



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

**HB4686**

by Rep. Ed Sullivan, Jr.

#### SYNOPSIS AS INTRODUCED:

430 ILCS 66/90

Amends the Firearm Concealed Carry Act. Provides that if a person files a complaint in circuit court alleging that a unit of local government has violated State preemption under the Act by adopting an ordinance or resolution restricting a licensee or business under the Act and the court finds that the allegations in the complaint are true, the court shall order that the unit of local government pay plaintiff's court costs, attorney's fees, actual damages, and at least \$1,000 per day per violation in punitive damages from the time of the filing of the complaint as the court deems appropriate. Effective immediately.

LRB098 19286 RLC 54438 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning safety.

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

4 Section 5. The Firearm Concealed Carry Act is amended by  
5 changing Section 90 as follows:

6 (430 ILCS 66/90)

7 Sec. 90. Preemption.

8 (a) The regulation, licensing, possession, registration,  
9 and transportation of handguns and ammunition for handguns by  
10 licensees are exclusive powers and functions of the State. Any  
11 ordinance or regulation, or portion thereof, enacted on or  
12 before the effective date of this Act that purports to impose  
13 regulations or restrictions on licensees or handguns and  
14 ammunition for handguns in a manner inconsistent with this Act  
15 shall be invalid in its application to licensees under this Act  
16 on the effective date of this Act. This Section is a denial and  
17 limitation of home rule powers and functions under subsection  
18 (h) of Section 6 of Article VII of the Illinois Constitution.

19 (b) If a person files a complaint in circuit court alleging  
20 that a unit of local government has violated this Section by  
21 adopting an ordinance or resolution restricting a licensee or  
22 business under this Act and the court finds that the  
23 allegations in the complaint are true, the court shall order

1 that the unit of local government pay plaintiff's court costs,  
2 attorney's fees, actual damages, and at least \$1,000 per day  
3 per violation in punitive damages from the time of the filing  
4 of the complaint as the court deems appropriate.

5 (Source: P.A. 98-63, eff. 7-9-13.)

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.