

1 AN ACT concerning regulation.

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

4 Section 1. This Act may be referred to as the Protect
5 Illinois Communities Act.

6 Section 3. The Illinois Administrative Procedure Act is
7 amended by adding Section 5-45.35 as follows:

8 (5 ILCS 100/5-45.35 new)

9 Sec. 5-45.35. Emergency rulemaking. To provide for the
10 expeditious and timely implementation of this amendatory Act
11 of the 102nd General Assembly, emergency rules implementing
12 this amendatory Act of the 102nd General Assembly may be
13 adopted in accordance with Section 5-45 by the Illinois State
14 Police. The adoption of emergency rules authorized by Section
15 5-45 and this Section is deemed to be necessary for the public
16 interest, safety, and welfare.

17 This Section is repealed one year after the effective date
18 of this amendatory Act of the 102nd General Assembly.

19 Section 4. The Freedom of Information Act is amended by
20 changing Section 7.5 as follows:

1 (5 ILCS 140/7.5)

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

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

8 (b) Library circulation and order records identifying
9 library users with specific materials under the Library
10 Records Confidentiality Act.

11 (c) Applications, related documents, and medical
12 records received by the Experimental Organ Transplantation
13 Procedures Board and any and all documents or other
14 records prepared by the Experimental Organ Transplantation
15 Procedures Board or its staff relating to applications it
16 has received.

17 (d) Information and records held by the Department of
18 Public Health and its authorized representatives relating
19 to known or suspected cases of sexually transmissible
20 disease or any information the disclosure of which is
21 restricted under the Illinois Sexually Transmissible
22 Disease Control Act.

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

25 (f) Firm performance evaluations under Section 55 of
26 the Architectural, Engineering, and Land Surveying

1 Qualifications Based Selection Act.

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

5 (h) Information the disclosure of which is exempted
6 under the State Officials and Employees Ethics Act, and
7 records of any lawfully created State or local inspector
8 general's office that would be exempt if created or
9 obtained by an Executive Inspector General's office under
10 that Act.

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

15 (j) Information and data concerning the distribution
16 of surcharge moneys collected and remitted by carriers
17 under the Emergency Telephone System Act.

18 (k) Law enforcement officer identification information
19 or driver identification information compiled by a law
20 enforcement agency or the Department of Transportation
21 under Section 11-212 of the Illinois Vehicle Code.

22 (l) Records and information provided to a residential
23 health care facility resident sexual assault and death
24 review team or the Executive Council under the Abuse
25 Prevention Review Team Act.

26 (m) Information provided to the predatory lending

1 database created pursuant to Article 3 of the Residential
2 Real Property Disclosure Act, except to the extent
3 authorized under that Article.

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

11 (o) Information that is prohibited from being
12 disclosed under Section 4 of the Illinois Health and
13 Hazardous Substances Registry Act.

14 (p) Security portions of system safety program plans,
15 investigation reports, surveys, schedules, lists, data, or
16 information compiled, collected, or prepared by or for the
17 Department of Transportation under Sections 2705-300 and
18 2705-616 of the Department of Transportation Law of the
19 Civil Administrative Code of Illinois, the Regional
20 Transportation Authority under Section 2.11 of the
21 Regional Transportation Authority Act, or the St. Clair
22 County Transit District under the Bi-State Transit Safety
23 Act.

24 (q) Information prohibited from being disclosed by the
25 Personnel Record Review Act.

26 (r) Information prohibited from being disclosed by the

1 Illinois School Student Records Act.

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

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

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

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

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

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

8 (w) Personally identifiable information which is
9 exempted from disclosure under subsection (g) of Section
10 19.1 of the Toll Highway Act.

11 (x) Information which is exempted from disclosure
12 under Section 5-1014.3 of the Counties Code or Section
13 8-11-21 of the Illinois Municipal Code.

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

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

26 (aa) Information which is exempted from disclosure

1 under Section 2.37 of the Wildlife Code.

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

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

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

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

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

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

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

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

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

1 (kk) Information prohibited from disclosure under the
2 Seizure and Forfeiture Reporting Act.

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

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

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

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

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

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

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

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

26 (tt) Recordings made under the Children's Advocacy

1 Center Act, except to the extent authorized under that
2 Act.

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

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

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

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

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

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

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

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

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

25 (ddd) Information prohibited from being disclosed
26 under Section 35 of the Address Confidentiality for

1 Victims of Domestic Violence, Sexual Assault, Human
2 Trafficking, or Stalking Act.

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

6 (fff) Images from cameras under the Expressway Camera
7 Act. This subsection (fff) is inoperative on and after
8 July 1, 2023.

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

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

18 (Source: P.A. 101-13, eff. 6-12-19; 101-27, eff. 6-25-19;
19 101-81, eff. 7-12-19; 101-221, eff. 1-1-20; 101-236, eff.
20 1-1-20; 101-375, eff. 8-16-19; 101-377, eff. 8-16-19; 101-452,
21 eff. 1-1-20; 101-466, eff. 1-1-20; 101-600, eff. 12-6-19;
22 101-620, eff. 12-20-19; 101-649, eff. 7-7-20; 101-652, eff.
23 1-1-22; 101-656, eff. 3-23-21; 102-36, eff. 6-25-21; 102-237,
24 eff. 1-1-22; 102-292, eff. 1-1-22; 102-520, eff. 8-20-21;
25 102-559, eff. 8-20-21; 102-813, eff. 5-13-22; 102-946, eff.
26 7-1-22; 102-1042, eff. 6-3-22; revised 8-1-22.)

1 Section 5. The Illinois State Police Law of the Civil
2 Administrative Code of Illinois is amended by changing
3 Sections 2605-35 and 2605-51.1 as follows:

4 (20 ILCS 2605/2605-35) (was 20 ILCS 2605/55a-3)

5 Sec. 2605-35. Division of Criminal Investigation.

6 (a) The Division of Criminal Investigation shall exercise
7 the following functions and those in Section 2605-30:

8 (1) Exercise the rights, powers, and duties vested by
9 law in the Illinois State Police by the Illinois Horse
10 Racing Act of 1975, including those set forth in Section
11 2605-215.

12 (2) Investigate the origins, activities, personnel,
13 and incidents of crime and enforce the criminal laws of
14 this State related thereto.

15 (3) Enforce all laws regulating the production, sale,
16 prescribing, manufacturing, administering, transporting,
17 having in possession, dispensing, delivering,
18 distributing, or use of controlled substances and
19 cannabis.

20 (4) Cooperate with the police of cities, villages, and
21 incorporated towns and with the police officers of any
22 county in enforcing the laws of the State and in making
23 arrests and recovering property.

24 (5) Apprehend and deliver up any person charged in

1 this State or any other state with treason or a felony or
2 other crime who has fled from justice and is found in this
3 State.

4 (6) Investigate recipients and providers under the
5 Illinois Public Aid Code and any personnel involved in the
6 administration of the Code who are suspected of any
7 violation of the Code pertaining to fraud in the
8 administration, receipt, or provision of assistance and
9 pertaining to any violation of criminal law; and exercise
10 the functions required under Section 2605-220 in the
11 conduct of those investigations.

12 (7) Conduct other investigations as provided by law,
13 including, but not limited to, investigations of human
14 trafficking, illegal drug trafficking, and illegal
15 firearms trafficking.

16 (8) Investigate public corruption.

17 (9) Exercise other duties that may be assigned by the
18 Director in order to fulfill the responsibilities and
19 achieve the purposes of the Illinois State Police, which
20 may include the coordination of gang, terrorist, and
21 organized crime prevention, control activities, and
22 assisting local law enforcement in their crime control
23 activities.

24 (10) Conduct investigations (and cooperate with
25 federal law enforcement agencies in the investigation) of
26 any property-related crimes, such as money laundering,

1 involving individuals or entities listed on the sanctions
2 list maintained by the U.S. Department of Treasury's
3 Office of Foreign Asset Control.

4 (b) (Blank).

5 (c) The Division of Criminal Investigation shall provide
6 statewide coordination and strategy pertaining to
7 firearm-related intelligence, firearms trafficking
8 interdiction, and investigations reaching across all divisions
9 of the Illinois State Police, including providing crime gun
10 intelligence support for suspects and firearms involved in
11 firearms trafficking or the commission of a crime involving
12 firearms that is investigated by the Illinois State Police and
13 other federal, State, and local law enforcement agencies, with
14 the objective of reducing and preventing illegal possession
15 and use of firearms, firearms trafficking, firearm-related
16 homicides, and other firearm-related violent crimes in
17 Illinois.

18 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22;
19 102-1108, eff. 12-21-22.)

20 (20 ILCS 2605/2605-51.1)

21 (Section scheduled to be repealed on June 1, 2026)

22 Sec. 2605-51.1. Commission on Implementing the Firearms
23 Restraining Order Act.

24 (a) There is created the Commission on Implementing the
25 Firearms Restraining Order Act composed of at least 12 members

1 to advise on the strategies of education and implementation of
2 the Firearms Restraining Order Act. The Commission shall be
3 appointed by the Director of the Illinois State Police or his
4 or her designee and shall include a liaison or representative
5 nominated from the following:

6 (1) the Office of the Attorney General, appointed by
7 the Attorney General;

8 (2) the Director of the Illinois State Police or his
9 or her designee;

10 (3) at least 3 State's Attorneys, nominated by the
11 Director of the Office of the State's Attorneys Appellate
12 Prosecutor;

13 (4) at least 2 municipal police department
14 representatives, nominated by the Illinois Association of
15 Chiefs of Police;

16 (5) an Illinois sheriff, nominated by the Illinois
17 Sheriffs' Association;

18 (6) the Director of Public Health or his or her
19 designee;

20 (7) the Illinois Law Enforcement Training Standards
21 Board, nominated by the Executive Director of the Board;

22 (8) a representative from a public defender's office,
23 nominated by the State Appellate Defender;

24 (9) a circuit court judge, nominated by the Chief
25 Justice of the Supreme Court;

26 (10) a prosecutor with experience managing or

1 directing a program in another state where the
2 implementation of that state's extreme risk protection
3 order law has achieved high rates of petition filings
4 nominated by the National District Attorneys Association;
5 ~~and~~

6 (11) an expert from law enforcement who has experience
7 managing or directing a program in another state where the
8 implementation of that state's extreme risk protection
9 order law has achieved high rates of petition filings
10 nominated by the Director of the Illinois State Police;
11 and

12 (12) a circuit court clerk, nominated by the President
13 of the Illinois Association of Court Clerks.

14 (b) The Commission shall be chaired by the Director of the
15 Illinois State Police or his or her designee. The Commission
16 shall meet, either virtually or in person, to discuss the
17 implementation of the Firearms Restraining Order Act as
18 determined by the Commission while the strategies are being
19 established.

20 (c) The members of the Commission shall serve without
21 compensation and shall serve 3-year terms.

22 (d) An annual report shall be submitted to the General
23 Assembly by the Commission that may include summary
24 information about firearms restraining order use by county,
25 challenges to Firearms Restraining Order Act implementation,
26 and recommendations for increasing and improving

1 implementation.

2 (e) The Commission shall develop a model policy with an
3 overall framework for the timely relinquishment of firearms
4 whenever a firearms restraining order is issued. The model
5 policy shall be finalized within the first 4 months of
6 convening. In formulating the model policy, the Commission
7 shall consult counties in Illinois and other states with
8 extreme risk protection order laws which have achieved a high
9 rate of petition filings. Once approved, the Illinois State
10 Police shall work with their local law enforcement agencies
11 within their county to design a comprehensive strategy for the
12 timely relinquishment of firearms, using the model policy as
13 an overall framework. Each individual agency may make small
14 modifications as needed to the model policy and must approve
15 and adopt a policy that aligns with the model policy. The
16 Illinois State Police shall convene local police chiefs and
17 sheriffs within their county as needed to discuss the
18 relinquishment of firearms.

19 (f) The Commission shall be dissolved June 1, 2025 (3
20 years after the effective date of Public Act 102-345).

21 (g) This Section is repealed June 1, 2026 (4 years after
22 the effective date of Public Act 102-345).

23 (Source: P.A. 102-345, eff. 6-1-22; 102-813, eff. 5-13-22.)

24 Section 7. The Illinois Procurement Code is amended by
25 changing Section 1-10 as follows:

1 (30 ILCS 500/1-10)

2 Sec. 1-10. Application.

3 (a) This Code applies only to procurements for which
4 bidders, offerors, potential contractors, or contractors were
5 first solicited on or after July 1, 1998. This Code shall not
6 be construed to affect or impair any contract, or any
7 provision of a contract, entered into based on a solicitation
8 prior to the implementation date of this Code as described in
9 Article 99, including, but not limited to, any covenant
10 entered into with respect to any revenue bonds or similar
11 instruments. All procurements for which contracts are
12 solicited between the effective date of Articles 50 and 99 and
13 July 1, 1998 shall be substantially in accordance with this
14 Code and its intent.

15 (b) This Code shall apply regardless of the source of the
16 funds with which the contracts are paid, including federal
17 assistance moneys. This Code shall not apply to:

18 (1) Contracts between the State and its political
19 subdivisions or other governments, or between State
20 governmental bodies, except as specifically provided in
21 this Code.

22 (2) Grants, except for the filing requirements of
23 Section 20-80.

24 (3) Purchase of care, except as provided in Section
25 5-30.6 of the Illinois Public Aid Code and this Section.

1 (4) Hiring of an individual as an employee and not as
2 an independent contractor, whether pursuant to an
3 employment code or policy or by contract directly with
4 that individual.

5 (5) Collective bargaining contracts.

6 (6) Purchase of real estate, except that notice of
7 this type of contract with a value of more than \$25,000
8 must be published in the Procurement Bulletin within 10
9 calendar days after the deed is recorded in the county of
10 jurisdiction. The notice shall identify the real estate
11 purchased, the names of all parties to the contract, the
12 value of the contract, and the effective date of the
13 contract.

14 (7) Contracts necessary to prepare for anticipated
15 litigation, enforcement actions, or investigations,
16 provided that the chief legal counsel to the Governor
17 shall give his or her prior approval when the procuring
18 agency is one subject to the jurisdiction of the Governor,
19 and provided that the chief legal counsel of any other
20 procuring entity subject to this Code shall give his or
21 her prior approval when the procuring entity is not one
22 subject to the jurisdiction of the Governor.

23 (8) (Blank).

24 (9) Procurement expenditures by the Illinois
25 Conservation Foundation when only private funds are used.

26 (10) (Blank).

1 (11) Public-private agreements entered into according
2 to the procurement requirements of Section 20 of the
3 Public-Private Partnerships for Transportation Act and
4 design-build agreements entered into according to the
5 procurement requirements of Section 25 of the
6 Public-Private Partnerships for Transportation Act.

7 (12) (A) Contracts for legal, financial, and other
8 professional and artistic services entered into by the
9 Illinois Finance Authority in which the State of Illinois
10 is not obligated. Such contracts shall be awarded through
11 a competitive process authorized by the members of the
12 Illinois Finance Authority and are subject to Sections
13 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
14 as well as the final approval by the members of the
15 Illinois Finance Authority of the terms of the contract.

16 (B) Contracts for legal and financial services entered
17 into by the Illinois Housing Development Authority in
18 connection with the issuance of bonds in which the State
19 of Illinois is not obligated. Such contracts shall be
20 awarded through a competitive process authorized by the
21 members of the Illinois Housing Development Authority and
22 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
23 and 50-37 of this Code, as well as the final approval by
24 the members of the Illinois Housing Development Authority
25 of the terms of the contract.

26 (13) Contracts for services, commodities, and

1 equipment to support the delivery of timely forensic
2 science services in consultation with and subject to the
3 approval of the Chief Procurement Officer as provided in
4 subsection (d) of Section 5-4-3a of the Unified Code of
5 Corrections, except for the requirements of Sections
6 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
7 Code; however, the Chief Procurement Officer may, in
8 writing with justification, waive any certification
9 required under Article 50 of this Code. For any contracts
10 for services which are currently provided by members of a
11 collective bargaining agreement, the applicable terms of
12 the collective bargaining agreement concerning
13 subcontracting shall be followed.

14 On and after January 1, 2019, this paragraph (13),
15 except for this sentence, is inoperative.

16 (14) Contracts for participation expenditures required
17 by a domestic or international trade show or exhibition of
18 an exhibitor, member, or sponsor.

19 (15) Contracts with a railroad or utility that
20 requires the State to reimburse the railroad or utilities
21 for the relocation of utilities for construction or other
22 public purpose. Contracts included within this paragraph
23 (15) shall include, but not be limited to, those
24 associated with: relocations, crossings, installations,
25 and maintenance. For the purposes of this paragraph (15),
26 "railroad" means any form of non-highway ground

1 transportation that runs on rails or electromagnetic
2 guideways and "utility" means: (1) public utilities as
3 defined in Section 3-105 of the Public Utilities Act, (2)
4 telecommunications carriers as defined in Section 13-202
5 of the Public Utilities Act, (3) electric cooperatives as
6 defined in Section 3.4 of the Electric Supplier Act, (4)
7 telephone or telecommunications cooperatives as defined in
8 Section 13-212 of the Public Utilities Act, (5) rural
9 water or waste water systems with 10,000 connections or
10 less, (6) a holder as defined in Section 21-201 of the
11 Public Utilities Act, and (7) municipalities owning or
12 operating utility systems consisting of public utilities
13 as that term is defined in Section 11-117-2 of the
14 Illinois Municipal Code.

15 (16) Procurement expenditures necessary for the
16 Department of Public Health to provide the delivery of
17 timely newborn screening services in accordance with the
18 Newborn Metabolic Screening Act.

19 (17) Procurement expenditures necessary for the
20 Department of Agriculture, the Department of Financial and
21 Professional Regulation, the Department of Human Services,
22 and the Department of Public Health to implement the
23 Compassionate Use of Medical Cannabis Program and Opioid
24 Alternative Pilot Program requirements and ensure access
25 to medical cannabis for patients with debilitating medical
26 conditions in accordance with the Compassionate Use of

1 Medical Cannabis Program Act.

2 (18) This Code does not apply to any procurements
3 necessary for the Department of Agriculture, the
4 Department of Financial and Professional Regulation, the
5 Department of Human Services, the Department of Commerce
6 and Economic Opportunity, and the Department of Public
7 Health to implement the Cannabis Regulation and Tax Act if
8 the applicable agency has made a good faith determination
9 that it is necessary and appropriate for the expenditure
10 to fall within this exemption and if the process is
11 conducted in a manner substantially in accordance with the
12 requirements of Sections 20-160, 25-60, 30-22, 50-5,
13 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
14 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
15 Section 50-35, compliance applies only to contracts or
16 subcontracts over \$100,000. Notice of each contract
17 entered into under this paragraph (18) that is related to
18 the procurement of goods and services identified in
19 paragraph (1) through (9) of this subsection shall be
20 published in the Procurement Bulletin within 14 calendar
21 days after contract execution. The Chief Procurement
22 Officer shall prescribe the form and content of the
23 notice. Each agency shall provide the Chief Procurement
24 Officer, on a monthly basis, in the form and content
25 prescribed by the Chief Procurement Officer, a report of
26 contracts that are related to the procurement of goods and

1 services identified in this subsection. At a minimum, this
2 report shall include the name of the contractor, a
3 description of the supply or service provided, the total
4 amount of the contract, the term of the contract, and the
5 exception to this Code utilized. A copy of any or all of
6 these contracts shall be made available to the Chief
7 Procurement Officer immediately upon request. The Chief
8 Procurement Officer shall submit a report to the Governor
9 and General Assembly no later than November 1 of each year
10 that includes, at a minimum, an annual summary of the
11 monthly information reported to the Chief Procurement
12 Officer. This exemption becomes inoperative 5 years after
13 June 25, 2019 (the effective date of Public Act 101-27).

14 (19) Acquisition of modifications or adjustments,
15 limited to assistive technology devices and assistive
16 technology services, adaptive equipment, repairs, and
17 replacement parts to provide reasonable accommodations (i)
18 that enable a qualified applicant with a disability to
19 complete the job application process and be considered for
20 the position such qualified applicant desires, (ii) that
21 modify or adjust the work environment to enable a
22 qualified current employee with a disability to perform
23 the essential functions of the position held by that
24 employee, (iii) to enable a qualified current employee
25 with a disability to enjoy equal benefits and privileges
26 of employment as are enjoyed by other similarly situated

1 employees without disabilities, and (iv) that allow a
2 customer, client, claimant, or member of the public
3 seeking State services full use and enjoyment of and
4 access to its programs, services, or benefits.

5 For purposes of this paragraph (19):

6 "Assistive technology devices" means any item, piece
7 of equipment, or product system, whether acquired
8 commercially off the shelf, modified, or customized, that
9 is used to increase, maintain, or improve functional
10 capabilities of individuals with disabilities.

11 "Assistive technology services" means any service that
12 directly assists an individual with a disability in
13 selection, acquisition, or use of an assistive technology
14 device.

15 "Qualified" has the same meaning and use as provided
16 under the federal Americans with Disabilities Act when
17 describing an individual with a disability.

18 (20) Procurement expenditures necessary for the
19 Illinois Commerce Commission to hire third-party
20 facilitators pursuant to Sections 16-105.17 and 16-108.18
21 of the Public Utilities Act or an ombudsman pursuant to
22 Section 16-107.5 of the Public Utilities Act, a
23 facilitator pursuant to Section 16-105.17 of the Public
24 Utilities Act, or a grid auditor pursuant to Section
25 16-105.10 of the Public Utilities Act.

26 (21) Procurement expenditures for the purchase,

1 renewal, and expansion of software, software licenses, or
2 software maintenance agreements that support the efforts
3 of the Illinois State Police to enforce, regulate, and
4 administer the Firearm Owners Identification Card Act, the
5 Firearm Concealed Carry Act, the Firearms Restraining
6 Order Act, the Firearm Dealer License Certification Act,
7 the Law Enforcement Agencies Data System (LEADS), the
8 Uniform Crime Reporting Act, the Criminal Identification
9 Act, the Uniform Conviction Information Act, and the Gun
10 Trafficking Information Act, or establish or maintain
11 record management systems necessary to conduct human
12 trafficking investigations or gun trafficking or other
13 stolen firearm investigations. This paragraph (21) applies
14 to contracts entered into on or after the effective date
15 of this amendatory Act of the 102nd General Assembly and
16 the renewal of contracts that are in effect on the
17 effective date of this amendatory Act of the 102nd General
18 Assembly.

19 Notwithstanding any other provision of law, for contracts
20 with an annual value of more than \$100,000 entered into on or
21 after October 1, 2017 under an exemption provided in any
22 paragraph of this subsection (b), except paragraph (1), (2),
23 or (5), each State agency shall post to the appropriate
24 procurement bulletin the name of the contractor, a description
25 of the supply or service provided, the total amount of the
26 contract, the term of the contract, and the exception to the

1 Code utilized. The chief procurement officer shall submit a
2 report to the Governor and General Assembly no later than
3 November 1 of each year that shall include, at a minimum, an
4 annual summary of the monthly information reported to the
5 chief procurement officer.

6 (c) This Code does not apply to the electric power
7 procurement process provided for under Section 1-75 of the
8 Illinois Power Agency Act and Section 16-111.5 of the Public
9 Utilities Act.

10 (d) Except for Section 20-160 and Article 50 of this Code,
11 and as expressly required by Section 9.1 of the Illinois
12 Lottery Law, the provisions of this Code do not apply to the
13 procurement process provided for under Section 9.1 of the
14 Illinois Lottery Law.

15 (e) This Code does not apply to the process used by the
16 Capital Development Board to retain a person or entity to
17 assist the Capital Development Board with its duties related
18 to the determination of costs of a clean coal SNG brownfield
19 facility, as defined by Section 1-10 of the Illinois Power
20 Agency Act, as required in subsection (h-3) of Section 9-220
21 of the Public Utilities Act, including calculating the range
22 of capital costs, the range of operating and maintenance
23 costs, or the sequestration costs or monitoring the
24 construction of clean coal SNG brownfield facility for the
25 full duration of construction.

26 (f) (Blank).

1 (g) (Blank).

2 (h) This Code does not apply to the process to procure or
3 contracts entered into in accordance with Sections 11-5.2 and
4 11-5.3 of the Illinois Public Aid Code.

5 (i) Each chief procurement officer may access records
6 necessary to review whether a contract, purchase, or other
7 expenditure is or is not subject to the provisions of this
8 Code, unless such records would be subject to attorney-client
9 privilege.

10 (j) This Code does not apply to the process used by the
11 Capital Development Board to retain an artist or work or works
12 of art as required in Section 14 of the Capital Development
13 Board Act.

14 (k) This Code does not apply to the process to procure
15 contracts, or contracts entered into, by the State Board of
16 Elections or the State Electoral Board for hearing officers
17 appointed pursuant to the Election Code.

18 (l) This Code does not apply to the processes used by the
19 Illinois Student Assistance Commission to procure supplies and
20 services paid for from the private funds of the Illinois
21 Prepaid Tuition Fund. As used in this subsection (l), "private
22 funds" means funds derived from deposits paid into the
23 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

24 (m) This Code shall apply regardless of the source of
25 funds with which contracts are paid, including federal
26 assistance moneys. Except as specifically provided in this

1 Code, this Code shall not apply to procurement expenditures
2 necessary for the Department of Public Health to conduct the
3 Healthy Illinois Survey in accordance with Section 2310-431 of
4 the Department of Public Health Powers and Duties Law of the
5 Civil Administrative Code of Illinois.

6 (Source: P.A. 101-27, eff. 6-25-19; 101-81, eff. 7-12-19;
7 101-363, eff. 8-9-19; 102-175, eff. 7-29-21; 102-483, eff.
8 1-1-22; 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662,
9 eff. 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22.)

10 Section 10. The Firearm Owners Identification Card Act is
11 amended by changing Sections 2, 3, 4, and 8 and by adding
12 Section 4.1 as follows:

13 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

14 Sec. 2. Firearm Owner's Identification Card required;
15 exceptions.

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

21 (2) No person may acquire or possess firearm ammunition
22 within this State without having in his or her possession a
23 Firearm Owner's Identification Card previously issued in his
24 or her name by the Illinois State Police under the provisions

1 of this Act.

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

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

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

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

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

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

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

25 (7) Nonresidents while on a firing or shooting range
26 recognized by the Illinois State Police; however, these

1 persons must at all other times and in all other places
2 have their firearms unloaded and enclosed in a case;

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

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

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

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

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

20 (13) Nonresident hunters whose state of residence does
21 not require them to be licensed or registered to possess a
22 firearm and only during hunting season, with valid hunting
23 licenses, while accompanied by, and using a firearm owned
24 by, a person who possesses a valid Firearm Owner's
25 Identification Card and while in an area within a
26 commercial club licensed under the Wildlife Code where

1 hunting is permitted and controlled, but in no instance
2 upon sites owned or managed by the Department of Natural
3 Resources;

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

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

17 ~~(16) Competitive shooting athletes whose competition~~
18 ~~firearms are sanctioned by the International Olympic~~
19 ~~Committee, the International Paralympic Committee, the~~
20 ~~International Shooting Sport Federation, or USA Shooting~~
21 ~~in connection with such athletes' training for and~~
22 ~~participation in shooting competitions at the 2016 Olympic~~
23 ~~and Paralympic Games and sanctioned test events leading up~~
24 ~~to the 2016 Olympic and Paralympic Games.~~

25 (c) The provisions of this Section regarding the
26 acquisition and possession of firearms, firearm ammunition,

1 stun guns, and tasers do not apply to law enforcement
2 officials of this or any other jurisdiction, while engaged in
3 the operation of their official duties.

4 (c-5) The provisions of paragraphs (1) and (2) of
5 subsection (a) of this Section regarding the possession of
6 firearms and firearm ammunition do not apply to the holder of a
7 valid concealed carry license issued under the Firearm
8 Concealed Carry Act who is in physical possession of the
9 concealed carry license.

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

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

18 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

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

20 Sec. 3. (a) Except as provided in Section 3a, no person may
21 knowingly transfer, or cause to be transferred, any firearm,
22 firearm ammunition, stun gun, or taser to any person within
23 this State unless the transferee with whom he deals displays
24 either: (1) a currently valid Firearm Owner's Identification
25 Card which has previously been issued in his or her name by the

1 Illinois State Police under the provisions of this Act; or (2)
2 a currently valid license to carry a concealed firearm which
3 has previously been issued in his or her name by the Illinois
4 State Police under the Firearm Concealed Carry Act. In
5 addition, all firearm, stun gun, and taser transfers by
6 federally licensed firearm dealers are subject to Section 3.1.

7 (a-5) Any person who is not a federally licensed firearm
8 dealer and who desires to transfer or sell a firearm while that
9 person is on the grounds of a gun show must, before selling or
10 transferring the firearm, request the Illinois State Police to
11 conduct a background check on the prospective recipient of the
12 firearm in accordance with Section 3.1.

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

1 Illinois State Police with the transferee's or purchaser's
2 Firearm Owner's Identification Card number to determine the
3 validity of the card ~~January 1, 2014~~. The Illinois State
4 Police may adopt rules concerning the implementation of this
5 subsection. The Illinois State Police shall provide the seller
6 or transferor an approval number if the purchaser's Firearm
7 Owner's Identification Card is valid. Approvals issued by the
8 Illinois State Police for the purchase of a firearm pursuant
9 to this subsection are valid for 30 days from the date of
10 issue.

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

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

1 (2) transfers as a bona fide gift to the transferor's
2 husband, wife, son, daughter, stepson, stepdaughter,
3 father, mother, stepfather, stepmother, brother, sister,
4 nephew, niece, uncle, aunt, grandfather, grandmother,
5 grandson, granddaughter, father-in-law, mother-in-law,
6 son-in-law, or daughter-in-law;

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

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

11 (5) the delivery of a firearm by its owner to a
12 gunsmith for service or repair, the return of the firearm
13 to its owner by the gunsmith, or the delivery of a firearm
14 by a gunsmith to a federally licensed firearms dealer for
15 service or repair and the return of the firearm to the
16 gunsmith;

17 (6) temporary transfers that occur while in the home
18 of the unlicensed transferee, if the unlicensed transferee
19 is not otherwise prohibited from possessing firearms and
20 the unlicensed transferee reasonably believes that
21 possession of the firearm is necessary to prevent imminent
22 death or great bodily harm to the unlicensed transferee;

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

26 (8) transfers of firearms that have been rendered

1 permanently inoperable to a nonprofit historical society,
2 museum, or institutional collection; and

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

6 (a-20) The Illinois State Police shall develop an
7 Internet-based system for individuals to determine the
8 validity of a Firearm Owner's Identification Card prior to the
9 sale or transfer of a firearm. The Illinois State Police shall
10 have the Internet-based system updated ~~completed~~ and available
11 for use by January 1, 2024 ~~July 1, 2015~~. The Illinois State
12 Police shall adopt rules not inconsistent with this Section to
13 implement this system, but no rule shall allow the Illinois
14 State Police to retain records in contravention of State and
15 federal law.

16 (a-25) On or before January 1, 2022, the Illinois State
17 Police shall develop an Internet-based system upon which the
18 serial numbers of firearms that have been reported stolen are
19 available for public access for individuals to ensure any
20 firearms are not reported stolen prior to the sale or transfer
21 of a firearm under this Section. The Illinois State Police
22 shall have the Internet-based system completed and available
23 for use by July 1, 2022. The Illinois State Police shall adopt
24 rules not inconsistent with this Section to implement this
25 system.

26 (b) Any person within this State who transfers or causes

1 to be transferred any firearm, stun gun, or taser shall keep a
2 record of such transfer for a period of 10 years from the date
3 of transfer. Any person within this State who receives any
4 firearm, stun gun, or taser pursuant to subsection (a-10)
5 shall provide a record of the transfer within 10 days of the
6 transfer to a federally licensed firearm dealer and shall not
7 be required to maintain a transfer record. The federally
8 licensed firearm dealer shall maintain the transfer record for
9 20 years from the date of receipt. A federally licensed
10 firearm dealer may charge a fee not to exceed \$25 to retain the
11 record. The record shall be provided and maintained in either
12 an electronic or paper format. The federally licensed firearm
13 dealer shall not be liable for the accuracy of any information
14 in the transfer record submitted pursuant to this Section.
15 Such records ~~record~~ shall contain the date of the transfer;
16 the description, serial number or other information
17 identifying the firearm, stun gun, or taser if no serial
18 number is available; and, if the transfer was completed within
19 this State, the transferee's Firearm Owner's Identification
20 Card number and any approval number or documentation provided
21 by the Illinois State Police pursuant to subsection (a-10) of
22 this Section; if the transfer was not completed within this
23 State, the record shall contain the name and address of the
24 transferee. On or after January 1, 2006, the record shall
25 contain the date of application for transfer of the firearm.
26 On demand of a peace officer such transferor shall produce for

1 inspection such record of transfer. For any transfer pursuant
2 to subsection (a-10) of this Section, on the demand of a peace
3 officer, such transferee shall identify the federally licensed
4 firearm dealer maintaining the transfer record. If the
5 transfer or sale took place at a gun show, the record shall
6 include the unique identification number. Failure to record
7 the unique identification number or approval number is a petty
8 offense. For transfers of a firearm, stun gun, or taser made on
9 or after January 18, 2019 (the effective date of Public Act
10 100-1178), failure by the private seller to maintain the
11 transfer records in accordance with this Section, or failure
12 by a transferee pursuant to subsection a-10 of this Section to
13 identify the federally licensed firearm dealer maintaining the
14 transfer record, is a Class A misdemeanor for the first
15 offense and a Class 4 felony for a second or subsequent offense
16 occurring within 10 years of the first offense and the second
17 offense was committed after conviction of the first offense.
18 Whenever any person who has not previously been convicted of
19 any violation of subsection (a-5), the court may grant
20 supervision pursuant to and consistent with the limitations of
21 Section 5-6-1 of the Unified Code of Corrections. A transferee
22 or transferor shall not be criminally liable under this
23 Section provided that he or she provides the Illinois State
24 Police with the transfer records in accordance with procedures
25 established by the Illinois State Police. The Illinois State
26 Police shall establish, by rule, a standard form on its

1 website.

2 (b-5) Any resident may purchase ammunition from a person
3 within or outside of Illinois if shipment is by United States
4 mail or by a private express carrier authorized by federal law
5 to ship ammunition. Any resident purchasing ammunition within
6 or outside the State of Illinois must provide the seller with a
7 copy of his or her valid Firearm Owner's Identification Card
8 or valid concealed carry license and either his or her
9 Illinois driver's license or Illinois State Identification
10 Card prior to the shipment of the ammunition. The ammunition
11 may be shipped only to an address on either of those 2
12 documents.

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

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

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

18 Sec. 3. (a) Except as provided in Section 3a, no person may
19 knowingly transfer, or cause to be transferred, any firearm,
20 firearm ammunition, stun gun, or taser to any person within
21 this State unless the transferee with whom he deals displays
22 either: (1) a currently valid Firearm Owner's Identification
23 Card which has previously been issued in his or her name by the
24 Illinois State Police under the provisions of this Act; or (2)
25 a currently valid license to carry a concealed firearm which

1 has previously been issued in his or her name by the Illinois
2 State Police under the Firearm Concealed Carry Act. In
3 addition, all firearm, stun gun, and taser transfers by
4 federally licensed firearm dealers are subject to Section 3.1.

5 (a-5) Any person who is not a federally licensed firearm
6 dealer and who desires to transfer or sell a firearm while that
7 person is on the grounds of a gun show must, before selling or
8 transferring the firearm, request the Illinois State Police to
9 conduct a background check on the prospective recipient of the
10 firearm in accordance with Section 3.1.

11 (a-10) Notwithstanding item (2) of subsection (a) of this
12 Section, any person who is not a federally licensed firearm
13 dealer and who desires to transfer or sell a firearm or
14 firearms to any person who is not a federally licensed firearm
15 dealer shall, before selling or transferring the firearms,
16 contact a federal firearm license dealer under paragraph (1)
17 of subsection (a-15) of this Section to conduct the transfer
18 or the Illinois State Police with the transferee's or
19 purchaser's Firearm Owner's Identification Card number to
20 determine the validity of the transferee's or purchaser's
21 Firearm Owner's Identification Card under State and federal
22 law, including the National Instant Criminal Background Check
23 System. This subsection shall not be effective until July 1,
24 2023 ~~January 1, 2024~~. Until that date the transferor shall
25 contact the Illinois State Police with the transferee's or
26 purchaser's Firearm Owner's Identification Card number to

1 determine the validity of the card. The Illinois State Police
2 may adopt rules concerning the implementation of this
3 subsection. The Illinois State Police shall provide the seller
4 or transferor an approval number if the purchaser's Firearm
5 Owner's Identification Card is valid. Approvals issued by the
6 Illinois State Police for the purchase of a firearm pursuant
7 to this subsection are valid for 30 days from the date of
8 issue.

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

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

25 (2) transfers as a bona fide gift to the transferor's
26 husband, wife, son, daughter, stepson, stepdaughter,

1 father, mother, stepfather, stepmother, brother, sister,
2 nephew, niece, uncle, aunt, grandfather, grandmother,
3 grandson, granddaughter, father-in-law, mother-in-law,
4 son-in-law, or daughter-in-law;

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

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

9 (5) the delivery of a firearm by its owner to a
10 gunsmith for service or repair, the return of the firearm
11 to its owner by the gunsmith, or the delivery of a firearm
12 by a gunsmith to a federally licensed firearms dealer for
13 service or repair and the return of the firearm to the
14 gunsmith;

15 (6) temporary transfers that occur while in the home
16 of the unlicensed transferee, if the unlicensed transferee
17 is not otherwise prohibited from possessing firearms and
18 the unlicensed transferee reasonably believes that
19 possession of the firearm is necessary to prevent imminent
20 death or great bodily harm to the unlicensed transferee;

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

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

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

4 (a-20) The Illinois State Police shall develop an
5 Internet-based system for individuals to determine the
6 validity of a Firearm Owner's Identification Card prior to the
7 sale or transfer of a firearm. The Illinois State Police shall
8 have the Internet-based system updated and available for use
9 by January 1, 2024. The Illinois State Police shall adopt
10 rules not inconsistent with this Section to implement this
11 system; but no rule shall allow the Illinois State Police to
12 retain records in contravention of State and federal law.

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

23 (b) Any person within this State who transfers or causes
24 to be transferred any firearm, stun gun, or taser shall keep a
25 record of such transfer for a period of 10 years from the date
26 of transfer. Any person within this State who receives any

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

1 firearm dealer maintaining the transfer record. If the
2 transfer or sale took place at a gun show, the record shall
3 include the unique identification number. Failure to record
4 the unique identification number or approval number is a petty
5 offense. For transfers of a firearm, stun gun, or taser made on
6 or after January 18, 2019 (the effective date of Public Act
7 100-1178), failure by the private seller to maintain the
8 transfer records in accordance with this Section, or failure
9 by a transferee pursuant to subsection a-10 of this Section to
10 identify the federally licensed firearm dealer maintaining the
11 transfer record, is a Class A misdemeanor for the first
12 offense and a Class 4 felony for a second or subsequent offense
13 occurring within 10 years of the first offense and the second
14 offense was committed after conviction of the first offense.
15 Whenever any person who has not previously been convicted of
16 any violation of subsection (a-5), the court may grant
17 supervision pursuant to and consistent with the limitations of
18 Section 5-6-1 of the Unified Code of Corrections. A transferee
19 or transferor shall not be criminally liable under this
20 Section provided that he or she provides the Illinois State
21 Police with the transfer records in accordance with procedures
22 established by the Illinois State Police. The Illinois State
23 Police shall establish, by rule, a standard form on its
24 website.

25 (b-5) Any resident may purchase ammunition from a person
26 within or outside of Illinois if shipment is by United States

1 mail or by a private express carrier authorized by federal law
2 to ship ammunition. Any resident purchasing ammunition within
3 or outside the State of Illinois must provide the seller with a
4 copy of his or her valid Firearm Owner's Identification Card
5 or valid concealed carry license and either his or her
6 Illinois driver's license or Illinois State Identification
7 Card prior to the shipment of the ammunition. The ammunition
8 may be shipped only to an address on either of those 2
9 documents.

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

13 (Source: P.A. 102-237, eff. 1-1-24; 102-538, eff. 8-20-21;
14 102-813, eff. 5-13-22.)

15 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

16 Sec. 4. Application for Firearm Owner's Identification
17 Cards.

18 (a) Each applicant for a Firearm Owner's Identification
19 Card must:

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

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

23 (i) This subparagraph (i) applies through the
24 180th day following July 12, 2019 (the effective date
25 of Public Act 101-80). He or she is 21 years of age or

1 over, or if he or she is under 21 years of age that he
2 or she has the written consent of his or her parent or
3 legal guardian to possess and acquire firearms and
4 firearm ammunition and that he or she has never been
5 convicted of a misdemeanor other than a traffic
6 offense or adjudged delinquent, provided, however,
7 that such parent or legal guardian is not an
8 individual prohibited from having a Firearm Owner's
9 Identification Card and files an affidavit with the
10 Department as prescribed by the Department stating
11 that he or she is not an individual prohibited from
12 having a Card;

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

1 prescribed by the Illinois State Police stating that
2 he or she is not an individual prohibited from having a
3 Card or the active duty member of the United States
4 Armed Forces or the Illinois National Guard under 21
5 years of age annually submits proof to the Illinois
6 State Police, in a manner prescribed by the Illinois
7 State Police;

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

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

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

16 (v) He or she is not a person with an intellectual
17 disability;

18 (vi) He or she is not a noncitizen who is
19 unlawfully present in the United States under the laws
20 of the United States;

21 (vii) He or she is not subject to an existing order
22 of protection prohibiting him or her from possessing a
23 firearm;

24 (viii) He or she has not been convicted within the
25 past 5 years of battery, assault, aggravated assault,
26 violation of an order of protection, or a

1 substantially similar offense in another jurisdiction,
2 in which a firearm was used or possessed;

3 (ix) He or she has not been convicted of domestic
4 battery, aggravated domestic battery, or a
5 substantially similar offense in another jurisdiction
6 committed before, on or after January 1, 2012 (the
7 effective date of Public Act 97-158). If the applicant
8 knowingly and intelligently waives the right to have
9 an offense described in this clause (ix) tried by a
10 jury, and by guilty plea or otherwise, results in a
11 conviction for an offense in which a domestic
12 relationship is not a required element of the offense
13 but in which a determination of the applicability of
14 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of
15 the Code of Criminal Procedure of 1963, an entry by the
16 court of a judgment of conviction for that offense
17 shall be grounds for denying the issuance of a Firearm
18 Owner's Identification Card under this Section;

19 (x) (Blank);

20 (xi) He or she is not a noncitizen who has been
21 admitted to the United States under a non-immigrant
22 visa (as that term is defined in Section 101(a)(26) of
23 the Immigration and Nationality Act (8 U.S.C.
24 1101(a)(26))), or that he or she is a noncitizen who
25 has been lawfully admitted to the United States under
26 a non-immigrant visa if that noncitizen is:

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

3 (2) an official representative of a foreign
4 government who is:

5 (A) accredited to the United States
6 Government or the Government's mission to an
7 international organization having its
8 headquarters in the United States; or

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

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

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

17 (5) one who has received a waiver from the
18 Attorney General of the United States pursuant to
19 18 U.S.C. 922(y)(3);

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

25 (xiii) He or she is not an adult who had been
26 adjudicated a delinquent minor under the Juvenile

1 Court Act of 1987 for the commission of an offense that
2 if committed by an adult would be a felony;

3 (xiv) He or she is a resident of the State of
4 Illinois;

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

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

9 (xvii) He or she is not a person with a
10 developmental disability; and

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

25 (a-5) Each applicant for a Firearm Owner's Identification
26 Card who is over the age of 18 shall furnish to the Illinois

1 State Police either his or her Illinois driver's license
2 number or Illinois Identification Card number, except as
3 provided in subsection (a-10).

4 (a-10) Each applicant for a Firearm Owner's Identification
5 Card, who is employed as a law enforcement officer, an armed
6 security officer in Illinois, or by the United States Military
7 permanently assigned in Illinois and who is not an Illinois
8 resident, shall furnish to the Illinois State Police his or
9 her driver's license number or state identification card
10 number from his or her state of residence. The Illinois State
11 Police may adopt rules to enforce the provisions of this
12 subsection (a-10).

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

18 (a-20) Each applicant for a Firearm Owner's Identification
19 Card shall furnish to the Illinois State Police his or her
20 photograph. An applicant who is 21 years of age or older
21 seeking a religious exemption to the photograph requirement
22 must furnish with the application an approved copy of United
23 States Department of the Treasury Internal Revenue Service
24 Form 4029. In lieu of a photograph, an applicant regardless of
25 age seeking a religious exemption to the photograph
26 requirement shall submit fingerprints on a form and manner

1 prescribed by the Illinois State Police with his or her
2 application.

3 (a-25) Beginning January 1, 2023, each applicant for the
4 issuance of a Firearm Owner's Identification Card may include
5 a full set of his or her fingerprints in electronic format to
6 the Illinois State Police, unless the applicant has previously
7 provided a full set of his or her fingerprints to the Illinois
8 State Police under this Act or the Firearm Concealed Carry
9 Act.

10 The fingerprints must be transmitted through a live scan
11 fingerprint vendor licensed by the Department of Financial and
12 Professional Regulation. The fingerprints shall be checked
13 against the fingerprint records now and hereafter filed in the
14 Illinois State Police and Federal Bureau of Investigation
15 criminal history records databases, including all available
16 State and local criminal history record information files.

17 The Illinois State Police shall charge applicants a
18 one-time fee for conducting the criminal history record check,
19 which shall be deposited into the State Police Services Fund
20 and shall not exceed the actual cost of the State and national
21 criminal history record check.

22 (a-26) The Illinois State Police shall research, explore,
23 and report to the General Assembly by January 1, 2022 on the
24 feasibility of permitting voluntarily submitted fingerprints
25 obtained for purposes other than Firearm Owner's
26 Identification Card enforcement that are contained in the

1 Illinois State Police database for purposes of this Act.

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

8 (c) Upon such written consent, pursuant to Section 4,
9 paragraph (a)(2)(i), the parent or legal guardian giving the
10 consent shall be liable for any damages resulting from the
11 applicant's use of firearms or firearm ammunition.

12 (Source: P.A. 101-80, eff. 7-12-19; 102-237, eff. 1-1-22;
13 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1030, eff.
14 5-27-22.)

15 (430 ILCS 65/4.1 new)

16 Sec. 4.1. Assault weapon, .50 caliber rifle, assault
17 weapon attachment, or .50 caliber cartridge endorsement.

18 (a) The endorsement affidavit form completed pursuant to
19 Section 24-1.9 of the Criminal Code of 2012 must be executed
20 electronically through the individual's Firearm Owner's
21 Identification Card account.

22 (b) The Illinois State Police shall adopt rules in
23 accordance with this Section for the electronic submission of
24 an endorsement affidavit.

25 (c) Entering false information on the endorsement

1 affidavit form is a violation of this Act and is also
2 punishable as perjury under Section 32-2 of the Criminal Code
3 of 2012.

4 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

5 Sec. 8. Grounds for denial and revocation. The Illinois
6 State Police has authority to deny an application for or to
7 revoke and seize a Firearm Owner's Identification Card
8 previously issued under this Act only if the Illinois State
9 Police finds that the applicant or the person to whom such card
10 was issued is or was at the time of issuance:

11 (a) A person under 21 years of age who has been
12 convicted of a misdemeanor other than a traffic offense or
13 adjudged delinquent;

14 (b) This subsection (b) applies through the 180th day
15 following July 12, 2019 (the effective date of Public Act
16 101-80). A person under 21 years of age who does not have
17 the written consent of his parent or guardian to acquire
18 and possess firearms and firearm ammunition, or whose
19 parent or guardian has revoked such written consent, or
20 where such parent or guardian does not qualify to have a
21 Firearm Owner's Identification Card;

22 (b-5) This subsection (b-5) applies on and after the
23 181st day following July 12, 2019 (the effective date of
24 Public Act 101-80). A person under 21 years of age who is
25 not an active duty member of the United States Armed

1 Forces or the Illinois National Guard and does not have
2 the written consent of his or her parent or guardian to
3 acquire and possess firearms and firearm ammunition, or
4 whose parent or guardian has revoked such written consent,
5 or where such parent or guardian does not qualify to have a
6 Firearm Owner's Identification Card;

7 (c) A person convicted of a felony under the laws of
8 this or any other jurisdiction;

9 (d) A person addicted to narcotics;

10 (e) A person who has been a patient of a mental health
11 facility within the past 5 years or a person who has been a
12 patient in a mental health facility more than 5 years ago
13 who has not received the certification required under
14 subsection (u) of this Section. An active law enforcement
15 officer employed by a unit of government or a Department
16 of Corrections employee authorized to possess firearms who
17 is denied, revoked, or has his or her Firearm Owner's
18 Identification Card seized under this subsection (e) may
19 obtain relief as described in subsection (c-5) of Section
20 10 of this Act if the officer or employee did not act in a
21 manner threatening to the officer or employee, another
22 person, or the public as determined by the treating
23 clinical psychologist or physician, and the officer or
24 employee seeks mental health treatment;

25 (f) A person whose mental condition is of such a
26 nature that it poses a clear and present danger to the

1 applicant, any other person or persons, or the community;

2 (g) A person who has an intellectual disability;

3 (h) A person who intentionally makes a false statement
4 in the Firearm Owner's Identification Card application or
5 endorsement affidavit;

6 (i) A noncitizen who is unlawfully present in the
7 United States under the laws of the United States;

8 (i-5) A noncitizen who has been admitted to the United
9 States under a non-immigrant visa (as that term is defined
10 in Section 101(a)(26) of the Immigration and Nationality
11 Act (8 U.S.C. 1101(a)(26))), except that this subsection
12 (i-5) does not apply to any noncitizen who has been
13 lawfully admitted to the United States under a
14 non-immigrant visa if that noncitizen is:

15 (1) admitted to the United States for lawful
16 hunting or sporting purposes;

17 (2) an official representative of a foreign
18 government who is:

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

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

25 (3) an official of a foreign government or
26 distinguished foreign visitor who has been so

1 designated by the Department of State;

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

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

8 (j) (Blank);

9 (k) A person who has been convicted within the past 5
10 years of battery, assault, aggravated assault, violation
11 of an order of protection, or a substantially similar
12 offense in another jurisdiction, in which a firearm was
13 used or possessed;

14 (l) A person who has been convicted of domestic
15 battery, aggravated domestic battery, or a substantially
16 similar offense in another jurisdiction committed before,
17 on or after January 1, 2012 (the effective date of Public
18 Act 97-158). If the applicant or person who has been
19 previously issued a Firearm Owner's Identification Card
20 under this Act knowingly and intelligently waives the
21 right to have an offense described in this paragraph (l)
22 tried by a jury, and by guilty plea or otherwise, results
23 in a conviction for an offense in which a domestic
24 relationship is not a required element of the offense but
25 in which a determination of the applicability of 18 U.S.C.
26 922(g)(9) is made under Section 112A-11.1 of the Code of

1 Criminal Procedure of 1963, an entry by the court of a
2 judgment of conviction for that offense shall be grounds
3 for denying an application for and for revoking and
4 seizing a Firearm Owner's Identification Card previously
5 issued to the person under this Act;

6 (m) (Blank);

7 (n) A person who is prohibited from acquiring or
8 possessing firearms or firearm ammunition by any Illinois
9 State statute or by federal law;

10 (o) A minor subject to a petition filed under Section
11 5-520 of the Juvenile Court Act of 1987 alleging that the
12 minor is a delinquent minor for the commission of an
13 offense that if committed by an adult would be a felony;

14 (p) An adult who had been adjudicated a delinquent
15 minor under the Juvenile Court Act of 1987 for the
16 commission of an offense that if committed by an adult
17 would be a felony;

18 (q) A person who is not a resident of the State of
19 Illinois, except as provided in subsection (a-10) of
20 Section 4;

21 (r) A person who has been adjudicated as a person with
22 a mental disability;

23 (s) A person who has been found to have a
24 developmental disability;

25 (t) A person involuntarily admitted into a mental
26 health facility; or

1 (u) A person who has had his or her Firearm Owner's
2 Identification Card revoked or denied under subsection (e)
3 of this Section or item (iv) of paragraph (2) of
4 subsection (a) of Section 4 of this Act because he or she
5 was a patient in a mental health facility as provided in
6 subsection (e) of this Section, shall not be permitted to
7 obtain a Firearm Owner's Identification Card, after the
8 5-year period has lapsed, unless he or she has received a
9 mental health evaluation by a physician, clinical
10 psychologist, or qualified examiner as those terms are
11 defined in the Mental Health and Developmental
12 Disabilities Code, and has received a certification that
13 he or she is not a clear and present danger to himself,
14 herself, or others. The physician, clinical psychologist,
15 or qualified examiner making the certification and his or
16 her employer shall not be held criminally, civilly, or
17 professionally liable for making or not making the
18 certification required under this subsection, except for
19 willful or wanton misconduct. This subsection does not
20 apply to a person whose firearm possession rights have
21 been restored through administrative or judicial action
22 under Section 10 or 11 of this Act.

23 Upon revocation of a person's Firearm Owner's
24 Identification Card, the Illinois State Police shall provide
25 notice to the person and the person shall comply with Section
26 9.5 of this Act.

1 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;
2 102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.
3 5-27-22.)

4 Section 15. The Firearms Restraining Order Act is amended
5 by changing Sections 40, 45, and 55 as follows:

6 (430 ILCS 67/40)

7 Sec. 40. Plenary ~~Six month~~ orders.

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

22 (b) If the respondent is alleged to pose a significant
23 danger of causing personal injury to an intimate partner, or
24 an intimate partner is alleged to have been the target of a

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

14 (c) Every person who files a petition for a plenary
15 ~~6-month~~ firearms restraining order, knowing the information
16 provided to the court at any hearing or in the affidavit or
17 verified pleading to be false, is guilty of perjury under
18 Section 32-2 of the Criminal Code of 2012.

19 (d) Upon receipt of a petition for a plenary ~~6-month~~
20 firearms restraining order, the court shall order a hearing
21 within 30 days.

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

25 (1) The unlawful and reckless use, display, or
26 brandishing of a firearm, ammunition, and firearm parts

1 that could be assembled to make an operable firearm by the
2 respondent.

3 (2) The history of use, attempted use, or threatened
4 use of physical force by the respondent against another
5 person.

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

8 (4) Evidence of the abuse of controlled substances or
9 alcohol by the respondent.

10 (5) A recent threat of violence or act of violence by
11 the respondent directed toward himself, herself, or
12 another.

13 (6) A violation of an emergency order of protection
14 issued under Section 217 of the Illinois Domestic Violence
15 Act of 1986 or Section 112A-17 of the Code of Criminal
16 Procedure of 1963 or of an order of protection issued
17 under Section 214 of the Illinois Domestic Violence Act of
18 1986 or Section 112A-14 of the Code of Criminal Procedure
19 of 1963.

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

24 (f) At the hearing, the petitioner shall have the burden
25 of proving, by clear and convincing evidence, that the
26 respondent poses a significant danger of personal injury to

1 himself, herself, or another by having in his or her custody or
2 control, purchasing, possessing, or receiving a firearm,
3 ammunition, and firearm parts that could be assembled to make
4 an operable firearm.

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

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

1 (h) A plenary ~~6-month~~ firearms restraining order shall
2 require:

3 (1) the respondent to refrain from having in his or
4 her custody or control, purchasing, possessing, or
5 receiving additional firearms, ammunition, and firearm
6 parts that could be assembled to make an operable firearm
7 for the duration of the order under Section 8.2 of the
8 Firearm Owners Identification Card Act; and

9 (2) the respondent to comply with Section 9.5 of the
10 Firearm Owners Identification Card Act and subsection (g)
11 of Section 70 of the Firearm Concealed Carry Act.

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

1 an operable firearm for training purposes, or use the
2 firearms, ammunition, and firearm parts that could be
3 assembled to make an operable firearm for any other
4 application as deemed appropriate by the local law enforcement
5 agency.

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

24 (i-6) If a person other than the respondent claims title
25 to any firearms, ammunition, and firearm parts that could be
26 assembled to make an operable firearm surrendered under this

1 Section, he or she may petition the court, if the petitioner is
2 present in court or has notice of the petition, to have the
3 firearm, ammunition, and firearm parts that could be assembled
4 to make an operable firearm returned to him or her. If the
5 court determines that person to be the lawful owner of the
6 firearm, ammunition, and firearm parts that could be assembled
7 to make an operable firearm, the firearm, ammunition, and
8 firearm parts that could be assembled to make an operable
9 firearm shall be returned to him or her, provided that:

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

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

22 The person petitioning for the return of his or her
23 firearm, ammunition, and firearm parts that could be assembled
24 to make an operable firearm must swear or affirm by affidavit
25 that he or she: (i) is the lawful owner of the firearm,
26 ammunition, and firearm parts that could be assembled to make

1 an operable firearm; (ii) shall not transfer the firearm,
2 ammunition, and firearm parts that could be assembled to make
3 an operable firearm to the respondent; and (iii) will store
4 the firearm, ammunition, and firearm parts that could be
5 assembled to make an operable firearm in a manner that the
6 respondent does not have access to or control of the firearm,
7 ammunition, and firearm parts that could be assembled to make
8 an operable firearm.

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

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

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

21 (430 ILCS 67/45)

22 Sec. 45. Termination and renewal.

23 (a) A person subject to a firearms restraining order
24 issued under this Act may submit one written request at any
25 time during the effective period of the order for a hearing to

1 terminate the order.

2 (1) The respondent shall have the burden of proving by
3 a preponderance of the evidence that the respondent does
4 not pose a danger of causing personal injury to himself,
5 herself, or another in the near future by having in his or
6 her custody or control, purchasing, possessing, or
7 receiving a firearm, ammunition, and firearm parts that
8 could be assembled to make an operable firearm.

9 (2) If the court finds after the hearing that the
10 respondent has met his or her burden, the court shall
11 terminate the order.

12 (b) A petitioner may request a renewal of a firearms
13 restraining order at any time within the 3 months before the
14 expiration of a firearms restraining order.

15 (1) A court shall, after notice and a hearing, renew a
16 firearms restraining order issued under this part if the
17 petitioner proves, by clear and convincing evidence, that
18 the respondent continues to pose a danger of causing
19 personal injury to himself, herself, or another in the
20 near future by having in his or her custody or control,
21 purchasing, possessing, or receiving a firearm,
22 ammunition, and firearm parts that could be assembled to
23 make an operable firearm.

24 (2) In determining whether to renew a firearms
25 restraining order issued under this Act, the court shall
26 consider evidence of the facts identified in subsection

1 (e) of Section 40 of this Act and any other evidence of an
2 increased risk for violence.

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

11 (4) The renewal of a firearms restraining order issued
12 under this Section shall be in effect for up to one year
13 and may be renewed for an additional period of up to one
14 year ~~6 months~~, subject to termination by further order of
15 the court at a hearing held under this Section and further
16 renewal by further order of the court under this Section.

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

18 (430 ILCS 67/55)

19 Sec. 55. Data maintenance by law enforcement agencies.

20 (a) All sheriffs shall furnish to the Illinois State
21 Police, daily, in the form and detail the Illinois State
22 Police Department requires, copies of any recorded firearms
23 restraining orders issued by the court, and any foreign orders
24 of protection filed by the clerk of the court, and transmitted
25 to the sheriff by the clerk of the court under Section 50. Each

1 firearms restraining order shall be entered in the Law
2 Enforcement Agencies Data System (LEADS) on the same day it is
3 issued by the court. If an emergency firearms restraining
4 order was issued in accordance with Section 35 of this Act, the
5 order shall be entered in the Law Enforcement Agencies Data
6 System (LEADS) as soon as possible after receipt from the
7 clerk.

8 (b) The Illinois State Police shall maintain a complete
9 and systematic record and index of all valid and recorded
10 firearms restraining orders issued or filed under this Act.
11 The data shall be used to inform all dispatchers and law
12 enforcement officers at the scene of a violation of a firearms
13 restraining order of the effective dates and terms of any
14 recorded order of protection.

15 (c) The data, records, and transmittals required under
16 this Section shall pertain to any valid emergency or plenary
17 ~~6-month~~ firearms restraining order, whether issued in a civil
18 or criminal proceeding or authorized under the laws of another
19 state, tribe, or United States territory.

20 (Source: P.A. 101-81, eff. 7-12-19; 102-538, eff. 8-20-21.)

21 Section 25. The Criminal Code of 2012 is amended by
22 changing Section 24-1 and by adding Sections 24-1.9 and
23 24-1.10 as follows:

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

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

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

4 (1) Sells, manufactures, purchases, possesses or
5 carries any bludgeon, black-jack, slung-shot, sand-club,
6 sand-bag, metal knuckles or other knuckle weapon
7 regardless of its composition, throwing star, or any
8 knife, commonly referred to as a switchblade knife, which
9 has a blade that opens automatically by hand pressure
10 applied to a button, spring or other device in the handle
11 of the knife, or a ballistic knife, which is a device that
12 propels a knifelike blade as a projectile by means of a
13 coil spring, elastic material or compressed gas; or

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

19 (2.5) Carries or possesses with intent to use the same
20 unlawfully against another, any firearm in a church,
21 synagogue, mosque, or other building, structure, or place
22 used for religious worship; or

23 (3) Carries on or about his person or in any vehicle, a
24 tear gas gun projector or bomb or any object containing
25 noxious liquid gas or substance, other than an object
26 containing a non-lethal noxious liquid gas or substance

1 designed solely for personal defense carried by a person
2 18 years of age or older; or

3 (4) Carries or possesses in any vehicle or concealed
4 on or about his person except when on his land or in his
5 own abode, legal dwelling, or fixed place of business, or
6 on the land or in the legal dwelling of another person as
7 an invitee with that person's permission, any pistol,
8 revolver, stun gun or taser or other firearm, except that
9 this subsection (a) (4) does not apply to or affect
10 transportation of weapons that meet one of the following
11 conditions:

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

13 (ii) are not immediately accessible; or

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

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

22 (5) Sets a spring gun; or

23 (6) Possesses any device or attachment of any kind
24 designed, used or intended for use in silencing the report
25 of any firearm; or

26 (7) Sells, manufactures, purchases, possesses or

1 carries:

2 (i) a machine gun, which shall be defined for the
3 purposes of this subsection as any weapon, which
4 shoots, is designed to shoot, or can be readily
5 restored to shoot, automatically more than one shot
6 without manually reloading by a single function of the
7 trigger, including the frame or receiver of any such
8 weapon, or sells, manufactures, purchases, possesses,
9 or carries any combination of parts designed or
10 intended for use in converting any weapon into a
11 machine gun, or any combination or parts from which a
12 machine gun can be assembled if such parts are in the
13 possession or under the control of a person;

14 (ii) any rifle having one or more barrels less
15 than 16 inches in length or a shotgun having one or
16 more barrels less than 18 inches in length or any
17 weapon made from a rifle or shotgun, whether by
18 alteration, modification, or otherwise, if such a
19 weapon as modified has an overall length of less than
20 26 inches; or

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

26 (8) Carries or possesses any firearm, stun gun or

1 taser or other deadly weapon in any place which is
2 licensed to sell intoxicating beverages, or at any public
3 gathering held pursuant to a license issued by any
4 governmental body or any public gathering at which an
5 admission is charged, excluding a place where a showing,
6 demonstration or lecture involving the exhibition of
7 unloaded firearms is conducted.

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

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

17 (10) Carries or possesses on or about his or her
18 person, upon any public street, alley, or other public
19 lands within the corporate limits of a city, village, or
20 incorporated town, except when an invitee thereon or
21 therein, for the purpose of the display of such weapon or
22 the lawful commerce in weapons, or except when on his land
23 or in his or her own abode, legal dwelling, or fixed place
24 of business, or on the land or in the legal dwelling of
25 another person as an invitee with that person's
26 permission, any pistol, revolver, stun gun, or taser or

1 other firearm, except that this subsection (a) (10) does
2 not apply to or affect transportation of weapons that meet
3 one of the following conditions:

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

5 (ii) are not immediately accessible; or

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

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

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

26 (11) Sells, manufactures, delivers, imports,

1 possesses, or purchases any assault weapon attachment or
2 .50 caliber cartridge in violation of Section 24-1.9 or
3 any explosive bullet. For purposes of this paragraph (a)
4 "explosive bullet" means the projectile portion of an
5 ammunition cartridge which contains or carries an
6 explosive charge which will explode upon contact with the
7 flesh of a human or an animal. "Cartridge" means a tubular
8 metal case having a projectile affixed at the front
9 thereof and a cap or primer at the rear end thereof, with
10 the propellant contained in such tube between the
11 projectile and the cap; or

12 (12) (Blank); or

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

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

1 equipped with that device, part, or combination of parts;

2 or

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

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

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

1 felony. The possession of each weapon or device in violation
2 of this Section constitutes a single and separate violation.

3 (c) Violations in specific places.

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

1 less than 3 years and not more than 7 years.

2 (1.5) A person who violates subsection 24-1(a)(4),
3 24-1(a)(9), or 24-1(a)(10) in any school, regardless of
4 the time of day or the time of year, in residential
5 property owned, operated, or managed by a public housing
6 agency or leased by a public housing agency as part of a
7 scattered site or mixed-income development, in a public
8 park, in a courthouse, on the real property comprising any
9 school, regardless of the time of day or the time of year,
10 on residential property owned, operated, or managed by a
11 public housing agency or leased by a public housing agency
12 as part of a scattered site or mixed-income development,
13 on the real property comprising any public park, on the
14 real property comprising any courthouse, in any conveyance
15 owned, leased, or contracted by a school to transport
16 students to or from school or a school related activity,
17 in any conveyance owned, leased, or contracted by a public
18 transportation agency, or on any public way within 1,000
19 feet of the real property comprising any school, public
20 park, courthouse, public transportation facility, or
21 residential property owned, operated, or managed by a
22 public housing agency or leased by a public housing agency
23 as part of a scattered site or mixed-income development
24 commits a Class 3 felony.

25 (2) A person who violates subsection 24-1(a)(1),
26 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the

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

24 (3) Paragraphs (1), (1.5), and (2) of this subsection
25 (c) shall not apply to law enforcement officers or
26 security officers of such school, college, or university

1 or to students carrying or possessing firearms for use in
2 training courses, parades, hunting, target shooting on
3 school ranges, or otherwise with the consent of school
4 authorities and which firearms are transported unloaded
5 enclosed in a suitable case, box, or transportation
6 package.

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

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

18 (d) The presence in an automobile other than a public
19 omnibus of any weapon, instrument or substance referred to in
20 subsection (a)(7) is prima facie evidence that it is in the
21 possession of, and is being carried by, all persons occupying
22 such automobile at the time such weapon, instrument or
23 substance is found, except under the following circumstances:
24 (i) if such weapon, instrument or instrumentality is found
25 upon the person of one of the occupants therein; or (ii) if
26 such weapon, instrument or substance is found in an automobile

1 operated for hire by a duly licensed driver in the due, lawful
2 and proper pursuit of his or her trade, then such presumption
3 shall not apply to the driver.

4 (e) Exemptions.

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

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

20 (Source: P.A. 101-223, eff. 1-1-20; 102-538, eff. 8-20-21.)

21 (720 ILCS 5/24-1.9 new)

22 Sec. 24-1.9. Manufacture, possession, delivery, sale, and
23 purchase of assault weapons, .50 caliber rifles, and .50
24 caliber cartridges.

25 (a) Definitions. In this Section:

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

3 (A) A semiautomatic rifle that has the capacity to
4 accept a detachable magazine or that may be readily
5 modified to accept a detachable magazine, if the firearm
6 has one or more of the following:

7 (i) a pistol grip or thumbhole stock;

8 (ii) any feature capable of functioning as a
9 protruding grip that can be held by the non-trigger
10 hand;

11 (iii) a folding, telescoping, thumbhole, or
12 detachable stock, or a stock that is otherwise
13 foldable or adjustable in a manner that operates to
14 reduce the length, size, or any other dimension, or
15 otherwise enhances the concealability of, the weapon;

16 (iv) a flash suppressor;

17 (v) a grenade launcher;

18 (vi) a shroud attached to the barrel or that
19 partially or completely encircles the barrel, allowing
20 the bearer to hold the firearm with the non-trigger
21 hand without being burned, but excluding a slide that
22 encloses the barrel.

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

1 ammunition.

2 (C) A semiautomatic pistol that has the capacity to
3 accept a detachable magazine or that may be readily
4 modified to accept a detachable magazine, if the firearm
5 has one or more of the following:

6 (i) a threaded barrel;

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

10 (iii) a shroud attached to the barrel or that
11 partially or completely encircles the barrel, allowing
12 the bearer to hold the firearm with the non-trigger
13 hand without being burned, but excluding a slide that
14 encloses the barrel;

15 (iv) a flash suppressor;

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

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

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

24 (E) Any shotgun with a revolving cylinder.

25 (F) A semiautomatic shotgun that has one or more of
26 the following:

1 (i) a pistol grip or thumbhole stock;

2 (ii) any feature capable of functioning as a
3 protruding grip that can be held by the non-trigger
4 hand;

5 (iii) a folding or thumbhole stock;

6 (iv) a grenade launcher;

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

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

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

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

14 (I) Any part or combination of parts designed or
15 intended to convert a firearm into an assault weapon,
16 including any combination of parts from which an assault
17 weapon may be readily assembled if those parts are in the
18 possession or under the control of the same person.

19 (J) All of the following rifles, copies, duplicates,
20 variants, or altered facsimiles with the capability of any
21 such weapon:

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

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

26 (II) IZHMASH Saiga AK.

1 (III) MAADI AK47 and ARM.

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

3 (V) Poly Technologies AK47 and AKS.

4 (VI) SKS with a detachable magazine.

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

6 (I) AR-10.

7 (II) AR-15.

8 (III) Alexander Arms Overmatch Plus 16.

9 (IV) Armalite M15 22LR Carbine.

10 (V) Armalite M15-T.

11 (VI) Barrett REC7.

12 (VII) Beretta AR-70.

13 (VIII) Black Rain Ordnance Recon Scout.

14 (IX) Bushmaster ACR.

15 (X) Bushmaster Carbon 15.

16 (XI) Bushmaster MOE series.

17 (XII) Bushmaster XM15.

18 (XIII) Chiappa Firearms MFour rifles.

19 (XIV) Colt Match Target rifles.

20 (XV) CORE Rifle Systems CORE15 rifles.

21 (XVI) Daniel Defense M4A1 rifles.

22 (XVII) Devil Dog Arms 15 Series rifles.

23 (XVIII) Diamondback DB15 rifles.

24 (XIX) DoubleStar AR rifles.

25 (XX) DPMS Tactical rifles.

26 (XXI) DSA Inc. ZM-4 Carbine.

1 (XXII) Heckler & Koch MR556.
2 (XXIII) High Standard HSA-15 rifles.
3 (XXIV) Jesse James Nomad AR-15 rifle.
4 (XXV) Knight's Armament SR-15.
5 (XXVI) Lancer L15 rifles.
6 (XXVII) MGI Hydra Series rifles.
7 (XXVIII) Mossberg MMR Tactical rifles.
8 (XXIX) Noreen Firearms BN 36 rifle.
9 (XXX) Olympic Arms.
10 (XXXI) POF USA P415.
11 (XXXII) Precision Firearms AR rifles.
12 (XXXIII) Remington R-15 rifles.
13 (XXXIV) Rhino Arms AR rifles.
14 (XXXV) Rock River Arms LAR-15 or Rock River
15 Arms LAR-47.
16 (XXXVI) Sig Sauer SIG516 rifles and MCX
17 rifles.
18 (XXXVII) Smith & Wesson M&P15 rifles.
19 (XXXVIII) Stag Arms AR rifles.
20 (XXXIX) Sturm, Ruger & Co. SR556 and AR-556
21 rifles.
22 (XL) Uselton Arms Air-Lite M-4 rifles.
23 (XLI) Windham Weaponry AR rifles.
24 (XLII) WMD Guns Big Beast.
25 (XLIII) Yankee Hill Machine Company, Inc.
26 YHM-15 rifles.

- 1 (iii) Barrett M107A1.
- 2 (iv) Barrett M82A1.
- 3 (v) Beretta CX4 Storm.
- 4 (vi) Calico Liberty Series.
- 5 (vii) CETME Sporter.
- 6 (viii) Daewoo K-1, K-2, Max 1, Max 2, AR 100, and
- 7 AR 110C.
- 8 (ix) Fabrique Nationale/FN Herstal FAL, LAR, 22
- 9 FNC, 308 Match, L1A1 Sporter, PS90, SCAR, and FS2000.
- 10 (x) Feather Industries AT-9.
- 11 (xi) Galil Model AR and Model ARM.
- 12 (xii) Hi-Point Carbine.
- 13 (xiii) HK-91, HK-93, HK-94, HK-PSG-1, and HK USC.
- 14 (xiv) IWI TAVOR, Galil ACE rifle.
- 15 (xv) Kel-Tec Sub-2000, SU-16, and RFB.
- 16 (xvi) SIG AMT, SIG PE-57, Sig Sauer SG 550, Sig
- 17 Sauer SG 551, and SIG MCX.
- 18 (xvii) Springfield Armory SAR-48.
- 19 (xviii) Steyr AUG.
- 20 (xix) Sturm, Ruger & Co. Mini-14 Tactical Rifle
- 21 M-14/20CF.
- 22 (xx) All Thompson rifles, including the following:
- 23 (I) Thompson M1SB.
- 24 (II) Thompson T1100D.
- 25 (III) Thompson T150D.
- 26 (IV) Thompson T1B.

1 (V) Thompson T1B100D.

2 (VI) Thompson T1B50D.

3 (VII) Thompson T1BSB.

4 (VIII) Thompson T1-C.

5 (IX) Thompson T1D.

6 (X) Thompson T1SB.

7 (XI) Thompson T5.

8 (XII) Thompson T5100D.

9 (XIII) Thompson TM1.

10 (XIV) Thompson TM1C.

11 (xxi) UMAREX UZI rifle.

12 (xxii) UZI Mini Carbine, UZI Model A Carbine, and
13 UZI Model B Carbine.

14 (xxiii) Valmet M62S, M71S, and M78.

15 (xxiv) Vector Arms UZI Type.

16 (xxv) Weaver Arms Nighthawk.

17 (xxvi) Wilkinson Arms Linda Carbine.

18 (K) All of the following pistols, copies, duplicates,
19 variants, or altered facsimiles with the capability of any
20 such weapon thereof:

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

22 (I) Centurion 39 AK pistol.

23 (II) CZ Scorpion pistol.

24 (III) Draco AK-47 pistol.

25 (IV) HCR AK-47 pistol.

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

- 1 (VI) Krinkov pistol.
- 2 (VII) Mini Draco AK-47 pistol.
- 3 (VIII) PAP M92 pistol.
- 4 (IX) Yugo Krebs Krink pistol.
- 5 (ii) All AR types, including the following:
- 6 (I) American Spirit AR-15 pistol.
- 7 (II) Bushmaster Carbon 15 pistol.
- 8 (III) Chiappa Firearms M4 Pistol GEN II.
- 9 (IV) CORE Rifle Systems CORE15 Roscoe pistol.
- 10 (V) Daniel Defense MK18 pistol.
- 11 (VI) DoubleStar Corporation AR pistol.
- 12 (VII) DPMS AR-15 pistol.
- 13 (VIII) Jesse James Nomad AR-15 pistol.
- 14 (IX) Olympic Arms AR-15 pistol.
- 15 (X) Osprey Armament MK-18 pistol.
- 16 (XI) POF USA AR pistols.
- 17 (XII) Rock River Arms LAR 15 pistol.
- 18 (XIII) Uselton Arms Air-Lite M-4 pistol.
- 19 (iii) Calico pistols.
- 20 (iv) DSA SA58 PKP FAL pistol.
- 21 (v) Encom MP-9 and MP-45.
- 22 (vi) Heckler & Koch model SP-89 pistol.
- 23 (vii) Intratec AB-10, TEC-22 Scorpion, TEC-9, and
- 24 TEC-DC9.
- 25 (viii) IWI Galil Ace pistol, UZI PRO pistol.
- 26 (ix) Kel-Tec PLR 16 pistol.

(x) All MAC types, including the following:

(I) MAC-10.

(II) MAC-11.

(III) Masterpiece Arms MPA A930 Mini Pistol,
MPA460 Pistol, MPA Tactical Pistol, and MPA Mini
Tactical Pistol.

(IV) Military Armament Corp. Ingram M-11.

(V) Velocity Arms VMAC.

(xi) Sig Sauer P556 pistol.

(xii) Sites Spectre.

(xiii) All Thompson types, including the
following:

(I) Thompson TA510D.

(II) Thompson TA5.

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

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

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

(ii) Doruk Lethal shotguns.

(iii) Franchi LAW-12 and SPAS 12.

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

(I) IZHMAISH Saiga 12.

(II) IZHMAISH Saiga 12S.

(III) IZHMA SH Saiga 12S EXP-01.

1 (IV) IZHMAISH Saiga 12K.

2 (V) IZHMAISH Saiga 12K-030.

3 (VI) IZHMAISH Saiga 12K-040 Taktika.

4 (v) Streetsweeper.

5 (vi) Striker 12.

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

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

9 (B) An antique firearm or a replica of an antique
10 firearm.

11 (C) A firearm that is manually operated by bolt, pump,
12 lever or slide action, unless the firearm is a shotgun
13 with a revolving cylinder.

14 (D) Any air rifle as defined in Section 24.8-0.1 of
15 this Code.

16 (E) Any handgun, as defined under the Firearm
17 Concealed Carry Act, unless otherwise listed in this
18 Section.

19 (3) "Assault weapon attachment" means any device capable
20 of being attached to a firearm that is specifically designed
21 for making or converting a firearm into any of the firearms
22 listed in paragraph (1) of this subsection (a).

23 (4) "Antique firearm" has the meaning ascribed to it in 18
24 U.S.C. 921(a)(16).

25 (5) ".50 caliber rifle" means a centerfire rifle capable
26 of firing a .50 caliber cartridge. The term does not include

1 any antique firearm, any shotgun including a shotgun that has
2 a rifle barrel, or any muzzle-loader which uses black powder
3 for hunting or historical reenactments.

4 (6) ".50 caliber cartridge" means a cartridge in .50 BMG
5 caliber, either by designation or actual measurement, that is
6 capable of being fired from a centerfire rifle. The term ".50
7 caliber cartridge" does not include any memorabilia or display
8 item that is filled with a permanent inert substance or that is
9 otherwise permanently altered in a manner that prevents ready
10 modification for use as live ammunition or shotgun ammunition
11 with a caliber measurement that is equal to or greater than .50
12 caliber.

13 (7) "Detachable magazine" means an ammunition feeding
14 device that may be removed from a firearm without disassembly
15 of the firearm action, including an ammunition feeding device
16 that may be readily removed from a firearm with the use of a
17 bullet, cartridge, accessory, or other tool, or any other
18 object that functions as a tool, including a bullet or
19 cartridge.

20 (8) "Fixed magazine" means an ammunition feeding device
21 that is permanently attached to a firearm, or contained in and
22 not removable from a firearm, or that is otherwise not a
23 detachable magazine, but does not include an attached tubular
24 device designed to accept, and capable of operating only with,
25 .22 caliber rimfire ammunition.

26 (b) Except as provided in subsections (c), (d), and (e),

1 on or after the effective date of this amendatory Act of the
2 102nd General Assembly, it is unlawful for any person within
3 this State to knowingly manufacture, deliver, sell, import, or
4 purchase or cause to be manufactured, delivered, sold,
5 imported, or purchased by another, an assault weapon, assault
6 weapon attachment, .50 caliber rifle, or .50 caliber
7 cartridge.

8 (c) Except as otherwise provided in subsection (d),
9 beginning January 1, 2024, it is unlawful for any person
10 within this State to knowingly possess an assault weapon,
11 assault weapon attachment, .50 caliber rifle, or .50 caliber
12 cartridge.

13 (d) This Section does not apply to a person's possession
14 of an assault weapon, assault weapon attachment, .50 caliber
15 rifle, or .50 caliber cartridge device if the person lawfully
16 possessed that assault weapon, assault weapon attachment, .50
17 caliber rifle, or .50 caliber cartridge prohibited by
18 subsection (c) of this Section, if the person has provided in
19 an endorsement affidavit, prior to January 1, 2024, under oath
20 or affirmation and in the form and manner prescribed by the
21 Illinois State Police, no later than October 1, 2023:

22 (1) the affiant's Firearm Owner's Identification Card
23 number;

24 (2) an affirmation that the affiant: (i) possessed an
25 assault weapon, assault weapon attachment, .50 caliber
26 rifle, or .50 caliber cartridge before the effective date

1 of this amendatory Act of the 102nd General Assembly; or
2 (ii) inherited the assault weapon, assault weapon
3 attachment, .50 caliber rifle, or .50 caliber cartridge
4 from a person with an endorsement under this Section or
5 from a person authorized under subdivisions (1) through
6 (5) of subsection (e) to possess the assault weapon,
7 assault weapon attachment, .50 caliber rifle, or .50
8 caliber cartridge; and

9 (3) the make, model, caliber, and serial number of the
10 .50 caliber rifle or assault weapon or assault weapons
11 listed in paragraphs (J), (K), and (L) of subdivision (1)
12 of subsection (a) of this Section possessed by the affiant
13 prior to the effective date of this amendatory Act of the
14 102nd General Assembly and any assault weapons identified
15 and published by the Illinois State Police pursuant to
16 this subdivision (3). No later than October 1, 2023, and
17 every October 1 thereafter, the Illinois State Police
18 shall, via rulemaking, identify, publish, and make
19 available on its website, the list of assault weapons
20 subject to an endorsement affidavit under this subsection
21 (d). The list shall identify, but is not limited to, the
22 copies, duplicates, variants, and altered facsimiles of
23 the assault weapons identified in paragraphs (J), (K), and
24 (L) of subdivision (1) of subsection (a) of this Section
25 and shall be consistent with the definition of "assault
26 weapon" identified in this Section. The Illinois State

1 Police may adopt emergency rulemaking in accordance with
2 Section 5-45 of the Illinois Administrative Procedure Act.
3 The adoption of emergency rules authorized by Section 5-45
4 of the Illinois Administrative Procedure Act and this
5 paragraph is deemed to be necessary for the public
6 interest, safety, and welfare.

7 The affidavit form shall include the following statement
8 printed in bold type: "Warning: Entering false information on
9 this form is punishable as perjury under Section 32-2 of the
10 Criminal Code of 2012. Entering false information on this form
11 is a violation of the Firearm Owners Identification Card Act."

12 In any administrative, civil, or criminal proceeding in
13 this State, a completed endorsement affidavit submitted to the
14 Illinois State Police by a person under this Section creates a
15 rebuttable presumption that the person is entitled to possess
16 and transport the assault weapon, assault weapon attachment,
17 .50 caliber rifle, or .50 caliber cartridge.

18 Beginning 90 days after the effective date of this
19 amendatory Act of the 102nd General Assembly, a person
20 authorized under this Section to possess an assault weapon,
21 assault weapon attachment, .50 caliber rifle, or .50 caliber
22 cartridge shall possess such items only:

23 (1) on private property owned or immediately
24 controlled by the person;

25 (2) on private property that is not open to the public
26 with the express permission of the person who owns or

1 immediately controls such property;

2 (3) while on the premises of a licensed firearms
3 dealer or gunsmith for the purpose of lawful repair;

4 (4) while engaged in the legal use of the assault
5 weapon, assault weapon attachment, .50 caliber rifle, or
6 .50 caliber cartridge at a properly licensed firing range
7 or sport shooting competition venue; or

8 (5) while traveling to or from these locations,
9 provided that the assault weapon, assault weapon
10 attachment, or .50 caliber rifle is unloaded and the
11 assault weapon, assault weapon attachment, .50 caliber
12 rifle, or .50 caliber cartridge is enclosed in a case,
13 firearm carrying box, shipping box, or other container.

14 Beginning on January 1, 2024, the person with the
15 endorsement for an assault weapon, assault weapon attachment,
16 .50 caliber rifle, or .50 caliber cartridge or a person
17 authorized under subdivisions (1) through (5) of subsection
18 (e) to possess an assault weapon, assault weapon attachment,
19 .50 caliber rifle, or .50 caliber cartridge may transfer the
20 assault weapon, assault weapon attachment, .50 caliber rifle,
21 or .50 caliber cartridge only to an heir, an individual
22 residing in another state maintaining it in another state, or
23 a dealer licensed as a federal firearms dealer under Section
24 923 of the federal Gun Control Act of 1968. Within 10 days
25 after transfer of the weapon except to an heir, the person
26 shall notify the Illinois State Police of the name and address

1 of the transferee and comply with the requirements of
2 subsection (b) of Section 3 of the Firearm Owners
3 Identification Card Act. The person to whom the weapon or
4 ammunition is transferred shall, within 60 days of the
5 transfer, complete an affidavit required under this Section. A
6 person to whom the weapon is transferred may transfer it only
7 as provided in this subsection.

8 Except as provided in subsection (e) and beginning on
9 January 1, 2024, any person who moves into this State in
10 possession of an assault weapon, assault weapon attachment,
11 .50 caliber rifle, or .50 caliber cartridge shall, within 60
12 days, apply for a Firearm Owners Identification Card and
13 complete an endorsement application as outlined in subsection
14 (d).

15 Notwithstanding any other law, information contained in
16 the endorsement affidavit shall be confidential, is exempt
17 from disclosure under the Freedom of Information Act, and
18 shall not be disclosed, except to law enforcement agencies
19 acting in the performance of their duties.

20 (e) The provisions of this Section regarding the purchase
21 or possession of assault weapons, assault weapon attachments,
22 .50 caliber rifles, and .50 cartridges, as well as the
23 provisions of this Section that prohibit causing those items
24 to be purchased or possessed, do not apply to:

25 (1) Peace officers, as defined in Section 2-13 of this
26 Code.

1 (2) Qualified law enforcement officers and qualified
2 retired law enforcement officers as defined in the Law
3 Enforcement Officers Safety Act of 2004 (18 U.S.C. 926B
4 and 926C) and as recognized under Illinois law.

5 (3) Acquisition and possession by a federal, State, or
6 local law enforcement agency for the purpose of equipping
7 the agency's peace officers as defined in paragraph (1) or
8 (2) of this subsection (e).

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

12 (5) Members of the Armed Services or Reserve Forces of
13 the United States or the Illinois National Guard, while
14 performing their official duties or while traveling to or
15 from their places of duty.

16 (6) Any company that employs armed security officers
17 in this State at a nuclear energy, storage, weapons, or
18 development site or facility regulated by the federal
19 Nuclear Regulatory Commission and any person employed as
20 an armed security force member at a nuclear energy,
21 storage, weapons, or development site or facility
22 regulated by the federal Nuclear Regulatory Commission who
23 has completed the background screening and training
24 mandated by the rules and regulations of the federal
25 Nuclear Regulatory Commission and while performing
26 official duties.

1 (7) Any private security contractor agency licensed
2 under the Private Detective, Private Alarm, Private
3 Security, Fingerprint Vendor, and Locksmith Act of 2004
4 that employs private security contractors and any private
5 security contractor who is licensed and has been issued a
6 firearm control card under the Private Detective, Private
7 Alarm, Private Security, Fingerprint Vendor, and Locksmith
8 Act of 2004 while performing official duties.

9 The provisions of this Section do not apply to the
10 manufacture, delivery, sale, import, purchase, or possession
11 of an assault weapon, assault weapon attachment, .50 caliber
12 rifle, or .50 caliber cartridge or causing the manufacture,
13 delivery, sale, importation, purchase, or possession of those
14 items:

15 (A) for sale or transfer to persons authorized under
16 subdivisions (1) through (7) of this subsection (e) to
17 possess those items;

18 (B) for sale or transfer to the United States or any
19 department or agency thereof; or

20 (C) for sale or transfer in another state or for
21 export.

22 This Section does not apply to or affect any of the
23 following:

24 (i) Possession of any firearm if that firearm is
25 sanctioned by the International Olympic Committee and by
26 USA Shooting, the national governing body for

1 international shooting competition in the United States,
2 but only when the firearm is in the actual possession of an
3 Olympic target shooting competitor or target shooting
4 coach for the purpose of storage, transporting to and from
5 Olympic target shooting practice or events if the firearm
6 is broken down in a nonfunctioning state, is not
7 immediately accessible, or is unloaded and enclosed in a
8 firearm case, carrying box, shipping box, or other similar
9 portable container designed for the safe transportation of
10 firearms, and when the Olympic target shooting competitor
11 or target shooting coach is engaging in those practices or
12 events. For the purposes of this paragraph (8), "firearm"
13 has the meaning provided in Section 1.1 of the Firearm
14 Owners Identification Card Act.

15 (ii) Any nonresident who transports, within 24 hours,
16 a weapon for any lawful purpose from any place where the
17 nonresident may lawfully possess and carry that weapon to
18 any other place where the nonresident may lawfully possess
19 and carry that weapon if, during the transportation, the
20 weapon is unloaded, and neither the weapon nor any
21 ammunition being transported is readily accessible or is
22 directly accessible from the passenger compartment of the
23 transporting vehicle. In the case of a vehicle without a
24 compartment separate from the driver's compartment, the
25 weapon or ammunition shall be contained in a locked
26 container other than the glove compartment or console.

1 (iii) Possession of a weapon at an event taking place
2 at the World Shooting and Recreational Complex at Sparta,
3 only while engaged in the legal use of the weapon, or while
4 traveling to or from that location if the weapon is broken
5 down in a nonfunctioning state, is not immediately
6 accessible, or is unloaded and enclosed in a firearm case,
7 carrying box, shipping box, or other similar portable
8 container designed for the safe transportation of
9 firearms.

10 (iv) Possession of a weapon only for hunting use
11 expressly permitted under the Wildlife Code, or while
12 traveling to or from a location authorized for this
13 hunting use under the Wildlife Code if the weapon is
14 broken down in a nonfunctioning state, is not immediately
15 accessible, or is unloaded and enclosed in a firearm case,
16 carrying box, shipping box, or other similar portable
17 container designed for the safe transportation of
18 firearms. By October 1, 2023, the Illinois State Police,
19 in consultation with the Department of Natural Resources,
20 shall adopt rules concerning the list of applicable
21 weapons approved under this subparagraph (iv). The
22 Illinois State Police may adopt emergency rules in
23 accordance with Section 5-45 of the Illinois
24 Administrative Procedure Act. The adoption of emergency
25 rules authorized by Section 5-45 of the Illinois
26 Administrative Procedure Act and this paragraph is deemed

1 to be necessary for the public interest, safety, and
2 welfare.

3 (v) The manufacture, transportation, possession, sale,
4 or rental of blank-firing assault weapons and .50 caliber
5 rifles, or the weapon's respective attachments, to persons
6 authorized or permitted, or both authorized and permitted,
7 to acquire and possess these weapons or attachments for
8 the purpose of rental for use solely as props for a motion
9 picture, television, or video production or entertainment
10 event.

11 Any person not subject to this Section may submit an
12 endorsement affidavit if the person chooses.

13 (f) Any sale or transfer with a background check initiated
14 to the Illinois State Police on or before the effective date of
15 this amendatory Act of the 102nd General Assembly is allowed
16 to be completed after the effective date of this amendatory
17 Act once an approval is issued by the Illinois State Police and
18 any applicable waiting period under Section 24-3 has expired.

19 (g) The Illinois State Police shall take all steps
20 necessary to carry out the requirements of this Section within
21 by October 1, 2023.

22 (h) The Department of the State Police shall also develop
23 and implement a public notice and public outreach campaign to
24 promote awareness about the provisions of this amendatory Act
25 of the 102nd General Assembly and to increase compliance with
26 this Section.

1 (720 ILCS 5/24-1.10 new)

2 Sec. 24-1.10. Manufacture, delivery, sale, and possession
3 of large capacity ammunition feeding devices.

4 (a) In this Section:

5 "Handgun" has the meaning ascribed to it in the Firearm
6 Concealed Carry Act.

7 "Long gun" means a rifle or shotgun.

8 "Large capacity ammunition feeding device" means:

9 (1) a magazine, belt, drum, feed strip, or similar
10 device that has a capacity of, or that can be readily
11 restored or converted to accept, more than 10 rounds of
12 ammunition for long guns and more than 15 rounds of
13 ammunition for handguns; or

14 (2) any combination of parts from which a device
15 described in paragraph (1) can be assembled.

16 "Large capacity ammunition feeding device" does not
17 include an attached tubular device designed to accept, and
18 capable of operating only with, .22 caliber rimfire
19 ammunition. "Large capacity ammunition feeding device" does
20 not include a tubular magazine that is contained in a
21 lever-action firearm or any device that has been made
22 permanently inoperable.

23 (b) Except as provided in subsections (e) and (f), it is
24 unlawful for any person within this State to knowingly
25 manufacture, deliver, sell, purchase, or cause to be

1 manufactured, delivered, sold, or purchased a large capacity
2 ammunition feeding device.

3 (c) Except as provided in subsections (d), (e), and (f),
4 and beginning 90 days after the effective date of this
5 amendatory Act of the 102nd General Assembly, it is unlawful
6 to knowingly possess a large capacity ammunition feeding
7 device.

8 (d) Subsection (c) does not apply to a person's possession
9 of a large capacity ammunition feeding device if the person
10 lawfully possessed that large capacity ammunition feeding
11 device before the effective date of this amendatory Act of the
12 102nd General Assembly, provided that the person shall possess
13 such device only:

14 (1) on private property owned or immediately
15 controlled by the person;

16 (2) on private property that is not open to the public
17 with the express permission of the person who owns or
18 immediately controls such property;

19 (3) while on the premises of a licensed firearms
20 dealer or gunsmith for the purpose of lawful repair;

21 (4) while engaged in the legal use of the large
22 capacity ammunition feeding device at a properly licensed
23 firing range or sport shooting competition venue; or

24 (5) while traveling to or from these locations,
25 provided that the large capacity ammunition feeding device
26 is stored unloaded and enclosed in a case, firearm

1 carrying box, shipping box, or other container.

2 A person authorized under this Section to possess a large
3 capacity ammunition feeding device may transfer the large
4 capacity ammunition feeding device only to an heir, an
5 individual residing in another state maintaining it in another
6 state, or a dealer licensed as a federal firearms dealer under
7 Section 923 of the federal Gun Control Act of 1968. Within 10
8 days after transfer of the large capacity ammunition feeding
9 device except to an heir, the person shall notify the Illinois
10 State Police of the name and address of the transferee and
11 comply with the requirements of subsection (b) of Section 3 of
12 the Firearm Owners Identification Card Act. The person to whom
13 the large capacity ammunition feeding device is transferred
14 shall, within 60 days of the transfer, notify the Illinois
15 State Police of the person's acquisition and comply with the
16 requirements of subsection (b) of Section 3 of the Firearm
17 Owners Identification Card Act. A person to whom the large
18 capacity ammunition feeding device is transferred may transfer
19 it only as provided in this subsection.

20 Except as provided in subsections (e) and (f) and
21 beginning 90 days after the effective date of this amendatory
22 Act of the 102nd General Assembly, any person who moves into
23 this State in possession of a large capacity ammunition
24 feeding device shall, within 60 days, apply for a Firearm
25 Owners Identification Card.

26 (e) The provisions of this Section regarding the purchase

1 or possession of large capacity ammunition feeding devices, as
2 well as the provisions of this Section that prohibit causing
3 those items to be purchased or possessed, do not apply to:

4 (1) Peace officers as defined in Section 2-13 of this
5 Code.

6 (2) Qualified law enforcement officers and qualified
7 retired law enforcement officers as defined in the Law
8 Enforcement Officers Safety Act of 2004 (18 U.S.C. 926B
9 and 926C) and as recognized under Illinois law.

10 (3) A federal, State, or local law enforcement agency
11 for the purpose of equipping the agency's peace officers
12 as defined in paragraph (1) or (2) of this subsection (e).

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

16 (5) Members of the Armed Services or Reserve Forces of
17 the United States or the Illinois National Guard, while
18 their official duties or while traveling to or from their
19 places of duty.

20 (6) Any company that employs armed security officers
21 in this State at a nuclear energy, storage, weapons, or
22 development site or facility regulated by the federal
23 Nuclear Regulatory Commission and any person employed as
24 an armed security force member at a nuclear energy,
25 storage, weapons, or development site or facility
26 regulated by the federal Nuclear Regulatory Commission who

1 has completed the background screening and training
2 mandated by the rules and regulations of the federal
3 Nuclear Regulatory Commission and while performing
4 official duties.

5 (7) Any private security contractor agency licensed
6 under the Private Detective, Private Alarm, Private
7 Security, Fingerprint Vendor, and Locksmith Act of 2004
8 that employs private security contractors and any private
9 security contractor who is licensed and has been issued a
10 firearm control card under the Private Detective, Private
11 Alarm, Private Security, Fingerprint Vendor, and Locksmith
12 Act of 2004 while performing official duties.

13 (f) This Section does not apply to or affect any of the
14 following:

15 (1) Manufacture, delivery, sale, importation,
16 purchase, or possession or causing to be manufactured,
17 delivered, sold, imported, purchased, or possessed a large
18 capacity ammunition feeding device:

19 (A) for sale or transfer to persons authorized
20 under subdivisions (1) through (7) of subsection (e)
21 to possess those items;

22 (B) for sale or transfer to the United States or
23 any department or agency thereof; or

24 (C) for sale or transfer in another state or for
25 export.

26 (2) Sale or rental of large capacity ammunition

1 feeding devices for blank-firing assault weapons and .50
2 caliber rifles, to persons authorized or permitted, or
3 both authorized and permitted, to acquire these devices
4 for the purpose of rental for use solely as props for a
5 motion picture, television, or video production or
6 entertainment event.

7 (g) Sentence. A person who knowingly manufactures,
8 delivers, sells, purchases, possesses, or causes to be
9 manufactured, delivered, sold, possessed, or purchased in
10 violation of this Section a large capacity ammunition feeding
11 device capable of holding more than 10 rounds of ammunition
12 for long guns or more than 15 rounds of ammunition for handguns
13 commits a petty offense with a fine of \$1,000 for each
14 violation.

15 (h) The Department of the State Police shall also develop
16 and implement a public notice and public outreach campaign to
17 promote awareness about the provisions of this amendatory Act
18 of the 102nd General Assembly and to increase compliance with
19 this Section.

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

1 Public Act.

2 Section 97. Severability. The provisions of this Act are
3 severable under Section 1.31 of the Statute on Statutes.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.