

1 AN ACT in relation to immunity.

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

4 Section 5. The Premises Liability Act is amended by
5 changing Section 5 as follows:

6 (740 ILCS 130/5)

7 Sec. 5. Firearm ranges; liability.

8 (a) As used in this Section, "firearm range" means a
9 rifle, pistol, silhouette, skeet, trap, black powder, or
10 other similar range in this State used for discharging
11 firearms in a sporting event, for practice or instruction in
12 the use of a firearm, or for the testing of a firearm.
13 "Firearm range" also includes licensed shooting preserves
14 and public hunting areas operated or licensed by the
15 Department of Natural Resources.

16 (b) An owner or operator of a firearm range in existence
17 on January 1, 1994, is immune from any criminal liability
18 arising out of or as a consequence of noise or sound
19 emissions resulting from the normal use of the firearm range.
20 An owner or operator of a firearm range is not subject to any
21 action for public or private nuisance or trespass and no
22 court in this State shall enjoin the use or operation of a
23 firearm range on the basis of noise or sound emissions
24 resulting from the normal use of the firearm range.

25 (c) An owner or operator of a firearm range placed in
26 operation after January 1, 1994, is immune from any criminal
27 liability and is not subject to any action for public or
28 private nuisance or trespass arising out of or as a
29 consequence of noise or sound emissions resulting from the
30 normal use of the firearm range, if the firearm range
31 conforms to any one of the following requirements:

1 (1) All areas from which a firearm may be properly
2 discharged are at least 1,000 yards from any occupied
3 permanent dwelling on adjacent property.

4 (2) All areas from which a firearm may be properly
5 discharged are enclosed by a permanent building or
6 structure that absorbs or contains sound energy escaping
7 from the muzzle of firearms in use.

8 (3) If the firearm range is situated on land
9 otherwise subject to land use zoning, the firearm range
10 is in compliance with the requirements of the zoning
11 authority.

12 (4) The firearm range is operated by a governmental
13 entity or is licensed by the Department of Natural
14 Resources.

15 (5) The firearm range met the requirements of
16 clause (1) of this subsection (c) at the time the range
17 began its operation and subsequently an occupied
18 permanent dwelling on adjacent property was built within
19 1,000 yards from an area of the range from which a
20 firearm may be properly discharged.

21 (Source: P.A. 88-598, eff. 8-31-94; 89-445, eff. 2-7-96.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.