

# **Exhibit 2**

**DECLARATION OF ROBERT MORGAN**

I, Robert Morgan, declare under penalty of perjury that the following is true and correct:

1. This declaration is based on my personal knowledge. If I am called as a witness, I could and would testify competently to the truth of the matters discussed in this declaration.

2. My name is Robert Morgan; I go by Bob. I am a resident of Deerfield, Illinois. I am also a member of the Illinois House of Representatives, where I represent Illinois's 58th House District. My district includes Deerfield, Highland Park, and other communities in the northern suburbs of Chicago.

3. In addition to my work in the Illinois General Assembly, I am also a practicing attorney. I work in the Chicago office of a national law firm.

**The July 4, 2022 Mass Shooting in Highland Park**

4. On July 4, 2022, I was in Highland Park, Illinois, for what was supposed to be the annual Independence Day parade—the first in a few years after a pandemic hiatus.

5. A few minutes after 10:00 a.m., I was lining up to walk in the parade as one of the community's elected representatives. My wife and two young children were with me. A member of my staff was with us, as well.

6. Shortly before I was about to start walking the parade route, my staff member began yelling: "Gunshots! Gunshots!" I then saw hundreds of people running away from the parade route. I also saw multiple police vehicles moving at high speed toward the parade route.

7. I quickly took my family to a nearby sheltered area. After I was able to get them to a secure area, I ran toward an area on the parade route where I could see a large number of law enforcement officers. As I was running, I saw multiple people with gunshot wounds. Two of the

people I saw were motionless and appeared to have died from their wounds. I later learned that they had in fact passed away.

8. When I got to the scene of the shooting, I saw a Commander from the Highland Park Police Department and asked how I could help. I tried to help law enforcement clear the area by asking people to move away from the scene.

9. At one point, I noticed a grandmother with her two grandchildren. The grandmother was holding a very young child and attempting to leave. But her other grandchild, a toddler, was refusing to leave with her. The grandmother was unable to pick up the toddler with the other grandchild in her arms. The children's mother, father, and grandfather had all been shot—fortunately, none fatally.

10. To help the grandmother, I picked up the toddler and helped carry her to a safe area with the grandmother and her other grandchild. I remember noticing that the toddler's clothes had dried blood on them.

11. After about thirty minutes of trying to help clear the scene of the shooting and assist those in need when I could, I left the area to return to my family.

12. I will never forget the bloodshed, carnage, and chaos I witnessed that morning. I have never seen something so horrific in my life.

13. After reuniting with my family, I returned with them to our home in Deerfield. I changed clothes and headed to the Deerfield Police Department. I spent much of the rest of the day monitoring events from the Deerfield Police Department. At that time, Highland Park was in a lockdown because the suspected shooter remained at large. Numerous law enforcement agencies in the area, from the local, state, and federal levels, diverted their resources to help with the search. Other communities in the area were also impacted—other July 4th parades and

celebration were canceled, beaches were closed, and what was supposed to be a day of celebration became a day gripped with widespread fear. I was profoundly relieved when law enforcement apprehended the suspected shooter that evening.

### **The Weapons Used and Casualties Inflicted on July 4th**

14. The July 4th mass shooting in Highland Park was one of the most impactful events of my life—as a human being who saw the carnage that day, as a parent raising my kids nearby, and as an elected representative of the community. I recognized on the day of the shooting that I had a moral obligation to do what I could as a legislator to try to prevent, or at least reduce the likelihood, of another similar tragedy.

15. As the investigation of the shooting proceeded on July 4th and in the days and weeks after, I maintained frequent contact with law enforcement and other elected officials in the area. It was important to me to understand in detail what happened that day so I could develop legislative proposals aimed at preventing similar tragedies in the future.

16. What I learned about the details of that day horrified me even more. The suspected shooter used an assault weapon to perpetrate the massacre: specifically, a Smith & Wesson M&P 15. The gun is an AR-15-style rifle. I learned that AR-15 rifles trace their origins to the ArmaLite AR-15, which was developed for use by the U.S. Army in the late 1950s. The original ArmaLite AR-15 was subsequently re-named with minimal modifications to become the M-16—the standard-issue infantry weapon for members of the U.S. military beginning in the mid-1960s.

17. I also learned that there is not much difference between the M-16 and the AR-15-style rifles available to civilians in our country. The M-16 has the capability to engage in fully automatic fire and three-shot bursts, whereas the civilian AR-15 models that are legally sold have

only semi-automatic capability. Other than that difference, the AR-15s available to civilians are essentially the same as the M-16s that our soldiers have carried into battle for decades.

18. I also learned that the gun used by the suspected Highland Park shooter, the Smith & Wesson M&P 15, is marketed as “M&P” because “M&P” implies “Military & Police”. In other words, the gun’s manufacturer intentionally markets the weapon by touting its use as a weapon of war.

19. The Smith & Wesson M&P 15 used by the suspected Highland Park shooter functioned as a weapon of war that day. The suspected shooter fired approximately 83 rounds into the crowd gathered to celebrate our nation’s independence, killing 7 people and wounding an additional 48 victims. This all happened in under 60 seconds.

20. In addition to the rapid rate of semi-automatic fire allowed by the Smith & Wesson M&P 15, the suspected Highland Park shooter also utilized multiple large-capacity magazines. These large-capacity magazines minimized the need to pause to reload, allowing the suspected shooter to discharge approximately 30 rounds before having to reload.

21. The suspected Highland Park shooter escaped the scene of the massacre and remained on the loose for approximately 8 hours that day. After the suspected shooter was apprehended, law enforcement recovered an additional assault weapon from his vehicle, a Kel-Tec SUB-2000.

22. I learned that both of the suspected shooter’s assault weapons, the Smith & Wesson M&P 15 and the Kel-Tec SUB-2000, had been legally purchased in Illinois.

23. The details of the Highland Park shooting affirmed for me that the incredible lethality of the weapons used that day is what made the carnage as widespread as it was. As a

legislator, I felt it was my duty to pursue legislation that would take assault weapons and large-capacity magazines out of the legal civilian market in Illinois.

24. As an attorney, I understand that based on the U.S. Supreme Court's interpretation of the Second Amendment, law-abiding gun owners are entitled to have access to firearms commonly used for self-defense, such as a handgun. I am familiar with the Firearm Owners Identification Card Act, which establishes the process by which Illinois residents can obtain a license to lawfully purchase and possess firearms for self-defense, hunting, or other lawful purposes.

25. But I believe that assault weapons, like those carried by the suspected Highland Park shooter, are weapons of war that have no place in the civilian market. I likewise believe that large-capacity magazines that magnify the lethality of assault weapons have no place in the civilian market.

26. In the weeks and months following the Highland Park shooting, I reviewed things like Highland Park's 2013 ordinance banning assault weapons and large-capacity magazines. I learned that the Highland Park ordinance had survived a Second Amendment challenge and been upheld by the U.S. Court of Appeals for the Seventh Circuit in 2015 in *Friedman v. City of Highland Park*, 784 F.3d 406 (7th Cir. 2015).

27. I also reviewed a federal law passed in 1994, the Public Safety and Recreational Firearms Use Protection Act, which is often referred to as the federal assault weapons ban. I learned that that federal law had been in place for ten years from 1994 until it expired in September 2004, and that the law had never been struck down by the U.S. Supreme Court as violating the Second Amendment.

28. I also reviewed existing laws from eight other states (California, Connecticut, Delaware, Hawai'i, Maryland, Massachusetts, New Jersey, and New York) that significantly restrict access to assault weapons, large-capacity magazines, or both.

29. I also learned that assault weapons, particularly AR-15 semi-automatic rifles, and large-capacity magazines were frequently what other mass shooters chose to perpetrate their massacres. For instance, the suspected shooter in Uvalde, Texas used an AR-15-style semi-automatic rifle to murder 19 children and 2 teachers at Robb Elementary School on May 24, 2022—less than six weeks before our own AR-15-inflicted massacre in Highland Park.

30. At the time of the Highland Park shooting there was already a bill filed in the House of Representatives, House Bill 5522, with some of the same concepts that were ultimately incorporated in what would become the Protect Illinois Communities Act, which passed as Public Act 102-1116. I became a chief co-sponsor of House Bill 5522 on July 7, 2022—three days after the Highland Park shooting. I have attached a copy of House Bill 5522 as Exhibit A to this declaration. A few months later, on December 1, 2022, I introduced a new bill, House Bill 5855, that added additional elements to the proposed legislation. I have attached a copy of House Bill 5855 as Exhibit B to this declaration.

31. Over the course of three public hearings, a House Committee heard gut-wrenching testimony from survivors of the Highland Park massacre and family members of the deceased. We also heard from community members from across Illinois about the tragic toll that gun violence inflicts on a daily basis—often without the type of front-page attention that the Highland Park mass shooting generated.

32. The Committee heard from many members of the public who supported greater restrictions on access to assault weapons and large-capacity magazines. The Committee also

heard from members of the public opposed to restrictions on assault weapons and large-capacity magazines. In total, across the three public hearings on December 12, December 15, and December 20, the Committee heard approximately 15 hours of live public testimony regarding assault weapons, large-capacity magazines, and the toll of gun violence in our state.

33. The final version of what became Public Act 102-1116, the Protect Illinois Communities Act, passed both the House and the Senate as House Bill 5471. Governor Pritzker subsequently signed House Bill 5471 into law.

34. My sincere hope is that the Protect Illinois Communities Act will help prevent another massacre like the one I witnessed on July 4th in Highland Park. At the very least, I hope that restricting access to assault weapons and large-capacity magazines in Illinois will make it harder for future mass murderers to inflict so much death and carnage in so little time. No community should have to live with the fear that a moment of celebration, a day at school, or a day at work can instantly become a massacre. I refuse to accept that mass shootings must simply be accepted as a fact of modern American life.



Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 5, 2023 at Peertfield, Illinois.

/s/ Robert Morgan

# EXHIBIT A

**HB5522**



**102ND GENERAL ASSEMBLY**

**State of Illinois**

**2021 and 2022**

**HB5522**

Introduced 1/31/2022, by Rep. Maura Hirschauer

**SYNOPSIS AS INTRODUCED:**

720 ILCS 5/24-1.9 new  
720 ILCS 5/24-1.10 new

Amends the Criminal Code of 2012. Makes it unlawful to deliver, sell, or purchase or cause to be delivered, sold, or purchased or cause to be possessed by another, an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge. Makes it unlawful for any person to knowingly possess an assault weapon, .50 caliber rifle, or .50 caliber cartridge 300 days after the effective date of the amendatory Act, except possession of weapons registered with the Illinois State Police in the time provided. Provides exemptions and penalties. Prohibits delivery, sale, purchase or possession of large capacity ammunition feeding devices. Provides exemptions and penalties.

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**A BILL FOR**

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1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 2012 is amended by adding  
5 Sections 24-1.9 and 24-1.10 as follows:

6 (720 ILCS 5/24-1.9 new)

7 Sec. 24-1.9. Possession, delivery, sale, and purchase of  
8 assault weapons, .50 caliber rifles, and .50 caliber  
9 cartridges.

10 (a) Definitions. In this Section:

11 (1) "Assault weapon" means:

12 (A) any rifle that has a belt fed ammunition  
13 system or which has a detachable magazine capable of  
14 holding more than 10 rounds of ammunition;

15 (B) a semi-automatic rifle that has the ability to  
16 accept a detachable magazine and has any of the  
17 following:

18 (i) a folding or telescoping stock; or

19 (ii) a shroud that is attached to, or  
20 partially or completely encircles the barrel that  
21 permits the shooter to hold the firearm with the  
22 non-trigger hand without being burned;

23 (C) a semi-automatic pistol that has the ability

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1 to accept a detachable magazine and has any of the  
2 following:

3 (i) a folding or telescoping stock;

4 (ii) a shroud that is attached to, or  
5 partially or completely encircles the barrel, that  
6 permits the shooter to hold the firearm with the  
7 non-trigger hand without being burned; or

8 (iii) a manufactured weight of 50 ounces or  
9 more when the pistol is unloaded.

10 (D) a semi-automatic rifle with a fixed magazine  
11 that has the capacity to accept more than 10 rounds of  
12 ammunition;

13 (E) a semi-automatic shotgun that has:

14 (i) a folding or telescoping stock; and

15 (ii) contains its ammunition in a revolving  
16 cylinder; or

17 (iii) a fixed magazine capacity in excess of 5  
18 rounds of ammunition, except as may be authorized  
19 under the Wildlife Code and excluding magazine  
20 extensions during the snow geese conservation  
21 order season; or

22 (iv) an ability to accept a detachable  
23 magazine of more than 5 rounds of ammunition.

24 "Assault weapon" does not include:

25 (A) any firearm that:

26 (i) is manually operated by bolt, pump, lever,

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1           or slide action;

2           (ii) is an unserviceable firearm or has been  
3           made permanently inoperable;

4           (iii) is an antique firearm;

5           (iv) uses rimfire ammunition or cartridges; or

6           (iv) has been excluded as an assault weapon in  
7           a Department of Natural Resources rule. The  
8           Department of Natural Resources shall have the  
9           authority to adopt rules to further define  
10           exclusions of assault weapon types under this  
11           Section, provided the make, model, and caliber of  
12           the firearm excluded has a viable application to  
13           hunting game and conforms to accepted hunting  
14           principles of fair chase;

15           (B) any air rifle as defined in Section 24.8-0.1  
16           of this Code.

17           In this Section, a firearm is considered to have the  
18           ability to accept a detachable magazine unless the magazine or  
19           ammunition feeding device can only be removed through  
20           disassembly of the firearm action.

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

26           (3) "Antique firearm" has the meaning ascribed to it

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1 in 18 U.S.C. 921 (a) (16).

2 (4) ".50 caliber rifle" means a centerfire rifle  
3 capable of firing a .50 caliber cartridge. The term does  
4 not include any antique firearm, any shotgun including a  
5 shotgun that has a rifle barrel, or any muzzle-loader  
6 which uses black powder for hunting or historical  
7 re-enactments.

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

18 (6) "Locking mechanism" means secured by a device or  
19 mechanism, other than the firearm safety, designed to  
20 render a firearm temporarily inoperable; or a box or  
21 container capable of containing the firearm and that can  
22 be securely locked.

23 (b) The Illinois State Police shall take all steps  
24 necessary to carry out the requirements of this Section within  
25 180 days after the effective date of this amendatory Act of the  
26 102nd General Assembly.

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1       (c) Except as provided in subsections (d), (e), (f), and  
2       (h), on or after the effective date of this amendatory Act of  
3       the 102nd General Assembly, it is unlawful for any person  
4       within this State to knowingly deliver, sell, or purchase or  
5       cause to be delivered, sold, or purchased or cause to be  
6       possessed by another, an assault weapon, assault weapon  
7       attachment, .50 caliber rifle, or .50 caliber cartridge.

8       (d) Except as otherwise provided in subsections (e), (f),  
9       and (h), 300 days after the effective date of this amendatory  
10       Act of the 102nd General Assembly, it is unlawful for any  
11       person within this State to knowingly possess an assault  
12       weapon, .50 caliber rifle, or .50 caliber cartridge.

13       (e) This Section does not apply to a person who possessed  
14       an assault weapon or .50 caliber rifle prohibited by  
15       subsection (d) of this Section before the effective date of  
16       this amendatory Act of the 102nd General Assembly, provided  
17       the person has provided in a registration affidavit, under  
18       oath or affirmation and in the form and manner prescribed by  
19       the Illinois State Police on or after 180 days after the  
20       effective date of this amendatory Act of the 102nd General  
21       Assembly but within 300 days after the effective date of this  
22       amendatory Act of the 102nd General Assembly:

23               (1) his or her name;

24               (2) date of birth;

25               (3) Firearm Owner's Identification Card number;

26               (4) the make, model, caliber, and serial number of the



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1 weapon; and

2 (5) proof of a locking mechanism that properly fits  
3 the weapon. The affidavit shall include a statement that  
4 the weapon is owned by the person submitting the affidavit  
5 and that he or she owns a locking mechanism for the weapon.

6 The affidavit form shall include the following statement  
7 printed in bold type: "Warning: Entering false information on  
8 this form is punishable as perjury under Section 32-2 of the  
9 Criminal Code of 2012."

10 Beginning 300 days after the effective date of this  
11 amendatory Act of the 102nd General Assembly, the person may  
12 transfer the assault weapon or .50 caliber rifle only to an  
13 heir, an individual residing in another state maintaining it  
14 in another state, or a dealer licensed as a federal firearms  
15 dealer under Section 923 of the federal Gun Control Act of  
16 1968. Within 10 days after transfer of the weapon except to an  
17 heir, the person shall notify the Illinois State Police of the  
18 name and address of the transferee and comply with the  
19 requirements of subsection (b) of Section 3 of the Firearm  
20 Owners Identification Card Act. The person to whom the weapon  
21 is transferred shall, within 60 days of the transfer, complete  
22 an affidavit and pay the required registration fee under this  
23 Section. A person to whom the weapon is transferred may  
24 transfer it only as provided in this subsection.

25 (f) This Section does not apply to a peace officer who has  
26 retired in good standing from a law enforcement agency of this

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1 State and who possesses an assault weapon or .50 caliber rifle  
2 prohibited by subsection (d), if the weapon was lawfully  
3 possessed and acquired by the peace officer prior to  
4 retirement and the retired peace officer within 30 days of  
5 retirement registers the weapon with the Illinois State Police  
6 and pays the required registration fee under this Section. The  
7 retired peace officer shall comply with the transfer and  
8 notification requirements in subsection (e).

9 (g) For the purpose of registration required under  
10 subsections (e) and (f), the Illinois State Police shall  
11 assess a registration fee of \$25 per person to the owner of an  
12 assault weapon and \$25 per person to the owner of a .50 caliber  
13 rifle. The fees shall be deposited into the State Police  
14 Firearm Services Fund.

15 (h) This Section does not apply to or affect any of the  
16 following:

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

19 (2) Acquisition and possession by a local law  
20 enforcement agency for the purpose of equipping the  
21 agency's peace officers as defined in paragraph (1) of  
22 this subsection (h).

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

26 (4) Members of the Armed Services or Reserve Forces of

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1 the United States or the Illinois National Guard, while in  
2 the performance of their official duties or while  
3 traveling to or from their place of duty.

4 (5) Any company that employs armed security officers  
5 in this State at a nuclear energy, storage, weapons, or  
6 development site or facility regulated by the federal  
7 Nuclear Regulatory Commission and persons employed as an  
8 armed security force member at a nuclear energy, storage,  
9 weapons, or development site or facility regulated by the  
10 federal Nuclear Regulatory Commission who have completed  
11 the background screening and training mandated by the  
12 rules and regulations of the federal Nuclear Regulatory  
13 Commission and while in the performance of their official  
14 duties.

15 (6) Manufacture, transportation, or sale of weapons,  
16 attachments, or ammunition to persons authorized under  
17 subdivisions (1) through (5) of this subsection (h) to  
18 possess those items.

19 (7) Manufacture, transportation, or sale of weapons,  
20 attachments, or ammunition for sale or transfer in another  
21 state.

22 (8) Possession of any firearm if that firearm is  
23 sanctioned by the International Olympic Committee and by  
24 USA Shooting, the national governing body for  
25 international shooting competition in the United States,  
26 but only when the firearm is in the actual possession of an

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Olympic target shooting competitor or target shooting coach for the purpose of storage, transporting to and from Olympic target shooting practice or events if the firearm is broken down in a non-functioning state, is not immediately accessible, or is unloaded and enclosed in a firearm case, carrying box, shipping box, or other similar portable container designed for the safe transportation of firearms, and when the Olympic target shooting competitor or target shooting coach is engaging in those practices or events. For the purposes of this paragraph (8), "firearm" is as defined in Section 1.1 of the Firearm Owners Identification Card Act.

(9) Any non-resident who transports, within 24 hours, a weapon for any lawful purpose from any place where he or she may lawfully possess and carry that weapon to any other place where he or she may lawfully possess and carry that weapon if, during the transportation the weapon is unloaded, and neither the weapon nor any ammunition being transported is readily accessible or is directly accessible from the passenger compartment of the transporting vehicle. Provided that, in the case of a vehicle without a compartment separate from the driver's compartment the weapon or ammunition shall be contained in a locked container other than the glove compartment or console.

(10) Possession of a weapon at events taking place at

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1 the World Shooting and Recreational Complex at Sparta,  
2 only while engaged in the legal use of this weapon, or  
3 while traveling to or from this location if the weapon is  
4 broken down in a non-functioning state, or is not  
5 immediately accessible, or is unloaded and enclosed in a  
6 firearm case, carrying box, shipping box, or other similar  
7 portable container designed for the safe transportation of  
8 firearms.

9 (11) Possession of a weapon only for hunting use  
10 expressly permitted under the Wildlife Code, or while  
11 traveling to or from a location authorized for this  
12 hunting use under the Wildlife Code if the weapon is  
13 broken down in a non-functioning state, or is not  
14 immediately accessible, or is unloaded and enclosed in a  
15 firearm case, carrying box, shipping box, or other similar  
16 portable container designed for the safe transportation of  
17 firearms.

18 (12) The manufacture, transportation, possession,  
19 sale, or rental of blank-firing assault weapons and .50  
20 caliber rifles, or the weapon's respective attachments, to  
21 persons authorized or permitted, or both authorized and  
22 permitted to acquire and possess these weapons or  
23 attachments for the purpose of rental for use solely as  
24 props for a motion picture, television, or video  
25 production or entertainment event.

26 (i) Sentence.

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1           (1) A person who knowingly delivers, sells, purchases,  
2           or possesses or causes to be delivered, sold, purchased,  
3           or possessed an assault weapon in violation of this  
4           Section commits a Class 3 felony for a first violation and  
5           a Class 2 felony for a second or subsequent violation or  
6           for the possession or delivery of 2 or more of these  
7           weapons at the same time.

8           (2) A person who knowingly delivers, sells, purchases,  
9           or possesses or causes to be delivered, sold, purchased,  
10           or possessed in violation of this Section an assault  
11           weapon attachment commits a Class 4 felony for a first  
12           violation and a Class 3 felony for a second or subsequent  
13           violation.

14           (3) A person who knowingly delivers, sells, purchases,  
15           or possesses or causes to be delivered, sold, purchased,  
16           or possessed in violation of this Section a .50 caliber  
17           rifle commits a Class 3 felony for a first violation and a  
18           Class 2 felony for a second or subsequent violation or for  
19           the possession or delivery of 2 or more of these weapons at  
20           the same time.

21           (4) A person who knowingly delivers, sells, purchases,  
22           or possesses or causes to be delivered, sold, purchased,  
23           or possessed in violation of this Section a .50 caliber  
24           cartridge commits a Class A misdemeanor.

25           (5) Any other violation of this Section is a Class A  
26           misdemeanor.

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1 (720 ILCS 5/24-1.10 new)

2 Sec. 24-1.10. Delivery or sale of large capacity  
3 ammunition feeding devices.

4 (a) In this Section:

5 "Large capacity ammunition feeding device" means:

6 (1) a magazine, belt, drum, feed strip, or similar  
7 device that has a capacity of, or that can be readily  
8 restored or converted to accept, more than 10 rounds of  
9 ammunition; or

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

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

19 (b) Except as provided in subsection (c), it is unlawful  
20 for any person within this State to knowingly deliver, sell,  
21 purchase, or possess or cause to be delivered, sold, or  
22 purchased a large capacity ammunition feeding device.

23 (c) This Section does not apply to or affect any of the  
24 following:

25 (1) Peace officers as defined in Section 2-13 of this

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1       Code.

2           (2) A local law enforcement agency for the purpose of  
3       equipping the agency's peace officers as defined in  
4       paragraph (1) of this subsection (c).

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

8           (4) Members of the Armed Services or Reserve Forces of  
9       the United States or the Illinois National Guard, for the  
10       performance of their official duties.

11           (5) Any company that employs armed security officers  
12       in this State at a nuclear energy, storage, weapons, or  
13       development site or facility regulated by the federal  
14       Nuclear Regulatory Commission and persons employed as an  
15       armed security force member at a nuclear energy, storage,  
16       weapons, or development site or facility regulated by the  
17       federal Nuclear Regulatory Commission who have completed  
18       the background screening and training mandated by the  
19       rules and regulations of the federal Nuclear Regulatory  
20       Commission for the performance of their official duties.

21           (6) Sale of large capacity ammunition feeding devices  
22       to persons authorized under subdivisions (1) through (5)  
23       of this subsection (c) to possess those devices.

24           (7) Sale of large capacity ammunition feeding devices  
25       for sale or transfer in another state.

26           (8) Sale or rental of large capacity ammunition



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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 for  
4       the purpose of rental for use solely as props for a motion  
5       picture, television, or video production or entertainment  
6       event.

7       (d) Sentence. A person who knowingly delivers, sells,  
8       purchases, or causes to be delivered, sold, or purchased in  
9       violation of this Section a large capacity ammunition feeding  
10       device capable of holding more than 15 rounds of ammunition  
11       commits a Class 3 felony for a first violation and a Class 2  
12       felony for a second or subsequent violation or for delivery or  
13       possession of 2 or more of these devices at the same time. Any  
14       other violation of this Section is a Class A misdemeanor.

# EXHIBIT B

**HB5855****102ND GENERAL ASSEMBLY****State of Illinois****2021 and 2022****HB5855**

by Rep. Bob Morgan

**SYNOPSIS AS INTRODUCED:**

See Index

Amends the Illinois State Police Law of the Civil Administrative Code of Illinois. Provides that the Division of Criminal Investigation of the Illinois State Police shall conduct other investigations as provided by law, including, but not limited to, investigations of human trafficking, illegal drug trafficking, and illegal firearms trafficking. Provides that the Division of Criminal Investigation shall provide statewide coordination and strategy pertaining to firearm-related intelligence, firearms trafficking interdiction, and investigations. Amends the Firearm Owners Identification Card Act. Eliminates provisions that permit a person under 21 years of age who is not an active duty member of the United States Armed Forces or the Illinois National Guard to obtain a Firearm Owner's Identification Card with parental consent. Amends the Wildlife Code. Provides that when a person under 21 years of age is hunting under the supervision of a adult, the adult must possess a Firearm Owners Identification Card. Amends the Firearms Restraining Order Act. Provides that the State's Attorney of the county where the petition is filed may act as a friend of the court in any action filed under the Act. Provides that a petitioner may request a one-year (rather than 6-month) firearms restraining order. Amends the Criminal Code of 2012. Makes it unlawful to manufacture, deliver, sell, or purchase or cause to be manufactured, delivered, sold, or purchased or cause to be possessed by another, an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge. Makes it unlawful for any person to knowingly possess an assault weapon, .50 caliber rifle, or .50 caliber cartridge 300 days after the effective date of the amendatory Act, except possession of weapons registered with the Illinois State Police in the time provided. Provides exemptions and penalties. Prohibits the manufacture, delivery, sale, purchase, or possession of large capacity ammunition feeding devices. Defines terms. Provides exemptions and penalties. Makes other changes. Effective immediately.

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**A BILL FOR**

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1 AN ACT concerning safety.

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

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

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

9 (20 ILCS 2605/2605-35) (was 20 ILCS 2605/55a-3)

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

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

13 (1) Exercise the rights, powers, and duties vested by  
14 law in the Illinois State Police by the Illinois Horse  
15 Racing Act of 1975, including those set forth in Section  
16 2605-215.

17 (2) Investigate the origins, activities, personnel,  
18 and incidents of crime and enforce the criminal laws of  
19 this State related thereto.

20 (3) Enforce all laws regulating the production, sale,  
21 prescribing, manufacturing, administering, transporting,  
22 having in possession, dispensing, delivering,

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1 distributing, or use of controlled substances and  
2 cannabis.

3 (4) Cooperate with the police of cities, villages, and  
4 incorporated towns and with the police officers of any  
5 county in enforcing the laws of the State and in making  
6 arrests and recovering property.

7 (5) Apprehend and deliver up any person charged in  
8 this State or any other state with treason or a felony or  
9 other crime who has fled from justice and is found in this  
10 State.

11 (6) Investigate recipients and providers under the  
12 Illinois Public Aid Code and any personnel involved in the  
13 administration of the Code who are suspected of any  
14 violation of the Code pertaining to fraud in the  
15 administration, receipt, or provision of assistance and  
16 pertaining to any violation of criminal law; and exercise  
17 the functions required under Section 2605-220 in the  
18 conduct of those investigations.

19 (7) Conduct other investigations as provided by law,  
20 including, but not limited to, investigations of human  
21 trafficking, illegal drug trafficking, and illegal  
22 firearms trafficking.

23 (8) Investigate public corruption.

24 (9) Exercise other duties that may be assigned by the  
25 Director in order to fulfill the responsibilities and  
26 achieve the purposes of the Illinois State Police, which

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1 may include the coordination of gang, terrorist, and  
2 organized crime prevention, control activities, and  
3 assisting local law enforcement in their crime control  
4 activities.

5 (b) (Blank).

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

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

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

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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

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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



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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 10. The Firearm Owners Identification Card Act is  
25 amended by changing Sections 2, 4, and 8 as follows:

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1 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

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

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

9 (2) No person may acquire or possess firearm ammunition  
10 within this State without having in his or her possession a  
11 Firearm Owner's Identification Card previously issued in his  
12 or her name by the Illinois State Police under the provisions  
13 of this Act.

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

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

19 (2) Members of the Armed Forces of the United States  
20 or the National Guard, while engaged in the operation of  
21 their official duties;

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

24 (4) Members of bona fide veterans organizations which  
25 receive firearms directly from the armed forces of the

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1 United States, while using the firearms for ceremonial  
2 purposes with blank ammunition;

3 (5) Nonresident hunters 21 years of age or older  
4 during hunting season, with valid nonresident hunting  
5 licenses and while in an area where hunting is permitted;  
6 however, at all other times and in all other places these  
7 persons must have their firearms unloaded and enclosed in  
8 a case;

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

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

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

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

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

25 (11) Unemancipated minors while in the custody and  
26 immediate control of their parent or legal guardian or

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1 other person in loco parentis to the minor if the parent or  
2 legal guardian or other person in loco parentis to the  
3 minor has a currently valid Firearm Owner's Identification  
4 Card;

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

8 (13) Nonresident hunters 21 years of age or older  
9 whose state of residence does not require them to be  
10 licensed or registered to possess a firearm and only  
11 during hunting season, with valid hunting licenses, while  
12 accompanied by, and using a firearm owned by, a person who  
13 possesses a valid Firearm Owner's Identification Card and  
14 while in an area within a commercial club licensed under  
15 the Wildlife Code where hunting is permitted and  
16 controlled, but in no instance upon sites owned or managed  
17 by the Department of Natural Resources;

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

23 (15) A person who is otherwise eligible to obtain a  
24 Firearm Owner's Identification Card under this Act and is  
25 under the direct supervision of a holder of a Firearm  
26 Owner's Identification Card who is 21 years of age or

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1       older while the person is on a firing or shooting range or  
2       is a participant in a firearms safety and training course  
3       recognized by a law enforcement agency or a national,  
4       statewide shooting sports organization, ~~and~~

5       ~~(16) Competitive shooting athletes whose competition~~  
6       ~~firearms are sanctioned by the International Olympic~~  
7       ~~Committee, the International Paralympic Committee, the~~  
8       ~~International Shooting Sport Federation, or USA Shooting~~  
9       ~~in connection with such athletes' training for and~~  
10       ~~participation in shooting competitions at the 2016 Olympic~~  
11       ~~and Paralympic Games and sanctioned test events leading up~~  
12       ~~to the 2016 Olympic and Paralympic Games.~~

13       (c) The provisions of this Section regarding the  
14       acquisition and possession of firearms, firearm ammunition,  
15       stun guns, and tasers do not apply to law enforcement  
16       officials of this or any other jurisdiction, while engaged in  
17       the operation of their official duties.

18       (c-5) The provisions of paragraphs (1) and (2) of  
19       subsection (a) of this Section regarding the possession of  
20       firearms and firearm ammunition do not apply to the holder of a  
21       valid concealed carry license issued under the Firearm  
22       Concealed Carry Act who is in physical possession of the  
23       concealed carry license.

24       (d) Any person who becomes a resident of this State, who is  
25       not otherwise prohibited from obtaining, possessing, or using  
26       a firearm or firearm ammunition, shall not be required to have

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1 a Firearm Owner's Identification Card to possess firearms or  
2 firearms ammunition until 60 calendar days after he or she  
3 obtains an Illinois driver's license or Illinois  
4 Identification Card.

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

6 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

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

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

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

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

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

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1 ~~Department as prescribed by the Department stating~~  
2 ~~that he or she is not an individual prohibited from~~  
3 ~~having a Card;~~

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

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

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

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

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

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

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

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

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



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

10 (x) (Blank);

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

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

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

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

26 (B) en route to or from another country to

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1 which that noncitizen is accredited;

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

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

8 (5) one who has received a waiver from the  
9 Attorney General of the United States pursuant to  
10 18 U.S.C. 922(y)(3);

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

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

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

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

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

26 (xvii) He or she is not a person with a

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1 developmental disability; and

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

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

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

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1 number from his or her state of residence. The Illinois State  
2 Police may adopt rules to enforce the provisions of this  
3 subsection (a-10).

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

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

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

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

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

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

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

25          (c) Upon such written consent, pursuant to Section 4,  
26          paragraph (a)(2)(i), the parent or legal guardian giving the

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1 consent shall be liable for any damages resulting from the  
2 applicant's use of firearms or firearm ammunition.

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

6 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

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

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

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

24 (b-5) ~~This subsection (b-5) applies on and after the~~  
25 ~~181st day following July 12, 2019 (the effective date of~~

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1 ~~Public Act 101-80)). A person under 21 years of age who is~~  
2 ~~not an active duty member of the United States Armed~~  
3 ~~Forces or the Illinois National Guard and does not have~~  
4 ~~the written consent of his or her parent or guardian to~~  
5 ~~acquire and possess firearms and firearm ammunition, or~~  
6 ~~whose parent or guardian has revoked such written consent,~~  
7 ~~or where such parent or guardian does not qualify to have a~~  
8 ~~Firearm Owner's Identification Card;~~

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

11 (d) A person addicted to narcotics;

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

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1 (f) A person whose mental condition is of such a  
2 nature that it poses a clear and present danger to the  
3 applicant, any other person or persons, or the community;

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

5 (h) A person who intentionally makes a false statement  
6 in the Firearm Owner's Identification Card application;

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

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

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

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

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

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

26 (3) an official of a foreign government or



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1 distinguished foreign visitor who has been so  
2 designated by the Department of State;

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

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

9 (j) (Blank);

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

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

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1 922(g)(9) is made under Section 112A-11.1 of the Code of  
2 Criminal Procedure of 1963, an entry by the court of a  
3 judgment of conviction for that offense shall be grounds  
4 for denying an application for and for revoking and  
5 seizing a Firearm Owner's Identification Card previously  
6 issued to the person under this Act;

7 (m) (Blank);

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

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

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

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

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

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

26 (t) A person involuntarily admitted into a mental

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1 health facility; or

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

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

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1 9.5 of this Act.

2 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;  
3 102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.  
4 5-27-22.)

5 Section 15. The Firearms Restraining Order Act is amended  
6 by changing Sections 10, 40, 45, and 55 as follows:

7 (430 ILCS 67/10)

8 Sec. 10. Commencement of action; procedure.

9 (a) An action for a firearms restraining order is  
10 commenced by filing a verified petition for a firearms  
11 restraining order in any circuit court.

12 (b) A petition for a firearms restraining order may be  
13 filed in: (1) any county where the respondent resides or (2)  
14 any county where an incident occurred that involved the  
15 respondent posing an immediate and present danger of causing  
16 personal injury to the respondent or another by having in his  
17 or her custody or control, or purchasing, possessing, or  
18 receiving, a firearm, ammunition, or firearm parts that could  
19 be assembled to make an operable firearm.

20 (c) No fee shall be charged by the clerk for filing,  
21 amending, vacating, certifying, printing, or photocopying  
22 petitions or orders; or for issuing alias summons; or for any  
23 related filing service. No fee shall be charged by the sheriff  
24 or other law enforcement for service by the sheriff or other

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1 law enforcement of a petition, rule, motion, or order in an  
2 action commenced under this Section.

3 (d) The court shall provide, through the office of the  
4 clerk of the court, simplified forms and clerical assistance  
5 to help with the writing and filing of a petition under this  
6 Section by any person not represented by counsel. In addition,  
7 that assistance may be provided by the State's Attorney.

8 (e) The State's Attorney of the county where the petition  
9 is filed may act as a friend of the court in any action filed  
10 under this Act. An Assistant State's Attorney of the county  
11 where the petition is filed may also be appointed as a friend  
12 of the court to assist a petitioner in court regarding  
13 firearms restraining orders.

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

15 (430 ILCS 67/40)

16 Sec. 40. One-year ~~Six-month~~ orders.

17 (a) A petitioner may request a one-year ~~6-month~~ firearms  
18 restraining order by filing an affidavit or verified pleading  
19 alleging that the respondent poses a significant danger of  
20 causing personal injury to himself, herself, or another in the  
21 near future by having in his or her custody or control,  
22 purchasing, possessing, or receiving a firearm, ammunition,  
23 and firearm parts that could be assembled to make an operable  
24 firearm. The petition shall also describe the number, types,  
25 and locations of any firearms, ammunition, and firearm parts

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1 that could be assembled to make an operable firearm presently  
2 believed by the petitioner to be possessed or controlled by  
3 the respondent.

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

20 (c) Every person who files a petition for a one-year  
21 ~~6-month~~ firearms restraining order, knowing the information  
22 provided to the court at any hearing or in the affidavit or  
23 verified pleading to be false, is guilty of perjury under  
24 Section 32-2 of the Criminal Code of 2012.

25 (d) Upon receipt of a petition for a one-year ~~6-month~~  
26 firearms restraining order, the court shall order a hearing

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1 within 30 days.

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

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

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

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

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

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

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

26 (7) A pattern of violent acts or violent threats,

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1 including, but not limited to, threats of violence or acts  
2 of violence by the respondent directed toward himself,  
3 herself, or another.

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

11 (g) If the court finds that there is clear and convincing  
12 evidence to issue a firearms restraining order, the court  
13 shall issue a firearms restraining order that shall be in  
14 effect for one year, ~~6 months~~ subject to renewal under Section  
15 45 of this Act or termination under that Section.

16 (g-5) If the court issues a one-year ~~6-month~~ firearms  
17 restraining order, it shall, upon a finding of probable cause  
18 that the respondent possesses firearms, ammunition, and  
19 firearm parts that could be assembled to make an operable  
20 firearm, issue a search warrant directing a law enforcement  
21 agency to seize the respondent's firearms, ammunition, and  
22 firearm parts that could be assembled to make an operable  
23 firearm. The court may, as part of that warrant, direct the law  
24 enforcement agency to search the respondent's residence and  
25 other places where the court finds there is probable cause to  
26 believe he or she is likely to possess the firearms,



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1 ammunition, and firearm parts that could be assembled to make  
2 an operable firearm. A return of the search warrant shall be  
3 filed by the law enforcement agency within 4 days thereafter,  
4 setting forth the time, date, and location that the search  
5 warrant was executed and what items, if any, were seized.

6 (h) A one-year ~~6-month~~ firearms restraining order shall  
7 require:

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

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

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

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

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

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1 the respondent or to anyone residing in the same residence as  
2 the respondent.

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

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

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

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

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

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

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

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1 (430 ILCS 67/45)

2 Sec. 45. Termination and renewal.

3 (a) A person subject to a firearms restraining order  
4 issued under this Act may submit one written request at any  
5 time during the effective period of the order for a hearing to  
6 terminate the order.

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

14 (2) If the court finds after the hearing that the  
15 respondent has met his or her burden, the court shall  
16 terminate the order.

17 (b) A petitioner may request a renewal of a firearms  
18 restraining order at any time within the 3 months before the  
19 expiration of a firearms restraining order.

20 (1) A court shall, after notice and a hearing, renew a  
21 firearms restraining order issued under this part if the  
22 petitioner proves, by clear and convincing evidence, that  
23 the respondent continues to pose a danger of causing  
24 personal injury to himself, herself, or another in the  
25 near future by having in his or her custody or control,  
26 purchasing, possessing, or receiving a firearm,

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1 ammunition, and firearm parts that could be assembled to  
2 make an operable firearm.

3 (2) In determining whether to renew a firearms  
4 restraining order issued under this Act, the court shall  
5 consider evidence of the facts identified in subsection  
6 (e) of Section 40 of this Act and any other evidence of an  
7 increased risk for violence.

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

16 (4) The renewal of a firearms restraining order issued  
17 under this Section shall be in effect for one year ~~6~~  
18 ~~months~~, subject to termination by further order of the  
19 court at a hearing held under this Section and further  
20 renewal by further order of the court under this Section.

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

22 (430 ILCS 67/55)

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

24 (a) All sheriffs shall furnish to the Illinois State  
25 Police, daily, in the form and detail the Illinois State

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1 ~~Police Department~~ requires, copies of any recorded firearms  
2 restraining orders issued by the court, and any foreign orders  
3 of protection filed by the clerk of the court, and transmitted  
4 to the sheriff by the clerk of the court under Section 50. Each  
5 firearms restraining order shall be entered in the Law  
6 Enforcement Agencies Data System (LEADS) on the same day it is  
7 issued by the court. If an emergency firearms restraining  
8 order was issued in accordance with Section 35 of this Act, the  
9 order shall be entered in the Law Enforcement Agencies Data  
10 System (LEADS) as soon as possible after receipt from the  
11 clerk.

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

19 (c) The data, records, and transmittals required under  
20 this Section shall pertain to any valid emergency or one-year  
21 ~~6-month~~ firearms restraining order, whether issued in a civil  
22 or criminal proceeding or authorized under the laws of another  
23 state, tribe, or United States territory.

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

25 Section 20. The Wildlife Code is amended by changing

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1 Sections 3.1-5 and 3.1-9 as follows:

2 (520 ILCS 5/3.1-5)

3 Sec. 3.1-5. Apprentice Hunter License Program.

4 (a) The Department shall establish an Apprentice Hunter  
5 License Program. The purpose of this Program shall be to  
6 extend limited hunting privileges, in lieu of obtaining a  
7 valid hunting license, to persons interested in learning about  
8 hunting sports.

9 (b) Any resident or nonresident may apply to the  
10 Department for an Apprentice Hunter License. The Apprentice  
11 Hunter License shall be a non-renewable license that shall  
12 expire on the March 31 following the date of issuance.

13 (c) The Apprentice Hunter License shall entitle the  
14 licensee to hunt on private property while supervised by a  
15 validly licensed resident or nonresident hunter who is 21  
16 years of age or older.

17 (c-5) The Apprentice Hunter License shall entitle the  
18 licensee to hunt on public property while supervised by a  
19 validly licensed resident or nonresident who is 21 years of  
20 age or older and has a hunter education certificate. When the  
21 licensee is hunting with a firearm under the supervision of a  
22 resident adult who is 21 years of age or older, the adult must  
23 also possess a valid Firearm Owner's Identification Card.

24 (d) In order to be approved for the Apprentice Hunter  
25 License, the applicant must request an Apprentice Hunter



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1 License on a form designated and made available by the  
2 Department and submit a \$7 fee, which shall be separate from  
3 and additional to any other stamp, permit, tag, or license fee  
4 that may be required for hunting under this Code. The  
5 Department shall adopt suitable administrative rules that are  
6 reasonable and necessary for the administration of the  
7 program, but shall not require any certificate of competency  
8 or other hunting education as a condition of the Apprentice  
9 Hunter License.

10 (Source: P.A. 100-638, eff. 1-1-19; 101-444, eff. 6-1-20.)

11 (520 ILCS 5/3.1-9)

12 Sec. 3.1-9. Youth Hunting and Trapping License.

13 (a) Before any youth under 18 years of age shall take or  
14 attempt to take any species protected by Section 2.2 of this  
15 Code for which an open season is established, he or she shall  
16 first procure and possess a valid Youth Hunting and Trapping  
17 License. The Youth Hunting and Trapping License shall be a  
18 renewable license that shall expire on the March 31 following  
19 the date of issuance. The fee for a Youth Hunting and Trapping  
20 License is \$7.

21 A Youth Hunting and Trapping License shall entitle the  
22 licensee to hunt while supervised by an adult who is 21 years  
23 of age or older and has a valid Illinois hunting license.

24 A youth licensed under this subsection (a) shall not hunt  
25 or carry a hunting device, including, but not limited to, a

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1 firearm, bow and arrow, or crossbow unless the youth is  
2 accompanied by and under the close personal supervision of an  
3 adult who is 21 years of age or older and has a valid Illinois  
4 hunting license. When the youth is hunting with a firearm  
5 under the supervision of a resident adult who is 21 years of  
6 age or older, the adult must also possess a valid Firearm  
7 Owner's Identification Card.

8 The Department shall adopt rules for the administration of  
9 the program, but shall not require any certificate of  
10 competency or other hunting or trapping education as a  
11 condition of the Youth Hunting and Trapping License. If a  
12 youth has a valid certificate of competency for hunting from a  
13 hunter safety course approved by the Department, he or she is  
14 exempt from the supervision requirements for youth hunters in  
15 this Section.

16 (b) A Youth Hunting and Trapping License shall entitle the  
17 licensee to trap while supervised by an adult who is 21 years  
18 of age or older and has a valid Illinois trapping license.

19 A youth licensed under this Section shall not trap or  
20 carry a hunting device, including, but not limited to, a  
21 firearm, bow and arrow, or crossbow unless the youth is  
22 accompanied by and under the close personal supervision of an  
23 adult who is 21 years of age or older and has a valid Illinois  
24 trapping license.

25 The Department shall adopt rules for the administration of  
26 the program, but shall not require any certificate of

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1 competency or other trapping education as a condition of the  
2 Youth Hunting and Trapping License. If a youth has a valid  
3 certificate of competency for trapping from a trapper safety  
4 course approved by the Department, then he or she is exempt  
5 from the supervision requirements for youth trappers in this  
6 Section.

7 (Source: P.A. 100-638, eff. 1-1-19; 100-691, eff. 1-1-19;  
8 101-81, eff. 7-12-19.)

9 Section 25. The Criminal Code of 2012 is amended by  
10 changing Section 24-1 and by adding Sections 24-1.9 and  
11 24-1.10 as follows:

12 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

16 (1) Sells, manufactures, purchases, possesses or  
17 carries any bludgeon, black-jack, slung-shot, sand-club,  
18 sand-bag, metal knuckles or other knuckle weapon  
19 regardless of its composition, throwing star, or any  
20 knife, commonly referred to as a switchblade knife, which  
21 has a blade that opens automatically by hand pressure  
22 applied to a button, spring or other device in the handle  
23 of the knife, or a ballistic knife, which is a device that  
24 propels a knifelike blade as a projectile by means of a

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1 coil spring, elastic material or compressed gas; or

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

7 (2.5) Carries or possesses with intent to use the same  
8 unlawfully against another, any firearm in a church,  
9 synagogue, mosque, or other building, structure, or place  
10 used for religious worship; or

11 (3) Carries on or about his person or in any vehicle, a  
12 tear gas gun projector or bomb or any object containing  
13 noxious liquid gas or substance, other than an object  
14 containing a non-lethal noxious liquid gas or substance  
15 designed solely for personal defense carried by a person  
16 18 years of age or older; or

17 (4) Carries or possesses in any vehicle or concealed  
18 on or about his person except when on his land or in his  
19 own abode, legal dwelling, or fixed place of business, or  
20 on the land or in the legal dwelling of another person as  
21 an invitee with that person's permission, any pistol,  
22 revolver, stun gun or taser or other firearm, except that  
23 this subsection (a) (4) does not apply to or affect  
24 transportation of weapons that meet one of the following  
25 conditions:

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

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1 (ii) are not immediately accessible; or

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

6 (iv) are carried or possessed in accordance with  
7 the Firearm Concealed Carry Act by a person who has  
8 been issued a currently valid license under the  
9 Firearm Concealed Carry Act; or

10 (5) Sets a spring gun; or

11 (6) Possesses any device or attachment of any kind  
12 designed, used or intended for use in silencing the report  
13 of any firearm; or

14 (7) Sells, manufactures, purchases, possesses or  
15 carries:

16 (i) a machine gun, which shall be defined for the  
17 purposes of this subsection as any weapon, which  
18 shoots, is designed to shoot, or can be readily  
19 restored to shoot, automatically more than one shot  
20 without manually reloading by a single function of the  
21 trigger, including the frame or receiver of any such  
22 weapon, or sells, manufactures, purchases, possesses,  
23 or carries any combination of parts designed or  
24 intended for use in converting any weapon into a  
25 machine gun, or any combination or parts from which a  
26 machine gun can be assembled if such parts are in the

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1 possession or under the control of a person;

2 (ii) any rifle having one or more barrels less  
3 than 16 inches in length or a shotgun having one or  
4 more barrels less than 18 inches in length or any  
5 weapon made from a rifle or shotgun, whether by  
6 alteration, modification, or otherwise, if such a  
7 weapon as modified has an overall length of less than  
8 26 inches; or

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

14 (8) Carries or possesses any firearm, stun gun or  
15 taser or other deadly weapon in any place which is  
16 licensed to sell intoxicating beverages, or at any public  
17 gathering held pursuant to a license issued by any  
18 governmental body or any public gathering at which an  
19 admission is charged, excluding a place where a showing,  
20 demonstration or lecture involving the exhibition of  
21 unloaded firearms is conducted.

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

26 (9) Carries or possesses in a vehicle or on or about

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1 his or her person any pistol, revolver, stun gun or taser  
2 or firearm or ballistic knife, when he or she is hooded,  
3 robed or masked in such manner as to conceal his or her  
4 identity; or

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

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

19 (ii) are not immediately accessible; or

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

24 (iv) are carried or possessed in accordance with  
25 the Firearm Concealed Carry Act by a person who has  
26 been issued a currently valid license under the

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1 Firearm Concealed Carry Act.

2 A "stun gun or taser", as used in this paragraph (a)  
3 means (i) any device which is powered by electrical  
4 charging units, such as, batteries, and which fires one or  
5 several barbs attached to a length of wire and which, upon  
6 hitting a human, can send out a current capable of  
7 disrupting the person's nervous system in such a manner as  
8 to render him incapable of normal functioning or (ii) any  
9 device which is powered by electrical charging units, such  
10 as batteries, and which, upon contact with a human or  
11 clothing worn by a human, can send out current capable of  
12 disrupting the person's nervous system in such a manner as  
13 to render him incapable of normal functioning; or

14 (11) Sells, manufactures, or purchases any explosive  
15 bullet. For purposes of this paragraph (a) "explosive  
16 bullet" means the projectile portion of an ammunition  
17 cartridge which contains or carries an explosive charge  
18 which will explode upon contact with the flesh of a human  
19 or an animal. "Cartridge" means a tubular metal case  
20 having a projectile affixed at the front thereof and a cap  
21 or primer at the rear end thereof, with the propellant  
22 contained in such tube between the projectile and the cap;  
23 or

24 (12) (Blank); or

25 (13) Carries or possesses on or about his or her  
26 person while in a building occupied by a unit of



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1 government, a billy club, other weapon of like character,  
2 or other instrument of like character intended for use as  
3 a weapon. For the purposes of this Section, "billy club"  
4 means a short stick or club commonly carried by police  
5 officers which is either telescopic or constructed of a  
6 solid piece of wood or other man-made material; or

7 (14) Manufactures, possesses, sells, or offers to  
8 sell, purchase, manufacture, import, transfer, or use:

9 (i) any manual, power-driven, electronic, or any  
10 other device that is designed to and functions to  
11 increase the rate of fire of a semiautomatic firearm  
12 when the device is attached to the firearm;

13 (ii) any part of a semiautomatic firearm or  
14 combination of parts that is designed to and functions  
15 to increase the rate of fire of a semiautomatic  
16 firearm by eliminating the need for the operator of  
17 the firearm to make a separate movement for each  
18 individual function of the trigger; or

19 (iii) any other device, part, kit, tool,  
20 accessory, or combination of parts that is designed to  
21 and functions to increase the rate of fire of a  
22 semiautomatic firearm above the standard rate of fire  
23 for semiautomatic firearms that is not equipped with  
24 that device, part, or combination of parts.

25 (b) Sentence. A person convicted of a violation of  
26 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),

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

19 (c) Violations in specific places.

20 (1) A person who violates subsection 24-1(a)(6) or  
21 24-1(a)(7) in any school, regardless of the time of day or  
22 the time of year, in residential property owned, operated  
23 or managed by a public housing agency or leased by a public  
24 housing agency as part of a scattered site or mixed-income  
25 development, in a public park, in a courthouse, on the  
26 real property comprising any school, regardless of the

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

18 (1.5) A person who violates subsection 24-1(a)(4),  
19 24-1(a)(9), or 24-1(a)(10) in any school, regardless of  
20 the time of day or the time of year, in residential  
21 property owned, operated, or managed by a public housing  
22 agency or leased by a public housing agency as part of a  
23 scattered site or mixed-income development, in a public  
24 park, in a courthouse, on the real property comprising any  
25 school, regardless of the time of day or the time of year,  
26 on residential property owned, operated, or managed by a

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

15 (2) A person who violates subsection 24-1(a)(1),  
16 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the  
17 time of day or the time of year, in residential property  
18 owned, operated or managed by a public housing agency or  
19 leased by a public housing agency as part of a scattered  
20 site or mixed-income development, in a public park, in a  
21 courthouse, on the real property comprising any school,  
22 regardless of the time of day or the time of year, on  
23 residential property owned, operated or managed by a  
24 public housing agency or leased by a public housing agency  
25 as part of a scattered site or mixed-income development,  
26 on the real property comprising any public park, on the

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

14 (3) Paragraphs (1), (1.5), and (2) of this subsection  
15 (c) shall not apply to law enforcement officers or  
16 security officers of such school, college, or university  
17 or to students carrying or possessing firearms for use in  
18 training courses, parades, hunting, target shooting on  
19 school ranges, or otherwise with the consent of school  
20 authorities and which firearms are transported unloaded  
21 enclosed in a suitable case, box, or transportation  
22 package.

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

26 (5) For the purposes of this subsection (c), "public

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1 transportation agency" means a public or private agency  
2 that provides for the transportation or conveyance of  
3 persons by means available to the general public, except  
4 for transportation by automobiles not used for conveyance  
5 of the general public as passengers; and "public  
6 transportation facility" means a terminal or other place  
7 where one may obtain public transportation.

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

20 (e) Exemptions.

21 (1) Crossbows, Common or Compound bows and Underwater  
22 Spearguns are exempted from the definition of ballistic  
23 knife as defined in paragraph (1) of subsection (a) of  
24 this Section.

25 (2) The provision of paragraph (1) of subsection (a)  
26 of this Section prohibiting the sale, manufacture,

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1 purchase, possession, or carrying of any knife, commonly  
2 referred to as a switchblade knife, which has a blade that  
3 opens automatically by hand pressure applied to a button,  
4 spring or other device in the handle of the knife, does not  
5 apply to a person who possesses a currently valid Firearm  
6 Owner's Identification Card previously issued in his or  
7 her name by the Illinois State Police or to a person or an  
8 entity engaged in the business of selling or manufacturing  
9 switchblade knives.

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

11 (720 ILCS 5/24-1.9 new)

12 Sec. 24-1.9. Manufacture, possession, delivery, sale, and  
13 purchase of assault weapons, .50 caliber rifles, and .50  
14 caliber cartridges.

15 (a) Definitions. In this Section:

16 (1) "Assault pistol" means any of the following or a copy,  
17 regardless of the producer or manufacturer:

18 (A) AA Arms AP-9 pistol.

19 (B) Armalite M15 11.5 pistol.

20 (C) Beretta 93R pistol.

21 (D) Bushmaster pistol.

22 (E) Claridge HI-TEC pistol.

23 (F) D Max Industries pistol.

24 (G) EKO Cobra pistol.

25 (H) Encom MK-IV, MP-9, or MP-45 pistol.

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1 (I) Heckler and Koch MP5K, MP7, SP-89, or VP70 pistol.

2 (J) Holmes MP-83 pistol.

3 (K) Ingram MAC 10/11 pistol and variations, including  
4 the Partisan Avenger and the SWD Cobray.

5 (L) Intratec TEC-9/DC-9 pistol in any centerfire  
6 variation.

7 (M) P.A.W.S. type pistol.

8 (N) Skorpion pistol.

9 (O) Spectre double action pistol (Sile, F.I.E.,  
10 Mitchell).

11 (P) Stechkin automatic pistol.

12 (Q) Steyer tactical pistol.

13 (R) UZI pistol.

14 (S) Weaver Arms Nighthawk pistol.

15 (T) Wilkinson "Linda" pistol.

16 (2) "Assault shotgun or rifle" means any of the following  
17 or a copy, regardless of the producer or manufacturer:

18 (A) American Arms Spectre da Semiautomatic carbine.

19 (B) AR10.

20 (C) AR15.

21 (D) AR70.

22 (E) Armalite M15.

23 (F) Avtomat Kalashnikov semiautomatic rifle in any  
24 format, including the AK-47 in all forms.

25 (G) Algimec AGM-1 type semi-auto.

26 (H) AR 100 type semi-auto.



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1 (I) AR 180 type semi-auto.

2 (J) Argentine L.S.R. semi-auto.

3 (K) Australian Automatic Arms SAR type semi-auto.

4 (L) Auto-Ordnance Thompson M1 and 1927

5 semi-automatics.

6 (M) Barrett light .50 cal. semi-auto.

7 (N) Beretta AR70 type semi-auto.

8 (O) Bushmaster semi-auto rifle.

9 (P) Calico models M-100 and M-900.

10 (Q) CIS SR 88 type semi-auto.

11 (R) Claridge HI TEC C-9 carbines.

12 (S) Colt AR-15, CAR-15, and all imitations except Colt  
13 AR-15 Sporter H-BAR rifle.

14 (T) Daewoo MAX 1 and MAX 2, aka AR 100, 110C, K-1, and  
15 K-2.

16 (U) Dragunov Chinese made semi-auto.

17 (V) Famas semi-auto (.223 caliber).

18 (W) Feather AT-9 semi-auto.

19 (X) FN LAR and FN FAL assault rifle.

20 (Y) FNC semi-auto type carbine.

21 (Z) F.I.E./Franchi LAW 12 and SPAS 12 assault shotgun.

22 (AA) Smith & Wesson M&P 15.

23 (BB) Steyr-AUG-SA semi-auto.

24 (CC) Galil models AR and ARM semi-auto.

25 (DD) Heckler and Koch HK-91 A3, HK-93 A2, HK-94 A2 and

26 A3.

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- 1           (EE) Holmes model 88 shotgun.
- 2           (FF) Manchester Arms "Commando" MK-45, MK-9.
- 3           (GG) Mandell TAC-1 semi-auto carbine.
- 4           (HH) Mossberg model 500 Bullpup assault shotgun.
- 5           (II) Sterling Mark 6.
- 6           (JJ) P.A.W.S. carbine.
- 7           (KK) Ruger mini-14 folding stock model (.223 caliber).
- 8           (LL) SIG 550/551 assault rifle (.223 caliber).
- 9           (MM) SKS with detachable magazine.
- 10          (NN) AP-74 Commando type semi-auto.
- 11          (OO) Springfield Armory BM-59, SAR-48, G3, SAR-3, M-21
- 12          sniper rifle, and M1A, excluding the M1 Garand.
- 13          (PP) Street sweeper assault type shotgun.
- 14          (QQ) Striker 12 assault shotgun in all formats.
- 15          (RR) Unique F11 semi-auto type.
- 16          (SS) Daewoo USAS 12 semi-auto shotgun.
- 17          (TT) UZI 9mm carbine or rifle.
- 18          (UU) Valmet M-76 and M-78 semi-auto.
- 19          (VV) Weaver Arms "Nighthawk" semi-auto carbine.
- 20          (WW) Wilkinson Arms 9mm semi-auto "Terry".
- 21          (3) "Assault weapon" means:
- 22               (A) An assault shotgun or rifle.
- 23               (B) An assault pistol.
- 24               (C) A semiautomatic, centerfire rifle that can accept
- 25          a detachable magazine and has at least one of the
- 26          following:

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1           (i) A folding or telescoping stock.

2           (ii) Any grip of the weapon, including a pistol  
3 grip, a thumbhole stock, or any other stock, the use of  
4 which would allow an individual to grip the weapon,  
5 resulting in any finger on the trigger hand in  
6 addition to the trigger finger being directly below  
7 any portion of the action of the weapon when firing.

8           (iii) A forward pistol grip.

9           (iv) A flash suppressor.

10          (v) A grenade launcher or flare launcher.

11          (D) A semiautomatic, centerfire rifle that has an  
12 overall length of less than 30 inches.

13          (E) A semiautomatic pistol that can accept a  
14 detachable magazine and has at least one of the following:

15           (i) An ability to accept a detachable ammunition  
16 magazine that attaches at some location outside of the  
17 pistol grip.

18           (ii) A threaded barrel capable of accepting a  
19 flash suppressor, forward pistol grip or silencer.

20           (iii) A shroud that is attached to, or partially  
21 or completely encircles, the barrel and that permits  
22 the shooter to fire the firearm without being burned,  
23 except a slide that encloses the barrel.

24           (iv) A second hand grip.

25          (F) A semiautomatic shotgun that has both of the  
26 following:

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1           (i) A folding or telescoping stock.

2           (ii) Any grip of the weapon, including a pistol  
3 grip, a thumbhole stock, or any other stock, the use of  
4 which would allow an individual to grip the weapon,  
5 resulting in any finger on the trigger hand in  
6 addition to the trigger finger being directly below  
7 any portion of the action of the weapon when firing.

8           (G) A semiautomatic shotgun that has the ability to  
9 accept a detachable magazine.

10          (H) A shotgun with a revolving cylinder.

11          (I) A semiautomatic pistol with a fixed magazine that  
12 can accept more than 10 rounds.

13          (J) A semiautomatic, centerfire rifle that has a fixed  
14 magazine that can accept more than 10 rounds.

15          "Assault weapon" does not include:

16           (A) any firearm that:

17           (i) is manually operated by bolt, pump, lever, or  
18 slide action;

19           (ii) is an unserviceable firearm or has been made  
20 permanently inoperable;

21           (iii) is an antique firearm;

22           (iv) uses rimfire ammunition or cartridges; or

23           (v) has been excluded as an assault weapon in a  
24 Department of Natural Resources rule; the Department  
25 of Natural Resources shall have the authority to adopt  
26 rules to further define exclusions of assault weapon

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1 types under this Section, so long as the make, model,  
2 and caliber of the firearm excluded has a viable  
3 application to hunting game and conforms to accepted  
4 hunting principles of fair chase; or

5 (B) any air rifle as defined in Section 24.8-0.1  
6 of this Code.

7 In this Section, a firearm is considered to have the  
8 ability to accept a detachable magazine unless the magazine or  
9 ammunition feeding device can only be removed through  
10 disassembly of the firearm action.

11 (4) "Assault weapon attachment" means any device capable  
12 of being attached to a firearm that is specifically designed  
13 for making or converting a firearm into any of the firearms  
14 listed in paragraph (1) of this subsection (a).

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

17 (6) ".50 caliber rifle" means a centerfire rifle capable  
18 of firing a .50 caliber cartridge. The term does not include  
19 any antique firearm, any shotgun including a shotgun that has  
20 a rifle barrel, or any muzzle-loader which uses black powder  
21 for hunting or historical reenactments.

22 (7) ".50 caliber cartridge" means a cartridge in .50 BMG  
23 caliber, either by designation or actual measurement, that is  
24 capable of being fired from a centerfire rifle. The term ".50  
25 caliber cartridge" does not include any memorabilia or display  
26 item that is filled with a permanent inert substance or that is

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1 otherwise permanently altered in a manner that prevents ready  
2 modification for use as live ammunition or shotgun ammunition  
3 with a caliber measurement that is equal to or greater than .50  
4 caliber.

5 (8) "Detachable magazine" means an ammunition feeding  
6 device that can be removed readily from a firearm without  
7 requiring disassembly of the firearm action or without the use  
8 of a tool, including a bullet or cartridge.

9 (9) "Locking mechanism" means secured by a device or  
10 mechanism, other than the firearm safety, designed to render a  
11 firearm temporarily inoperable; or a box or container capable  
12 of containing the firearm and that can be securely locked.

13 (b) The Illinois State Police shall take all steps  
14 necessary to carry out the requirements of this Section within  
15 180 days after the effective date of this amendatory Act of the  
16 102nd General Assembly.

17 (c) Except as provided in subsections (d), (e), and (g),  
18 on or after the effective date of this amendatory Act of the  
19 102nd General Assembly, it is unlawful for any person within  
20 this State to knowingly manufacture, deliver, sell, or  
21 purchase or cause to be manufactured, delivered, sold, or  
22 purchased or cause to be possessed by another, an assault  
23 weapon, assault weapon attachment, .50 caliber rifle, or .50  
24 caliber cartridge.

25 (d) Except as otherwise provided in subsections (e) and  
26 (f), 300 days after the effective date of this amendatory Act

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1 of the 102nd General Assembly, it is unlawful for any person  
2 within this State to knowingly possess an assault weapon, .50  
3 caliber rifle, or .50 caliber cartridge.

4 (e) This Section does not apply to a person who possessed  
5 an assault weapon or .50 caliber rifle prohibited by  
6 subsection (d) of this Section before the effective date of  
7 this amendatory Act of the 102nd General Assembly, if the  
8 person has provided in a registration affidavit, under oath or  
9 affirmation and in the form and manner prescribed by the  
10 Illinois State Police on or after 180 days after the effective  
11 date of this amendatory Act of the 102nd General Assembly but  
12 within 300 days after the effective date of this amendatory  
13 Act of the 102nd General Assembly:

14 (1) the affiant's name;

15 (2) the affiant's date of birth;

16 (3) the affiant's Firearm Owner's Identification Card  
17 number;

18 (4) the make, model, caliber, and serial number of the  
19 weapon; and

20 (5) proof of a locking mechanism that properly fits  
21 the weapon, in the form of a statement that the weapon is  
22 owned by the person submitting the affidavit and that the  
23 affiant owns a locking mechanism for the weapon.

24 The affidavit form shall include the following statement  
25 printed in bold type: "Warning: Entering false information on  
26 this form is punishable as perjury under Section 32-2 of the

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1 Criminal Code of 2012."

2 Beginning 300 days after the effective date of this  
3 amendatory Act of the 102nd General Assembly, the person with  
4 a registered assault weapon or .50 caliber rifle may transfer  
5 the assault weapon or .50 caliber rifle only to an heir, an  
6 individual residing in another state maintaining it in another  
7 state, or a dealer licensed as a federal firearms dealer under  
8 Section 923 of the federal Gun Control Act of 1968. Within 10  
9 days after transfer of the weapon except to an heir, the person  
10 shall notify the Illinois State Police of the name and address  
11 of the transferee and comply with the requirements of  
12 subsection (b) of Section 3 of the Firearm Owners  
13 Identification Card Act. The person to whom the weapon is  
14 transferred shall, within 60 days of the transfer, complete an  
15 affidavit and pay the required registration fee under this  
16 Section. A person to whom the weapon is transferred may  
17 transfer it only as provided in this subsection.

18 (f) For the purpose of registration required under  
19 subsection (e), the Illinois State Police shall assess a  
20 registration fee of \$25 per person to the owner of an assault  
21 weapon and \$25 per person to the owner of a .50 caliber rifle.  
22 The fees shall be deposited into the State Police Firearm  
23 Services Fund. If a person owns more than one assault weapon or  
24 more than one .50 caliber rifle, the person shall only pay one  
25 registration fee.

26 (g) This Section does not apply to or affect any of the



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1 following:

2 (1) Peace officers, as defined in Section 2-13 of this  
3 Code, while performing their official duties or while  
4 traveling to or from their places of duty.

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

9 (3) 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 (4) 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 (5) 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.

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1           (6) Manufacture, transportation, or sale of weapons,  
2           attachments, or ammunition to persons authorized under  
3           subdivisions (1) through (5) of this subsection (g) to  
4           possess those items.

5           (7) Possession of any firearm if that firearm is  
6           sanctioned by the International Olympic Committee and by  
7           USA Shooting, the national governing body for  
8           international shooting competition in the United States,  
9           but only when the firearm is in the actual possession of an  
10           Olympic target shooting competitor or target shooting  
11           coach for the purpose of storage, transporting to and from  
12           Olympic target shooting practice or events if the firearm  
13           is broken down in a nonfunctioning state, is not  
14           immediately accessible, or is unloaded and enclosed in a  
15           firearm case, carrying box, shipping box, or other similar  
16           portable container designed for the safe transportation of  
17           firearms, and when the Olympic target shooting competitor  
18           or target shooting coach is engaging in those practices or  
19           events. For the purposes of this paragraph (8), "firearm"  
20           has the meaning provided in Section 1.1 of the Firearm  
21           Owners Identification Card Act.

22           (8) Any nonresident who transports, within 24 hours, a  
23           weapon for any lawful purpose from any place where the  
24           nonresident may lawfully possess and carry that weapon to  
25           any other place where the nonresident may lawfully possess  
26           and carry that weapon if, during the transportation, the

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1 weapon is unloaded, and neither the weapon nor any  
2 ammunition being transported is readily accessible or is  
3 directly accessible from the passenger compartment of the  
4 transporting vehicle. In the case of a vehicle without a  
5 compartment separate from the driver's compartment, the  
6 weapon or ammunition shall be contained in a locked  
7 container other than the glove compartment or console.

8 (9) Possession of a weapon at an event taking place at  
9 the World Shooting and Recreational Complex at Sparta,  
10 only while engaged in the legal use of the weapon, or while  
11 traveling to or from that location if the weapon is broken  
12 down in a nonfunctioning state, is not immediately  
13 accessible, or is unloaded and enclosed in a firearm case,  
14 carrying box, shipping box, or other similar portable  
15 container designed for the safe transportation of  
16 firearms.

17 (10) Possession of a weapon only for hunting use  
18 expressly permitted under the Wildlife Code, or while  
19 traveling to or from a location authorized for this  
20 hunting use under the Wildlife Code if the weapon is  
21 broken down in a nonfunctioning state, is not immediately  
22 accessible, or is unloaded and enclosed in a firearm case,  
23 carrying box, shipping box, or other similar portable  
24 container designed for the safe transportation of  
25 firearms.

26 (11) The manufacture, transportation, possession,

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

8 (h) Sentence.

9 (1) A person who knowingly manufactures, delivers, sells,  
10 purchases, or possesses or causes to be manufactured,  
11 delivered, sold, purchased, or possessed an assault weapon in  
12 violation of this Section commits a Class 3 felony for a first  
13 violation and a Class 2 felony for a second or subsequent  
14 violation or for the possession or delivery of 2 or more of  
15 these weapons at the same time.

16 (2) A person who knowingly manufactures, delivers, sells,  
17 purchases, or possesses or causes to be manufactured,  
18 delivered, sold, purchased, or possessed in violation of this  
19 Section an assault weapon attachment commits a Class 4 felony  
20 for a first violation and a Class 3 felony for a second or  
21 subsequent violation.

22 (3) A person who knowingly manufactures, delivers, sells,  
23 purchases, or possesses or causes to be manufactured,  
24 delivered, sold, purchased, or possessed in violation of this  
25 Section a .50 caliber rifle commits a Class 3 felony for a  
26 first violation and a Class 2 felony for a second or subsequent

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1 violation or for the possession or delivery of 2 or more of  
2 these weapons at the same time.

3 (4) A person who knowingly manufactures, delivers, sells,  
4 purchases, or possesses or causes to be manufactured,  
5 delivered, sold, purchased, or possessed in violation of this  
6 Section a .50 caliber cartridge commits a Class A misdemeanor.

7 (5) Any other violation of this Section is a Class A  
8 misdemeanor.

9 (720 ILCS 5/24-1.10 new)

10 Sec. 24-1.10. Manufacture, delivery, or sale of large  
11 capacity ammunition feeding devices.

12 (a) In this Section:

13 "Large capacity ammunition feeding device" means:

14 (1) a magazine, belt, drum, feed strip, or similar  
15 device that has a capacity of, or that can be readily  
16 restored or converted to accept, more than 10 rounds of  
17 ammunition; or

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

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

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1 permanently inoperable.

2 (b) Except as provided in subsection (c), it is unlawful  
3 for any person within this State to knowingly manufacture,  
4 deliver, sell, purchase, or possess or cause to be  
5 manufactured, delivered, sold, or purchased a large capacity  
6 ammunition feeding device.

7 (c) This Section does not apply to or affect any of the  
8 following:

9 (1) Peace officers as defined in Section 2-13 of this  
10 Code while performing their official duties or while  
11 traveling to or from their places of duty.

12 (2) A local law enforcement agency for the purpose of  
13 equipping the agency's peace officers as defined in  
14 paragraph (1) of this subsection (c).

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

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

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

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1 storage, weapons, or development site or facility  
2 regulated by the federal Nuclear Regulatory Commission who  
3 has completed the background screening and training  
4 mandated by the rules and regulations of the federal  
5 Nuclear Regulatory Commission and while performing  
6 official duties.

7 (6) Sale of large capacity ammunition feeding devices  
8 to persons authorized under subdivisions (1) through (5)  
9 of this subsection (c) to possess those devices.

10 (7) Sale or rental of large capacity ammunition  
11 feeding devices for blank-firing assault weapons and .50  
12 caliber rifles, to persons authorized or permitted, or  
13 both authorized and permitted, to acquire these devices  
14 for the purpose of rental for use solely as props for a  
15 motion picture, television, or video production or  
16 entertainment event.

17 (d) Sentence. A person who knowingly delivers, sells,  
18 purchases, or causes to be delivered, sold, or purchased in  
19 violation of this Section a large capacity ammunition feeding  
20 device capable of holding more than 10 rounds of ammunition  
21 commits a Class 3 felony for a first violation and a Class 2  
22 felony for a second or subsequent violation or for delivery or  
23 possession of 2 or more of these devices at the same time. Any  
24 other violation of this Section is a Class A misdemeanor.

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.

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1 INDEX

2 Statutes amended in order of appearance

3 20 ILCS 2605/2605-35 was 20 ILCS 2605/55a-3

4 20 ILCS 2605/2605-51.1

5 430 ILCS 65/2 from Ch. 38, par. 83-2

6 430 ILCS 65/4 from Ch. 38, par. 83-4

7 430 ILCS 65/8 from Ch. 38, par. 83-8

8 430 ILCS 67/10

9 430 ILCS 67/40

10 430 ILCS 67/45

11 430 ILCS 67/55

12 520 ILCS 5/3.1-5

13 520 ILCS 5/3.1-9

14 720 ILCS 5/24-1 from Ch. 38, par. 24-1

15 720 ILCS 5/24-1.9 new

16 720 ILCS 5/24-1.10 new