

**104TH GENERAL ASSEMBLY****State of Illinois****2025 and 2026****SB0008**

Introduced 1/13/2025, by Sen. Laura Ellman - Ram Villivalam

**SYNOPSIS AS INTRODUCED:**

See Index

Creates the Safe Gun Storage Act. Provides that a firearm owner shall not store or keep any firearm in any premises where the firearm owner knows or reasonably should know a minor without the lawful permission of the minor's parent, guardian, or person having charge of the minor, an at-risk person, or a prohibited person is likely to gain access to the firearm unless the firearm is secured in a locked container, properly engaged so as to render the firearm inaccessible or unusable to any person other than the owner or other lawfully authorized user. Provides that if the firearm is carried by or under the control of the owner or other lawfully authorized user, then the firearm is deemed lawfully stored or kept. Provides that a violation of the Act is subject to a civil penalty not to exceed \$500, except (i) if any person knows or reasonably should know that a minor, an at-risk person, or a prohibited person is likely to gain access to a firearm belonging to or under the control of that person, and a minor, an at-risk person, or a prohibited person obtains the firearm, the civil penalty shall not exceed \$1,000 and (ii) if a minor, an at-risk person, or a prohibited person obtains a firearm and uses it to injure or cause the death of a person or uses the firearm in connection with a crime, the civil penalty shall not exceed \$10,000. Provides that the court may order a person who is found in violation of the Act to perform community service or pay restitution in lieu of the civil penalties imposed under this Section if good cause is shown. Provides that nothing in the Act shall be construed to preclude civil liabilities for violations of the Act. Provides that a violation of the Act is prima facie evidence of negligence per se in any civil proceeding if a minor, an at-risk person, or a prohibited person obtains a firearm and causes personal injury to the death of oneself or another or uses the firearm in the commission of a crime. Provides that an action to collect a civil penalty under the Act may be brought by the Attorney General or the State's Attorney of the county in which the violation occurred. Provides that any money received from the collection of a civil penalty under the Act shall be deposited in the Mental Health Fund. Defines terms. Amends various Acts to make conforming changes. Effective January 1, 2026.

LRB104 07753 RLC 17798 b

1 AN ACT concerning firearms.

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

4 Section 1. Short title. This Act may be cited as the Safe  
5 Gun Storage Act.

6 Section 5. Storage of firearms. A firearm owner shall not  
7 store or keep any firearm in any premises where the firearm  
8 owner knows or reasonably should know a minor without the  
9 lawful permission of the minor's parent, guardian, or person  
10 having charge of the minor, an at-risk person, or a prohibited  
11 person is likely to gain access to the firearm unless the  
12 firearm is secured in a locked container, properly engaged so  
13 as to render the firearm inaccessible or unusable to any  
14 person other than the owner or other lawfully authorized user.  
15 If the firearm is carried by or under the control of the owner  
16 or other lawfully authorized user, then the firearm is deemed  
17 lawfully stored or kept.

18 Section 10. Penalties; violations.

19 (a) In this Act:

20 "At-risk person" means a person who has made statements or  
21 exhibited behavior that indicates to a reasonable person there  
22 is a likelihood that the person is at risk of attempting

1 suicide or causing physical harm to oneself or others.

2 "Minor" means a person under 18 years of age; however,  
3 "minor" does not include a member of the United States Armed  
4 Forces or the Illinois National Guard.

5 "Premises" includes any land, building, structure,  
6 vehicle, or place directly or indirectly under the control of  
7 the firearm owner.

8 "Prohibited person" means a person ineligible under  
9 federal or State law to possess a firearm. "Prohibited person"  
10 does not include a person who is otherwise eligible to own a  
11 firearm pursuant to the Firearm Owners Identification Card Act  
12 but does not, at the time of the violation, have a Firearm  
13 Owner's Identification Card.

14 (b) (1) Except as otherwise provided in paragraphs (2) and  
15 (3) of this subsection (b), a violation of Section 5 is subject  
16 to a civil penalty not to exceed \$500.

17 (2) If any person knows or reasonably should know that a  
18 minor, an at-risk person, or a prohibited person is likely to  
19 gain access to a firearm belonging to or under the control of  
20 that person, and a minor, an at-risk person, or a prohibited  
21 person obtains the firearm, the civil penalty shall not exceed  
22 \$1,000.

23 (3) If a minor, an at-risk person, or a prohibited person  
24 obtains a firearm and uses it to injure or cause the death of a  
25 person or uses the firearm in connection with a crime, the  
26 civil penalty shall not exceed \$10,000.

1 (c) The court may order a person who is found in violation  
2 of Section 5 to perform community service or pay restitution  
3 in lieu of the civil penalties imposed under this Section if  
4 good cause is shown.

5 (d) Nothing in this Act shall be construed to preclude  
6 civil liabilities for violations of this Act.

7 (e) A violation of this Act is prima facie evidence of  
8 negligence per se in any civil proceeding if a minor, an  
9 at-risk person, or a prohibited person obtains a firearm and  
10 causes personal injury or the death of oneself or another or  
11 uses the firearm in the commission of a crime.

12 (f) An action to collect a civil penalty under this Act may  
13 be brought by the Attorney General or the State's Attorney of  
14 the county in which the violation occurred. Any money received  
15 from the collection of a civil penalty under this Act shall be  
16 deposited in the Mental Health Fund.

17 Section 90. The Firearm Owners Identification Card Act is  
18 amended by changing Sections 3, 3.1, 8, and 8.1 and by adding  
19 Section 7.10 as follows:

20 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

21 Sec. 3. (a) Except as provided in Section 3a, no person may  
22 knowingly transfer, or cause to be transferred, any firearm,  
23 firearm ammunition, stun gun, or taser to any person within  
24 this State unless the transferee with whom he deals displays

1 either: (1) a currently valid Firearm Owner's Identification  
2 Card which has previously been issued in his or her name by the  
3 Illinois State Police under the provisions of this Act; or (2)  
4 a currently valid license to carry a concealed firearm which  
5 has previously been issued in his or her name by the Illinois  
6 State Police under the Firearm Concealed Carry Act. In  
7 addition, all firearm, stun gun, and taser transfers by  
8 federally licensed firearm dealers are subject to Section 3.1  
9 and beginning January 1, 2026, the federally licensed firearm  
10 dealers shall check the Illinois State Police Internet-based  
11 system upon which the serial numbers of firearms that have  
12 been reported stolen are available for public access for  
13 individuals to ensure any firearms are not reported stolen  
14 prior to the sale or transfer of a firearm under subsection  
15 (a-25) of this Section. New firearms shipped directly from the  
16 manufacturer are exempt from this provision.

17 (a-5) Any person who is not a federally licensed firearm  
18 dealer and who desires to transfer or sell a firearm while that  
19 person is on the grounds of a gun show must, before selling or  
20 transferring the firearm, request the Illinois State Police to  
21 conduct a background check on the prospective recipient of the  
22 firearm in accordance with Section 3.1 and beginning January  
23 1, 2026, the Illinois State Police shall check the Illinois  
24 State Police Internet-based system upon which the serial  
25 numbers of firearms that have been reported stolen are  
26 available for public access for individuals to ensure any

1 firearms are not reported stolen prior to the sale or transfer  
2 of a firearm under subsection {a-25} of this Section. New  
3 firearms shipped directly from the manufacturer are exempt  
4 from this provision.

5 (a-10) Notwithstanding item (2) of subsection (a) of this  
6 Section, any person who is not a federally licensed firearm  
7 dealer and who desires to transfer or sell a firearm or  
8 firearms to any person who is not a federally licensed firearm  
9 dealer shall, before selling or transferring the firearms,  
10 contact a federal firearm license dealer under paragraph (1)  
11 of subsection (a-15) of this Section to conduct the transfer  
12 or the Illinois State Police with the transferee's or  
13 purchaser's Firearm Owner's Identification Card number to  
14 determine the validity of the transferee's or purchaser's  
15 Firearm Owner's Identification Card under State and federal  
16 law, including the National Instant Criminal Background Check  
17 System. This subsection shall not be effective until July 1,  
18 2023. Until that date the transferor shall contact the  
19 Illinois State Police with the transferee's or purchaser's  
20 Firearm Owner's Identification Card number to determine the  
21 validity of the card. The Illinois State Police may adopt  
22 rules concerning the implementation of this subsection. The  
23 Illinois State Police shall provide the seller or transferor  
24 an approval number if the purchaser's Firearm Owner's  
25 Identification Card is valid. Approvals issued by the Illinois  
26 State Police for the purchase of a firearm pursuant to this

1 subsection are valid for 30 days from the date of issue.

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

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

18 (2) transfers as a bona fide gift to the transferor's  
19 husband, wife, son, daughter, stepson, stepdaughter,  
20 father, mother, stepfather, stepmother, brother, sister,  
21 nephew, niece, uncle, aunt, grandfather, grandmother,  
22 grandson, granddaughter, father-in-law, mother-in-law,  
23 son-in-law, or daughter-in-law;

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

26 (4) transfers on the grounds of a gun show under

1 subsection (a-5) of this Section;

2 (5) the delivery of a firearm by its owner to a  
3 gunsmith for service or repair, the return of the firearm  
4 to its owner by the gunsmith, or the delivery of a firearm  
5 by a gunsmith to a federally licensed firearms dealer for  
6 service or repair and the return of the firearm to the  
7 gunsmith;

8 (6) temporary transfers that occur while in the home  
9 of the unlicensed transferee, if the unlicensed transferee  
10 is not otherwise prohibited from possessing firearms and  
11 the unlicensed transferee reasonably believes that  
12 possession of the firearm is necessary to prevent imminent  
13 death or great bodily harm to the unlicensed transferee;

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

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

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

23 (a-20) The Illinois State Police shall develop an  
24 Internet-based system for individuals to determine the  
25 validity of a Firearm Owner's Identification Card prior to the  
26 sale or transfer of a firearm. The Illinois State Police shall

1 have the Internet-based system updated and available for use  
2 by January 1, 2024. The Illinois State Police shall adopt  
3 rules not inconsistent with this Section to implement this  
4 system; but no rule shall allow the Illinois State Police to  
5 retain records in contravention of State and federal law. The  
6 Internet-based system shall include a written notice, in both  
7 English and Spanish, of a firearm owner's obligation to report  
8 to local law enforcement any lost or stolen firearm within 48  
9 hours after the owner first discovers the loss or theft.

10 (a-25) On or before January 1, 2022, the Illinois State  
11 Police shall develop an Internet-based system upon which the  
12 serial numbers of firearms that have been reported stolen are  
13 available for public access for individuals to ensure any  
14 firearms are not reported stolen prior to the sale or transfer  
15 of a firearm under this Section. The Illinois State Police  
16 shall have the Internet-based system completed and available  
17 for use by July 1, 2022. The Illinois State Police shall adopt  
18 rules not inconsistent with this Section to implement this  
19 system. On or before January 1, 2026, the Illinois State  
20 Police shall make the Internet-based system created under this  
21 subsection accessible to federally licensed firearms dealers  
22 to verify that the make, model, and serial numbers of firearms  
23 that are being bought, sold, or transferred by the dealers  
24 have not been reported stolen and shall also provide a receipt  
25 or approval number to a transferor or federally licensed  
26 firearms dealer as verification that the firearm being

1 transferred did not appear on the stolen firearm database.

2 (a-30) The Illinois State Police shall establish an  
3 electronic mechanism by which law enforcement shall report  
4 individuals who have failed to report the loss or theft of a  
5 firearm pursuant to Section 24-4.1 of the Criminal Code of  
6 2012.

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

1 number and any approval number or documentation provided by  
2 the Illinois State Police pursuant to subsection (a-10) of  
3 this Section; if the transfer was not completed within this  
4 State, the record shall contain the name and address of the  
5 transferee. On or after January 1, 2006, the record shall  
6 contain the date of application for transfer of the firearm.  
7 On demand of a peace officer such transferor shall produce for  
8 inspection such record of transfer. For any transfer pursuant  
9 to subsection (a-10) of this Section, on the demand of a peace  
10 officer, such transferee shall identify the federally licensed  
11 firearm dealer maintaining the transfer record. If the  
12 transfer or sale took place at a gun show, the record shall  
13 include the unique identification number. Failure to record  
14 the unique identification number or approval number is a petty  
15 offense. For transfers of a firearm, stun gun, or taser made on  
16 or after January 18, 2019 (the effective date of Public Act  
17 100-1178), failure by the private seller to maintain the  
18 transfer records in accordance with this Section, or failure  
19 by a transferee pursuant to subsection a-10 of this Section to  
20 identify the federally licensed firearm dealer maintaining the  
21 transfer record, is a Class A misdemeanor for the first  
22 offense and a Class 4 felony for a second or subsequent offense  
23 occurring within 10 years of the first offense and the second  
24 offense was committed after conviction of the first offense.  
25 Whenever any person who has not previously been convicted of  
26 any violation of subsection (a-5), the court may grant

1 supervision pursuant to and consistent with the limitations of  
2 Section 5-6-1 of the Unified Code of Corrections. A transferee  
3 or transferor shall not be criminally liable under this  
4 Section provided that he or she provides the Illinois State  
5 Police with the transfer records in accordance with procedures  
6 established by the Illinois State Police. The Illinois State  
7 Police shall establish, by rule, a standard form on its  
8 website.

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

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

23 (Source: P.A. 102-237, eff. 1-1-24; 102-538, eff. 8-20-21;  
24 102-813, eff. 5-13-22; 102-1116, eff. 1-10-23.)

25 (430 ILCS 65/3.1) (from Ch. 38, par. 83-3.1)

1           Sec. 3.1. Firearm Transfer Inquiry Program.

2           (a) The Illinois State Police shall provide a dial up  
3 telephone system or utilize other existing technology which  
4 shall be used by any federally licensed firearm dealer, gun  
5 show promoter, or gun show vendor who is to transfer a firearm,  
6 stun gun, or taser under the provisions of this Act. The  
7 Illinois State Police may utilize existing technology which  
8 allows the caller to be charged a fee not to exceed \$2. Fees  
9 collected by the Illinois State Police shall be deposited in  
10 the State Police Firearm Services Fund and used to provide the  
11 service. Beginning January 1, 2026, a federally licensed  
12 firearm dealer, gun show promoter, and gun show vendor shall  
13 additionally check the Illinois State Police Internet-based  
14 system upon which the serial numbers of firearms that have  
15 been reported stolen are available for public access to ensure  
16 any firearms are not reported stolen prior to the sale or  
17 transfer of a firearm under subsection (a-25) of Section 3 of  
18 this Act. New firearms shipped directly from the manufacturer  
19 are exempt from this provision.

20           (b) Upon receiving a request from a federally licensed  
21 firearm dealer, gun show promoter, or gun show vendor, the  
22 Illinois State Police shall immediately approve or, within the  
23 time period established by Section 24-3 of the Criminal Code  
24 of 2012 regarding the delivery of firearms, stun guns, and  
25 tasers, notify the inquiring dealer, gun show promoter, or gun  
26 show vendor of any objection that would disqualify the

1 transferee from acquiring or possessing a firearm, stun gun,  
2 or taser. In conducting the inquiry, the Illinois State Police  
3 shall initiate and complete an automated search of its  
4 criminal history record information files and those of the  
5 Federal Bureau of Investigation, including the National  
6 Instant Criminal Background Check System, and of the files of  
7 the Department of Human Services relating to mental health and  
8 developmental disabilities to obtain any felony conviction or  
9 patient hospitalization information which would disqualify a  
10 person from obtaining or require revocation of a currently  
11 valid Firearm Owner's Identification Card.

12 (b-5) By January 1, 2023, the Illinois State Police shall  
13 by rule provide a process for the automatic renewal of the  
14 Firearm Owner's Identification Card of a person at the time of  
15 an inquiry in subsection (b). Persons eligible for this  
16 process must have a set of fingerprints on file with their  
17 applications under either subsection (a-25) of Section 4 or  
18 the Firearm Concealed Carry Act.

19 (c) If receipt of a firearm would not violate Section 24-3  
20 of the Criminal Code of 2012, federal law, or this Act, the  
21 Illinois State Police shall:

22 (1) assign a unique identification number to the  
23 transfer; and

24 (2) provide the licensee, gun show promoter, or gun  
25 show vendor with the number.

26 (d) Approvals issued by the Illinois State Police for the

1 purchase of a firearm are valid for 30 days from the date of  
2 issue.

3 (e) (1) The Illinois State Police must act as the Illinois  
4 Point of Contact for the National Instant Criminal Background  
5 Check System.

6 (2) The Illinois State Police and the Department of Human  
7 Services shall, in accordance with State and federal law  
8 regarding confidentiality, enter into a memorandum of  
9 understanding with the Federal Bureau of Investigation for the  
10 purpose of implementing the National Instant Criminal  
11 Background Check System in the State. The Illinois State  
12 Police shall report the name, date of birth, and physical  
13 description of any person prohibited from possessing a firearm  
14 pursuant to the Firearm Owners Identification Card Act or 18  
15 U.S.C. 922(g) and (n) to the National Instant Criminal  
16 Background Check System Index, Denied Persons Files.

17 (3) The Illinois State Police shall provide notice of the  
18 disqualification of a person under subsection (b) of this  
19 Section or the revocation of a person's Firearm Owner's  
20 Identification Card under Section 8 or Section 8.2 of this  
21 Act, and the reason for the disqualification or revocation, to  
22 all law enforcement agencies with jurisdiction to assist with  
23 the seizure of the person's Firearm Owner's Identification  
24 Card.

25 (f) The Illinois State Police shall adopt rules not  
26 inconsistent with this Section to implement this system.

1 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;  
2 102-813, eff. 5-13-22.)

3 (430 ILCS 65/7.10 new)

4 Sec. 7.10. Notice of obligation to report lost or stolen  
5 firearm. Upon the issuance and each renewal of a Firearm  
6 Owner's Identification Card, the Illinois State Police shall  
7 advise the applicant or holder in writing, in both English and  
8 Spanish, of his or her obligation to report to local law  
9 enforcement any lost or stolen firearm within 48 hours after  
10 he or she first discovers the loss or theft. A person is deemed  
11 to have discovered that a firearm was lost or stolen only when  
12 the person has received evidence indicating that a loss or  
13 theft has occurred.

14 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

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

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

24 (b) This subsection (b) applies through the 180th day

1 following July 12, 2019 (the effective date of Public Act  
2 101-80). A person under 21 years of age who does not have  
3 the written consent of his parent or guardian to acquire  
4 and possess firearms and firearm ammunition, or whose  
5 parent or guardian has revoked such written consent, or  
6 where such parent or guardian does not qualify to have a  
7 Firearm Owner's Identification Card;

8 (b-5) This subsection (b-5) applies on and after the  
9 181st day following July 12, 2019 (the effective date of  
10 Public Act 101-80). A person under 21 years of age who is  
11 not an active duty member of the United States Armed  
12 Forces or the Illinois National Guard and does not have  
13 the written consent of his or her parent or guardian to  
14 acquire and possess firearms and firearm ammunition, or  
15 whose parent or guardian has revoked such written consent,  
16 or where such parent or guardian does not qualify to have a  
17 Firearm Owner's Identification Card;

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

20 (d) A person addicted to narcotics;

21 (e) A person who has been a patient of a mental health  
22 facility within the past 5 years or a person who has been a  
23 patient in a mental health facility more than 5 years ago  
24 who has not received the certification required under  
25 subsection (u) of this Section. An active law enforcement  
26 officer employed by a unit of government or a Department

1 of Corrections employee authorized to possess firearms who  
2 is denied, revoked, or has his or her Firearm Owner's  
3 Identification Card seized under this subsection (e) may  
4 obtain relief as described in subsection (c-5) of Section  
5 10 of this Act if the officer or employee did not act in a  
6 manner threatening to the officer or employee, another  
7 person, or the public as determined by the treating  
8 clinical psychologist or physician, and the officer or  
9 employee seeks mental health treatment;

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

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

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

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

19 (i-5) A noncitizen who has been admitted to the United  
20 States under a non-immigrant visa (as that term is defined  
21 in Section 101(a)(26) of the Immigration and Nationality  
22 Act (8 U.S.C. 1101(a)(26))), except that this subsection  
23 (i-5) does not apply to any noncitizen who has been  
24 lawfully admitted to the United States under a  
25 non-immigrant visa if that noncitizen is:

26 (1) admitted to the United States for lawful

1 hunting or sporting purposes;

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

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

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

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

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

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

19 (j) (Blank);

20 (k) A person who has been convicted within the past 5  
21 years of battery, assault, aggravated assault, violation  
22 of an order of protection, or a substantially similar  
23 offense in another jurisdiction, in which a firearm was  
24 used or possessed;

25 (l) A person who has been convicted of domestic  
26 battery, aggravated domestic battery, or a substantially

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

17 (m) (Blank);

18 (n) A person who is prohibited from acquiring or  
19 possessing firearms or firearm ammunition by any Illinois  
20 State statute or by federal law;

21 (o) A minor subject to a petition filed under Section  
22 5-520 of the Juvenile Court Act of 1987 alleging that the  
23 minor is a delinquent minor for the commission of an  
24 offense that if committed by an adult would be a felony;

25 (p) An adult who had been adjudicated a delinquent  
26 minor under the Juvenile Court Act of 1987 for the

1 commission of an offense that if committed by an adult  
2 would be a felony;

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

6 (r) A person who has been adjudicated as a person with  
7 a mental disability;

8 (s) A person who has been found to have a  
9 developmental disability;

10 (t) A person involuntarily admitted into a mental  
11 health facility; ~~or~~

12 (u) A person who has had his or her Firearm Owner's  
13 Identification Card revoked or denied under subsection (e)  
14 of this Section or item (iv) of paragraph (2) of  
15 subsection (a) of Section 4 of this Act because he or she  
16 was a patient in a mental health facility as provided in  
17 subsection (e) of this Section, shall not be permitted to  
18 obtain a Firearm Owner's Identification Card, after the  
19 5-year period has lapsed, unless he or she has received a  
20 mental health evaluation by a physician, clinical  
21 psychologist, or qualified examiner as those terms are  
22 defined in the Mental Health and Developmental  
23 Disabilities Code, and has received a certification that  
24 he or she is not a clear and present danger to himself,  
25 herself, or others. The physician, clinical psychologist,  
26 or qualified examiner making the certification and his or

1 her employer shall not be held criminally, civilly, or  
2 professionally liable for making or not making the  
3 certification required under this subsection, except for  
4 willful or wanton misconduct. This subsection does not  
5 apply to a person whose firearm possession rights have  
6 been restored through administrative or judicial action  
7 under Section 10 or 11 of this Act; or

8 (v) A person who fails to report a loss or theft of a  
9 firearm within 48 hours of the discovery of such loss or  
10 theft to local law enforcement as required under  
11 subsection (a) of Section 24-4.1 of the Criminal Code of  
12 2012.

13 Upon revocation of a person's Firearm Owner's  
14 Identification Card, the Illinois State Police shall provide  
15 notice to the person and the person shall comply with Section  
16 9.5 of this Act.

17 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;  
18 102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.  
19 5-27-22; 102-1116, eff. 1-10-23.)

20 (430 ILCS 65/8.1) (from Ch. 38, par. 83-8.1)

21 Sec. 8.1. Notifications to the Illinois State Police.

22 (a) The Circuit Clerk shall, in the form and manner  
23 required by the Supreme Court, notify the Illinois State  
24 Police of all final dispositions of cases for which the  
25 Department has received information reported to it under

1 Sections 2.1 and 2.2 of the Criminal Identification Act.

2 (b) Upon adjudication of any individual as a person with a  
3 mental disability as defined in Section 1.1 of this Act or a  
4 finding that a person has been involuntarily admitted, the  
5 court shall direct the circuit court clerk to immediately  
6 notify the Illinois State Police, Firearm Owner's  
7 Identification (FOID) department, and shall forward a copy of  
8 the court order to the Department.

9 (b-1) Beginning July 1, 2016, and each July 1 and December  
10 30 of every year thereafter, the circuit court clerk shall, in  
11 the form and manner prescribed by the Illinois State Police,  
12 notify the Illinois State Police, Firearm Owner's  
13 Identification (FOID) department if the court has not directed  
14 the circuit court clerk to notify the Illinois State Police,  
15 Firearm Owner's Identification (FOID) department under  
16 subsection (b) of this Section, within the preceding 6 months,  
17 because no person has been adjudicated as a person with a  
18 mental disability by the court as defined in Section 1.1 of  
19 this Act or if no person has been involuntarily admitted. The  
20 Supreme Court may adopt any orders or rules necessary to  
21 identify the persons who shall be reported to the Illinois  
22 State Police under subsection (b), or any other orders or  
23 rules necessary to implement the requirements of this Act.

24 (c) The Department of Human Services shall, in the form  
25 and manner prescribed by the Illinois State Police, report all  
26 information collected under subsection (b) of Section 12 of

1 the Mental Health and Developmental Disabilities  
2 Confidentiality Act for the purpose of determining whether a  
3 person who may be or may have been a patient in a mental health  
4 facility is disqualified under State or federal law from  
5 receiving or retaining a Firearm Owner's Identification Card,  
6 or purchasing a weapon.

7 (d) If a person is determined to pose a clear and present  
8 danger to himself, herself, or to others:

9 (1) by a physician, clinical psychologist, or  
10 qualified examiner, or is determined to have a  
11 developmental disability by a physician, clinical  
12 psychologist, or qualified examiner, whether employed by  
13 the State or privately, then the physician, clinical  
14 psychologist, or qualified examiner shall, within 24 hours  
15 of making the determination, notify the Department of  
16 Human Services that the person poses a clear and present  
17 danger or has a developmental disability; or

18 (2) by a law enforcement official or school  
19 administrator, then the law enforcement official or school  
20 administrator shall, within 24 hours of making the  
21 determination, notify the Illinois State Police that the  
22 person poses a clear and present danger.

23 The Department of Human Services shall immediately update  
24 its records and information relating to mental health and  
25 developmental disabilities, and if appropriate, shall notify  
26 the Illinois State Police in a form and manner prescribed by

1 the Illinois State Police. The Illinois State Police shall  
2 determine whether to revoke the person's Firearm Owner's  
3 Identification Card under Section 8 of this Act. Any  
4 information disclosed under this subsection shall remain  
5 privileged and confidential, and shall not be redisclosed,  
6 except as required under subsection (e) of Section 3.1 of this  
7 Act, nor used for any other purpose. The method of providing  
8 this information shall guarantee that the information is not  
9 released beyond what is necessary for the purpose of this  
10 Section and shall be provided by rule by the Department of  
11 Human Services. The identity of the person reporting under  
12 this Section shall not be disclosed to the subject of the  
13 report. The physician, clinical psychologist, qualified  
14 examiner, law enforcement official, or school administrator  
15 making the determination and his or her employer shall not be  
16 held criminally, civilly, or professionally liable for making  
17 or not making the notification required under this subsection,  
18 except for willful or wanton misconduct.

19 (d-5) If a law enforcement official determines that a  
20 person has failed to report a lost or stolen firearm as  
21 required by Section 24-4.1 of the Criminal Code of 2012, then  
22 the law enforcement official shall, within 24 hours of making  
23 that determination, notify the Illinois State Police that the  
24 person has failed to report a lost or stolen firearm. The law  
25 enforcement official shall notify the Illinois State Police in  
26 a form and manner prescribed by the Illinois State Police. The

1 Illinois State Police shall determine whether to revoke the  
2 person's Firearm Owner's Identification Card under Section 8  
3 of this Act. Any information disclosed under this subsection  
4 shall remain privileged and confidential, and shall not be  
5 redisclosed, except as required under subsection (e) of  
6 Section 3.1 of this Act, nor used for any other purpose.

7 (e) The Illinois State Police shall adopt rules to  
8 implement this Section.

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

10 Section 95. The Firearm Concealed Carry Act is amended by  
11 adding Section 56 as follows:

12 (430 ILCS 66/56 new)

13 Sec. 56. Notice of obligation to report lost or stolen  
14 firearm. Upon the issuance and each renewal of a concealed  
15 carry license, the Illinois State Police shall advise the  
16 applicant or licensee in writing, in both English and Spanish,  
17 of his or her obligation to report to local law enforcement any  
18 lost or stolen firearm within 48 hours after he or she first  
19 discovers the theft or loss.

20 Section 100. The Firearm Dealer License Certification Act  
21 is amended by changing Section 5-20 as follows:

22 (430 ILCS 68/5-20)

1           Sec. 5-20. Additional licensee requirements.

2           (a) A certified licensee shall make a photo copy of a  
3           buyer's or transferee's valid photo identification card  
4           whenever a firearm sale transaction takes place. The photo  
5           copy shall be attached to the documentation detailing the  
6           record of sale.

7           (b) A certified licensee shall post in a conspicuous  
8           position on the premises where the licensee conducts business  
9           a sign that contains the following warning in block letters  
10          not less than one inch in height:

11                    "With few exceptions enumerated in the Firearm Owners  
12                    Identification Card Act, it is unlawful for you to:

13                           (A) store or leave an unsecured firearm in a place  
14                           where a child can obtain access to it;

15                           (B) sell or transfer your firearm to someone else  
16                           without receiving approval for the transfer from the  
17                           Illinois State Police, or

18                           (C) fail to report the loss or theft of your  
19                           firearm to local law enforcement within 72 hours."

20          This sign shall be created by the Illinois State Police and  
21          made available for printing or downloading from the Illinois  
22          State Police's website.

23          (c) No retail location established after the effective  
24          date of this Act shall be located within 500 feet of any  
25          school, pre-school, or day care facility in existence at its  
26          location before the retail location is established as measured

1 from the nearest corner of the building holding the retail  
2 location to the corner of the school, pre-school, or day care  
3 facility building nearest the retail location at the time the  
4 retail location seeks licensure.

5 (d) A certified dealer who sells or transfers a firearm  
6 shall notify the purchaser or the recipient, orally and in  
7 writing, in both English and Spanish, at the time of the sale  
8 or transfer, that the owner of a firearm is required to report  
9 a lost or stolen firearm to local law enforcement within 48  
10 hours after the owner first discovers the loss or theft. The  
11 Illinois State Police shall create a written notice, in both  
12 English and Spanish, that certified dealers shall provide  
13 firearm purchasers or transferees in accordance with this  
14 provision and make such notice available for printing or  
15 downloading from the Illinois State Police website.

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

17 Section 105. The Criminal Code of 2012 is amended by  
18 changing Sections 24-3.8, 24-3.9, 24-3B, 24-4.1, and 24-9 as  
19 follows:

20 (720 ILCS 5/24-3.8)

21 Sec. 24-3.8. Possession of a stolen firearm.

22 (a) A person commits possession of a stolen firearm when  
23 he or she, not being entitled to the possession of a firearm,  
24 possesses the firearm, knowing it to have been stolen or

1 converted. The trier of fact may infer that a person who  
2 possesses a firearm with knowledge that its serial number has  
3 been removed or altered has knowledge that the firearm is  
4 stolen or converted. The trier of fact may, but is not required  
5 to, infer that a person who possesses a firearm purchased on or  
6 after January 1, 2026, with a make, model, and serial number  
7 reported as stolen on the Illinois State Police publicly  
8 accessible stolen firearm database under subsection (a-25) of  
9 Section 3 of the Firearm Owners Identification Card Act knows  
10 that the firearm is stolen or converted.

11 (b) Possession of a stolen firearm is a Class 2 felony.

12 (Source: P.A. 97-597, eff. 1-1-12; incorporates 97-347, eff.  
13 1-1-12; 97-1109, eff. 1-1-13.)

14 (720 ILCS 5/24-3.9)

15 Sec. 24-3.9. Aggravated possession of a stolen firearm.

16 (a) A person commits aggravated possession of a stolen  
17 firearm when he or she:

18 (1) Not being entitled to the possession of not less  
19 than 2 and not more than 5 firearms, possesses those  
20 firearms at the same time or within a one-year period,  
21 knowing the firearms to have been stolen or converted.

22 (2) Not being entitled to the possession of not less  
23 than 6 and not more than 10 firearms, possesses those  
24 firearms at the same time or within a 2-year period,  
25 knowing the firearms to have been stolen or converted.

1 (3) Not being entitled to the possession of not less  
2 than 11 and not more than 20 firearms, possesses those  
3 firearms at the same time or within a 3-year period,  
4 knowing the firearms to have been stolen or converted.

5 (4) Not being entitled to the possession of not less  
6 than 21 and not more than 30 firearms, possesses those  
7 firearms at the same time or within a 4-year period,  
8 knowing the firearms to have been stolen or converted.

9 (5) Not being entitled to the possession of more than  
10 30 firearms, possesses those firearms at the same time or  
11 within a 5-year period, knowing the firearms to have been  
12 stolen or converted.

13 (b) The trier of fact may infer that a person who possesses  
14 a firearm with knowledge that its serial number has been  
15 removed or altered has knowledge that the firearm is stolen or  
16 converted. The trier of fact may, but is not required to, infer  
17 that a person who possesses a firearm purchased on or after  
18 January 1, 2026, with a make, model, and serial number  
19 reported as stolen on the Illinois State Police publicly  
20 accessible stolen firearm database under subsection (a-25) of  
21 Section 3 of the Firearm Owners Identification Card Act knows  
22 that the firearm is stolen or converted.

23 (c) Sentence.

24 (1) A person who violates paragraph (1) of subsection  
25 (a) of this Section commits a Class 1 felony.

26 (2) A person who violates paragraph (2) of subsection

1 (a) of this Section commits a Class X felony for which he  
2 or she shall be sentenced to a term of imprisonment of not  
3 less than 6 years and not more than 30 years.

4 (3) A person who violates paragraph (3) of subsection  
5 (a) of this Section commits a Class X felony for which he  
6 or she shall be sentenced to a term of imprisonment of not  
7 less than 6 years and not more than 40 years.

8 (4) A person who violates paragraph (4) of subsection  
9 (a) of this Section commits a Class X felony for which he  
10 or she shall be sentenced to a term of imprisonment of not  
11 less than 6 years and not more than 50 years.

12 (5) A person who violates paragraph (5) of subsection  
13 (a) of this Section commits a Class X felony for which he  
14 or she shall be sentenced to a term of imprisonment of not  
15 less than 6 years and not more than 60 years.

16 (Source: P.A. 97-597, eff. 1-1-12; incorporates 97-347, eff.  
17 1-1-12; 97-1109, eff. 1-1-13.)

18 (720 ILCS 5/24-3B)

19 Sec. 24-3B. Firearms trafficking.

20 (a) A person commits firearms trafficking when he or she  
21 has not been issued a currently valid Firearm Owner's  
22 Identification Card and knowingly:

23 (1) brings, or causes to be brought, into this State,  
24 a firearm or firearm ammunition for the purpose of sale,  
25 delivery, or transfer to any other person or with the

1 intent to sell, deliver, or transfer the firearm or  
2 firearm ammunition to any other person; or

3 (2) brings, or causes to be brought, into this State,  
4 a firearm and firearm ammunition for the purpose of sale,  
5 delivery, or transfer to any other person or with the  
6 intent to sell, deliver, or transfer the firearm and  
7 firearm ammunition to any other person.

8 (a-5) This Section does not apply to:

9 (1) a person exempt under Section 2 of the Firearm  
10 Owners Identification Card Act from the requirement of  
11 having possession of a Firearm Owner's Identification Card  
12 previously issued in his or her name by the Illinois State  
13 Police in order to acquire or possess a firearm or firearm  
14 ammunition;

15 (2) a common carrier under subsection (i) of Section  
16 24-2 of this Code; or

17 (3) a non-resident who may lawfully possess a firearm  
18 in his or her resident state.

19 (a-10) The trier of fact may, but is not required to, infer  
20 intent to transfer or deliver from transportation on an  
21 expressway in this State in a vehicle more than one stolen or  
22 converted firearm per occupants of the vehicle.

23 (b) Sentence.

24 (1) Firearms trafficking is a Class 1 felony for which  
25 the person, if sentenced to a term of imprisonment, shall  
26 be sentenced to not less than 4 years and not more than 20

1 years.

2 (2) Firearms trafficking by a person who has been  
3 previously convicted of firearms trafficking, gunrunning,  
4 or a felony offense for the unlawful sale, delivery, or  
5 transfer of a firearm or firearm ammunition in this State  
6 or another jurisdiction is a Class X felony.

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

8 (720 ILCS 5/24-4.1)

9 Sec. 24-4.1. Report of lost or stolen firearms.

10 (a) If a person who possesses a valid Firearm Owner's  
11 Identification Card and who possesses or acquires a firearm  
12 thereafter loses the firearm, or if the firearm is stolen from  
13 the person, the person must report the loss or theft of any  
14 such firearm to the local law enforcement agency within 48 72  
15 hours after obtaining knowledge of the loss or theft. The  
16 report shall include:

17 (1) the date the firearm was lost or stolen;

18 (2) the exact location where the firearm was lost or  
19 stolen or, if the exact location is not known, the last  
20 known location of the firearm;

21 (3) the caliber, make, model, and serial number of the  
22 firearm; and

23 (4) a description of the circumstances under which the  
24 firearm was lost or stolen.

25 (b) A law enforcement agency having jurisdiction shall

1 take a written report and shall, as soon as practical, and in  
2 no event later than 48 hours after receiving the report, enter  
3 the information and the firearm's serial number as stolen into  
4 the Law Enforcement Agencies Data System (LEADS).

5 (c) A person shall not be in violation of this Section if:

6 (1) the failure to report is due to an act of God, act  
7 of war, or inability of a law enforcement agency to  
8 receive the report;

9 (2) the person is hospitalized, in a coma, or is  
10 otherwise seriously physically or mentally impaired as to  
11 prevent the person from reporting; or

12 (3) the person's designee makes a report if the person  
13 is unable to make the report.

14 (d) Sentence. A person who violates this Section is guilty  
15 of a petty offense for a first violation. A second or  
16 subsequent violation of this Section is a Class A misdemeanor.  
17 For a second or subsequent offense, the failure to report a  
18 loss or theft of a firearm within 48 hours of the discovery of  
19 such loss or theft as required under subsection (a) shall  
20 result in revocation of the person's Firearm Owner's  
21 Identification Card. Pursuant to subsection (a) of Section 10  
22 of the Firearm Owners Identification Card Act, a person whose  
23 card is revoked under this Section may file a record challenge  
24 with the Director of the Illinois State Police as provided in  
25 subsection (a-10) of Section 10 of that Act or appeal to the  
26 Firearm Owner's Identification Card Review Board for relief as

1 provided in subsection (c) of Section 10 of that Act.

2 (e) A prosecution for an offense under this Section may be  
3 commenced within 3 years after the discovery by law  
4 enforcement or prosecution of the failure to report the theft  
5 or loss of a firearm as required under subsection (a).

6 (Source: P.A. 98-508, eff. 8-19-13.)

7 (720 ILCS 5/24-9)

8 Sec. 24-9. Firearms; Child Protection.

9 (a) Except as provided in subsection (c), it is unlawful  
10 for any person to store or leave, within premises under his or  
11 her control, a firearm if the person knows or reasonably  
12 should know ~~has reason to believe~~ that a minor under the age of  
13 18 ~~14~~ years who does not have a Firearm Owners Identification  
14 Card is likely to gain access to the firearm without the lawful  
15 permission of the minor's parent, guardian, or person having  
16 charge of the minor, and the minor causes death or great bodily  
17 harm with the firearm, unless the firearm is:

18 (1) secured by a device or mechanism, other than the  
19 firearm safety, designed to render a firearm temporarily  
20 inoperable; or

21 (2) placed in a securely locked box or container. ~~or~~

22 ~~(3) placed in some other location that a reasonable~~  
23 ~~person would believe to be secure from a minor under the~~  
24 ~~age of 14 years.~~

25 (b) Sentence. A person who violates this Section is guilty

1 of a Class C misdemeanor and shall be fined not less than  
2 \$1,000. A second or subsequent violation of this Section is a  
3 Class A misdemeanor.

4 (c) Subsection (a) does not apply:

5 (1) if the minor under 18 ~~14~~ years of age gains access  
6 to a firearm and uses it in a lawful act of self-defense or  
7 defense of another; or

8 (2) to any firearm obtained by a minor under the age of  
9 18 ~~14~~ because of an unlawful entry of the premises by the  
10 minor or another person.

11 (d) For the purposes of this Section, "firearm" has the  
12 meaning ascribed to it in Section 1.1 of the Firearm Owners  
13 Identification Card Act.

14 (Source: P.A. 91-18, eff. 1-1-00.)

15 Section 999. Effective date. This Act takes effect January  
16 1, 2026.

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