1331, eff. 7-27-10; revised 9-2-10.)

1 Section 905. The State Finance Act is amended by adding  
2 Section 5.786 as follows:

3 (30 ILCS 105/5.786 new)

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

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

7 (720 ILCS 5/21-6) (from Ch. 38, par. 21-6)

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

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

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

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

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

20 (720 ILCS 5/24-2)

21 Sec. 24-2. Exemptions.

22 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and

1 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of  
2 the following:

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

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

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

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

22 (5) Persons licensed as private security contractors,  
23 private detectives, or private alarm contractors, or  
24 employed by an agency certified by the Department of  
25 Professional Regulation, if their duties include the  
26 carrying of a weapon under the provisions of the Private

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

19 (6) Any person regularly employed in a commercial or  
20 industrial operation as a security guard for the protection  
21 of persons employed and private property related to such  
22 commercial or industrial operation, while actually engaged  
23 in the performance of his or her duty or traveling between  
24 sites or properties belonging to the employer, and who, as  
25 a security guard, is a member of a security force of at  
26 least 5 persons registered with the Department of

1 Professional Regulation; provided that such security guard  
2 has successfully completed a course of study, approved by  
3 and supervised by the Department of Professional  
4 Regulation, consisting of not less than 40 hours of  
5 training that includes the theory of law enforcement,  
6 liability for acts, and the handling of weapons. A person  
7 shall be considered eligible for this exemption if he or  
8 she has completed the required 20 hours of training for a  
9 security officer and 20 hours of required firearm training,  
10 and has been issued a firearm control card by the  
11 Department of Professional Regulation. Conditions for the  
12 renewal of firearm control cards issued under the  
13 provisions of this Section shall be the same as for those  
14 cards issued under the provisions of the Private Detective,  
15 Private Alarm, Private Security, Fingerprint Vendor, and  
16 Locksmith Act of 2004. Such firearm control card shall be  
17 carried by the security guard at all times when he or she  
18 is in possession of a concealable weapon.

19 (7) Agents and investigators of the Illinois  
20 Legislative Investigating Commission authorized by the  
21 Commission to carry the weapons specified in subsections  
22 24-1(a)(3) and 24-1(a)(4), while on duty in the course of  
23 any investigation for the Commission.

24 (8) Persons employed by a financial institution for the  
25 protection of other employees and property related to such  
26 financial institution, while actually engaged in the

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

25 (9) Any person employed by an armored car company to  
26 drive an armored car, while actually engaged in the

1 performance of his duties.

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

4 (11) Investigators of the Office of the State's  
5 Attorneys Appellate Prosecutor authorized by the board of  
6 governors of the Office of the State's Attorneys Appellate  
7 Prosecutor to carry weapons pursuant to Section 7.06 of the  
8 State's Attorneys Appellate Prosecutor's Act.

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

11 (12.5) Probation officers while in the performance of  
12 their duties, or while commuting between their homes,  
13 places of employment or specific locations that are part of  
14 their assigned duties, with the consent of the chief judge  
15 of the circuit for which they are employed.

16 (13) Court Security Officers while in the performance  
17 of their official duties, or while commuting between their  
18 homes and places of employment, with the consent of the  
19 Sheriff.

20 (13.5) A person employed as an armed security guard at  
21 a nuclear energy, storage, weapons or development site or  
22 facility regulated by the Nuclear Regulatory Commission  
23 who has completed the background screening and training  
24 mandated by the rules and regulations of the Nuclear  
25 Regulatory Commission.

26 (14) Manufacture, transportation, or sale of weapons



1 to persons authorized under subdivisions (1) through  
2 (13.5) of this subsection to possess those weapons.

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

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

10 (2) Duly authorized military or civil organizations  
11 while parading, with the special permission of the  
12 Governor.

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

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

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

21 (6) A licensee under the Family and Personal Protection  
22 Act, notwithstanding Section 70 of that Act, if the  
23 licensee meets the requirements of the Family and Personal  
24 Protection Act.

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

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

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

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

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

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

1 business described in this paragraph.

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

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

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

22 During transportation, any such weapon shall be broken  
23 down in a non-functioning state, or not immediately  
24 accessible.

25 (d) Subsection 24-1(a)(1) does not apply to the purchase,  
26 possession or carrying of a black-jack or slung-shot by a peace

1 officer.

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

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

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

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

17 (2) Bonafide collectors of antique or surplus military  
18 ordinance.

19 (3) Laboratories having a department of forensic  
20 ballistics, or specializing in the development of  
21 ammunition or explosive ordinance.

22 (4) Commerce, preparation, assembly or possession of  
23 explosive bullets by manufacturers of ammunition licensed  
24 by the federal government, in connection with the supply of  
25 those organizations and persons exempted by subdivision  
26 (g)(1) of this Section, or like organizations and persons

1 outside this State, or the transportation of explosive  
2 bullets to any organization or person exempted in this  
3 Section by a common carrier or by a vehicle owned or leased  
4 by an exempted manufacturer.

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

22 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
23 24-1.6 do not apply to or affect any parole agent or parole  
24 supervisor who meets the qualifications and conditions  
25 prescribed in Section 3-14-1.5 of the Unified Code of  
26 Corrections.

1 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and  
2 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an  
3 athlete's possession, transport on official Olympic and  
4 Paralympic transit systems established for athletes, or use of  
5 competition firearms sanctioned by the International Olympic  
6 Committee, the International Paralympic Committee, the  
7 International Shooting Sport Federation, or USA Shooting in  
8 connection with such athlete's training for and participation  
9 in shooting competitions at the 2016 Olympic and Paralympic  
10 Games and sanctioned test events leading up to the 2016 Olympic  
11 and Paralympic Games.

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

16 (i) Nothing in this Article shall prohibit, apply to, or  
17 affect the transportation, carrying, or possession, of any  
18 pistol or revolver, stun gun, taser, or other firearm consigned  
19 to a common carrier operating under license of the State of  
20 Illinois or the federal government, where such transportation,  
21 carrying, or possession is incident to the lawful  
22 transportation in which such common carrier is engaged; and  
23 nothing in this Article shall prohibit, apply to, or affect the  
24 transportation, carrying, or possession of any pistol,  
25 revolver, stun gun, taser, or other firearm, not the subject of  
26 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of

1 this Article, which is unloaded and enclosed in a case, firearm  
2 carrying box, shipping box, or other container, by the  
3 possessor of a valid Firearm Owners Identification Card.

4 (Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07;  
5 95-885, eff. 1-1-09; 96-7, eff. 4-3-09; 96-230, eff. 1-1-10;  
6 96-742, eff. 8-25-09; 96-1000, eff. 7-2-10.)

7 Section 999. Effective date. This Act takes effect upon  
8 becoming law.