



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3171

Introduced 2/2/2026, by Sen. Neil Anderson

SYNOPSIS AS INTRODUCED:

See Index

Repeals the Firearm Owners Identification Card Act. Amends various Acts to make conforming changes. Effective immediately.

LRB104 19105 RLC 32550 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 3. The Open Meetings Act is amended by changing
5 Section 2 as follows:

6 (5 ILCS 120/2) (from Ch. 102, par. 42)

7 Sec. 2. Open meetings.

8 (a) Openness required. All meetings of public bodies shall
9 be open to the public unless excepted in subsection (c) and
10 closed in accordance with Section 2a.

11 (b) Construction of exceptions. The exceptions contained
12 in subsection (c) are in derogation of the requirement that
13 public bodies meet in the open, and therefore, the exceptions
14 are to be strictly construed, extending only to subjects
15 clearly within their scope. The exceptions authorize but do
16 not require the holding of a closed meeting to discuss a
17 subject included within an enumerated exception.

18 (c) Exceptions. A public body may hold closed meetings to
19 consider the following subjects:

20 (1) The appointment, employment, compensation,
21 discipline, performance, or dismissal of specific
22 employees, specific individuals who serve as independent
23 contractors in a park, recreational, or educational

1 setting, or specific volunteers of the public body or
2 legal counsel for the public body, including hearing
3 testimony on a complaint lodged against an employee, a
4 specific individual who serves as an independent
5 contractor in a park, recreational, or educational
6 setting, or a volunteer of the public body or against
7 legal counsel for the public body to determine its
8 validity. However, a meeting to consider an increase in
9 compensation to a specific employee of a public body that
10 is subject to the Local Government Wage Increase
11 Transparency Act may not be closed and shall be open to the
12 public and posted and held in accordance with this Act.

13 (2) Collective negotiating matters between the public
14 body and its employees or their representatives, or
15 deliberations concerning salary schedules for one or more
16 classes of employees.

17 (3) The selection of a person to fill a public office,
18 as defined in this Act, including a vacancy in a public
19 office, when the public body is given power to appoint
20 under law or ordinance, or the discipline, performance or
21 removal of the occupant of a public office, when the
22 public body is given power to remove the occupant under
23 law or ordinance.

24 (4) Evidence or testimony presented in open hearing,
25 or in closed hearing where specifically authorized by law,
26 to a quasi-adjudicative body, as defined in this Act,

1 provided that the body prepares and makes available for
2 public inspection a written decision setting forth its
3 determinative reasoning.

4 (4.5) Evidence or testimony presented to a school
5 board regarding denial of admission to school events or
6 property pursuant to Section 24-24 of the School Code,
7 provided that the school board prepares and makes
8 available for public inspection a written decision setting
9 forth its determinative reasoning.

10 (5) The purchase or lease of real property for the use
11 of the public body, including meetings held for the
12 purpose of discussing whether a particular parcel should
13 be acquired.

14 (6) The setting of a price for sale or lease of
15 property owned by the public body.

16 (7) The sale or purchase of securities, investments,
17 or investment contracts. This exception shall not apply to
18 the investment of assets or income of funds deposited into
19 the Illinois Prepaid Tuition Trust Fund.

20 (8) Security procedures, school building safety and
21 security, and the use of personnel and equipment to
22 respond to an actual, a threatened, or a reasonably
23 potential danger to the safety of employees, students,
24 staff, the public, or public property.

25 (9) Student disciplinary cases.

26 (10) The placement of individual students in special

1 education programs and other matters relating to
2 individual students.

3 (11) Litigation, when an action against, affecting or
4 on behalf of the particular public body has been filed and
5 is pending before a court or administrative tribunal, or
6 when the public body finds that an action is probable or
7 imminent, in which case the basis for the finding shall be
8 recorded and entered into the minutes of the closed
9 meeting.

10 (12) The establishment of reserves or settlement of
11 claims as provided in the Local Governmental and
12 Governmental Employees Tort Immunity Act, if otherwise the
13 disposition of a claim or potential claim might be
14 prejudiced, or the review or discussion of claims, loss or
15 risk management information, records, data, advice or
16 communications from or with respect to any insurer of the
17 public body or any intergovernmental risk management
18 association or self insurance pool of which the public
19 body is a member.

20 (13) Conciliation of complaints of discrimination in
21 the sale or rental of housing, when closed meetings are
22 authorized by the law or ordinance prescribing fair
23 housing practices and creating a commission or
24 administrative agency for their enforcement.

25 (14) Informant sources, the hiring or assignment of
26 undercover personnel or equipment, or ongoing, prior or

1 future criminal investigations, when discussed by a public
2 body with criminal investigatory responsibilities.

3 (15) Professional ethics or performance when
4 considered by an advisory body appointed to advise a
5 licensing or regulatory agency on matters germane to the
6 advisory body's field of competence.

7 (16) Self evaluation, practices and procedures or
8 professional ethics, when meeting with a representative of
9 a statewide association of which the public body is a
10 member.

11 (17) The recruitment, credentialing, discipline or
12 formal peer review of physicians or other health care
13 professionals, or for the discussion of matters protected
14 under the federal Patient Safety and Quality Improvement
15 Act of 2005, and the regulations promulgated thereunder,
16 including 42 C.F.R. Part 3 (73 FR 70732), or the federal
17 Health Insurance Portability and Accountability Act of
18 1996, and the regulations promulgated thereunder,
19 including 45 C.F.R. Parts 160, 162, and 164, by a
20 hospital, or other institution providing medical care,
21 that is operated by the public body.

22 (18) Deliberations for decisions of the Prisoner
23 Review Board.

24 (19) Review or discussion of applications received
25 under the Experimental Organ Transplantation Procedures
26 Act.

1 (20) The classification and discussion of matters
2 classified as confidential or continued confidential by
3 the State Government Suggestion Award Board.

4 (21) Discussion of minutes of meetings lawfully closed
5 under this Act, whether for purposes of approval by the
6 body of the minutes or semi-annual review of the minutes
7 as mandated by Section 2.06.

8 (22) Deliberations for decisions of the State
9 Emergency Medical Services Disciplinary Review Board.

10 (23) The operation by a municipality of a municipal
11 utility or the operation of a municipal power agency or
12 municipal natural gas agency when the discussion involves
13 (i) contracts relating to the purchase, sale, or delivery
14 of electricity or natural gas or (ii) the results or
15 conclusions of load forecast studies.

16 (24) Meetings of a residential health care facility
17 resident sexual assault and death review team or the
18 Executive Council under the Abuse Prevention Review Team
19 Act.

20 (25) Meetings of an independent team of experts under
21 Brian's Law.

22 (26) Meetings of a mortality review team appointed
23 under the Department of Juvenile Justice Mortality Review
24 Team Act.

25 (27) (Blank) .

26 (28) Correspondence and records (i) that may not be

1 disclosed under Section 11-9 of the Illinois Public Aid
2 Code or (ii) that pertain to appeals under Section 11-8 of
3 the Illinois Public Aid Code.

4 (29) Meetings between internal or external auditors
5 and governmental audit committees, finance committees, and
6 their equivalents, when the discussion involves internal
7 control weaknesses, identification of potential fraud risk
8 areas, known or suspected frauds, and fraud interviews
9 conducted in accordance with generally accepted auditing
10 standards of the United States of America.

11 (30) (Blank).

12 (31) Meetings and deliberations for decisions of the
13 Concealed Carry Licensing Review Board under the Firearm
14 Concealed Carry Act.

15 (32) Meetings between the Regional Transportation
16 Authority Board and its Service Boards when the discussion
17 involves review by the Regional Transportation Authority
18 Board of employment contracts under Section 28d of the
19 Metropolitan Transit Authority Act and Sections 3A.18 and
20 3B.26 of the Regional Transportation Authority Act.

21 (33) Those meetings or portions of meetings of the
22 advisory committee and peer review subcommittee created
23 under Section 320 of the Illinois Controlled Substances
24 Act during which specific controlled substance prescriber,
25 dispenser, or patient information is discussed.

26 (34) Meetings of the Tax Increment Financing Reform

1 Task Force under Section 2505-800 of the Department of
2 Revenue Law of the Civil Administrative Code of Illinois.

3 (35) Meetings of the group established to discuss
4 Medicaid capitation rates under Section 5-30.8 of the
5 Illinois Public Aid Code.

6 (36) Those deliberations or portions of deliberations
7 for decisions of the Illinois Gaming Board in which there
8 is discussed any of the following: (i) personal,
9 commercial, financial, or other information obtained from
10 any source that is privileged, proprietary, confidential,
11 or a trade secret; or (ii) information specifically
12 exempted from the disclosure by federal or State law.

13 (37) Deliberations for decisions of the Illinois Law
14 Enforcement Training Standards Board, the Certification
15 Review Panel, and the Illinois State Police Merit Board
16 regarding certification and decertification.

17 (38) Meetings of the Ad Hoc Statewide Domestic
18 Violence Fatality Review Committee of the Illinois
19 Criminal Justice Information Authority Board that occur in
20 closed executive session under subsection (d) of Section
21 35 of the Domestic Violence Fatality Review Act.

22 (39) Meetings of the regional review teams under
23 subsection (a) of Section 75 of the Domestic Violence
24 Fatality Review Act.

25 (40) Meetings of the Firearm Owner's Identification
26 Card Review Board under Section 10 of the Firearm Owners

1 Identification Card Act before the effective date of this
2 amendatory Act of the 104th General Assembly.

3 (d) Definitions. For purposes of this Section:

4 "Employee" means a person employed by a public body whose
5 relationship with the public body constitutes an
6 employer-employee relationship under the usual common law
7 rules, and who is not an independent contractor.

8 "Public office" means a position created by or under the
9 Constitution or laws of this State, the occupant of which is
10 charged with the exercise of some portion of the sovereign
11 power of this State. The term "public office" shall include
12 members of the public body, but it shall not include
13 organizational positions filled by members thereof, whether
14 established by law or by a public body itself, that exist to
15 assist the body in the conduct of its business.

16 "Quasi-adjudicative body" means an administrative body
17 charged by law or ordinance with the responsibility to conduct
18 hearings, receive evidence or testimony and make
19 determinations based thereon, but does not include local
20 electoral boards when such bodies are considering petition
21 challenges.

22 (e) Final action. No final action may be taken at a closed
23 meeting. Final action shall be preceded by a public recital of
24 the nature of the matter being considered and other
25 information that will inform the public of the business being
26 conducted.

1 (Source: P.A. 102-237, eff. 1-1-22; 102-520, eff. 8-20-21;
2 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 103-311, eff.
3 7-28-23; 103-626, eff. 1-1-25.)

4 Section 5. The Freedom of Information Act is amended by
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

7 (Text of Section before amendment by P.A. 104-441 and
8 104-457)

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

12 (a) All information determined to be confidential
13 under Section 4002 of the Technology Advancement and
14 Development Act.

15 (b) Library circulation and order records identifying
16 library users with specific materials under the Library
17 Records Confidentiality Act.

18 (c) Applications, related documents, and medical
19 records received by the Experimental Organ Transplantation
20 Procedures Board and any and all documents or other
21 records prepared by the Experimental Organ Transplantation
22 Procedures Board or its staff relating to applications it
23 has received.

24 (d) Information and records held by the Department of

1 Public Health and its authorized representatives relating
2 to known or suspected cases of sexually transmitted
3 infection or any information the disclosure of which is
4 restricted under the Illinois Sexually Transmitted
5 Infection Control Act.

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

8 (f) Firm performance evaluations under Section 55 of
9 the Architectural, Engineering, and Land Surveying
10 Qualifications Based Selection Act.

11 (g) Information the disclosure of which is restricted
12 and exempted under Section 50 of the Illinois Prepaid
13 Tuition Act.

14 (h) Information the disclosure of which is exempted
15 under the State Officials and Employees Ethics Act, and
16 records of any lawfully created State or local inspector
17 general's office that would be exempt if created or
18 obtained by an Executive Inspector General's office under
19 that Act.

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

24 (j) Information and data concerning the distribution
25 of surcharge moneys collected and remitted by carriers
26 under the Emergency Telephone System Act.

1 (k) Law enforcement officer identification information
2 or driver identification information compiled by a law
3 enforcement agency or the Department of Transportation
4 under Section 11-212 of the Illinois Vehicle Code.

5 (l) Records and information provided to a residential
6 health care facility resident sexual assault and death
7 review team or the Executive Council under the Abuse
8 Prevention Review Team Act.

9 (m) Information provided to the predatory lending
10 database created pursuant to Article 3 of the Residential
11 Real Property Disclosure Act, except to the extent
12 authorized under that Article.

13 (n) Defense budgets and petitions for certification of
14 compensation and expenses for court appointed trial
15 counsel as provided under Sections 10 and 15 of the
16 Capital Crimes Litigation Act (repealed). This subsection
17 (n) shall apply until the conclusion of the trial of the
18 case, even if the prosecution chooses not to pursue the
19 death penalty prior to trial or sentencing.

20 (o) Information that is prohibited from being
21 disclosed under Section 4 of the Illinois Health and
22 Hazardous Substances Registry Act.

23 (p) Security portions of system safety program plans,
24 investigation reports, surveys, schedules, lists, data, or
25 information compiled, collected, or prepared by or for the
26 Department of Transportation under Sections 2705-300 and

1 2705-616 of the Department of Transportation Law of the
2 Civil Administrative Code of Illinois, the Regional
3 Transportation Authority under Section 2.11 of the
4 Regional Transportation Authority Act, or the St. Clair
5 County Transit District under the Bi-State Transit Safety
6 Act (repealed).

7 (q) Information prohibited from being disclosed by the
8 Personnel Record Review Act.

9 (r) Information prohibited from being disclosed by the
10 Illinois School Student Records Act.

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

13 (t) (Blank).

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

17 (v) Names and information of people who have applied
18 for or received Firearm Owner's Identification Cards under
19 the Firearm Owners Identification Card Act before the
20 effective date of this amendatory Act of the 104th General
21 Assembly or applied for or received a concealed carry
22 license under the Firearm Concealed Carry Act, unless
23 otherwise authorized by the Firearm Concealed Carry Act;
24 and databases under the Firearm Concealed Carry Act,
25 records of the Concealed Carry Licensing Review Board
26 under the Firearm Concealed Carry Act, and law enforcement

1 agency objections under the Firearm Concealed Carry Act.

2 (v-5) Records of the Firearm Owner's Identification
3 Card Review Board that were ~~are~~ exempted from disclosure
4 under Section 10 of the Firearm Owners Identification Card
5 Act before the effective date of this amendatory Act of
6 the 104th General Assembly.

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

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

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

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

25 (aa) Information which is exempted from disclosure
26 under Section 2.37 of the Wildlife Code.

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

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

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

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

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

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

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

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

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

26 (kk) Information prohibited from disclosure under the

1 Seizure and Forfeiture Reporting Act.

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

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

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

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

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

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

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

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

25 (tt) Recordings made under the Children's Advocacy
26 Center Act, except to the extent authorized under that

1 Act.

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

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

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

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

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

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

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

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

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

24 (ddd) Information prohibited from being disclosed
25 under Section 35 of the Address Confidentiality for
26 Victims of Domestic Violence, Sexual Assault, Human

1 Trafficking, or Stalking Act.

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

5 (fff) Images from cameras under the Expressway Camera
6 Act and all automated license plate reader (ALPR)
7 information used and collected by the Illinois State
8 Police. "ALPR information" means information gathered by
9 an ALPR or created from the analysis of data generated by
10 an ALPR. This subsection (fff) is inoperative on and after
11 July 1, 2028.

12 (ggg) Information prohibited from disclosure under
13 paragraph (3) of subsection (a) of Section 14 of the Nurse
14 Agency Licensing Act.

15 (hhh) Information submitted to the Illinois State
16 Police in an affidavit or application for an assault
17 weapon endorsement, assault weapon attachment endorsement,
18 .50 caliber rifle endorsement, or .50 caliber cartridge
19 endorsement under the Firearm Owners Identification Card
20 Act.

21 (iii) Data exempt from disclosure under Section 50 of
22 the School Safety Drill Act.

23 (jjj) Information exempt from disclosure under Section
24 30 of the Insurance Data Security Law.

25 (kkk) Confidential business information prohibited
26 from disclosure under Section 45 of the Paint Stewardship

1 Act.

2 (lll) Data exempt from disclosure under Section
3 2-3.196 of the School Code.

4 (mmm) Information prohibited from being disclosed
5 under subsection (e) of Section 1-129 of the Illinois
6 Power Agency Act.

7 (nnn) Materials received by the Department of Commerce
8 and Economic Opportunity that are confidential under the
9 Music and Musicians Tax Credit and Jobs Act.

10 (ooo) Data or information provided pursuant to Section
11 20 of the Statewide Recycling Needs and Assessment Act.

12 (ppp) Information that is exempt from disclosure under
13 Section 28-11 of the Lawful Health Care Activity Act.

14 (qqq) Information that is exempt from disclosure under
15 Section 7-101 of the Illinois Human Rights Act.

16 (rrr) Information prohibited from being disclosed
17 under Section 4-2 of the Uniform Money Transmission
18 Modernization Act.

19 (sss) Information exempt from disclosure under Section
20 40 of the Student-Athlete Endorsement Rights Act.

21 (ttt) Audio recordings made under Section 30 of the
22 Illinois State Police Act, except to the extent authorized
23 under that Section.

24 (uuu) Information prohibited from being disclosed
25 under Section 30-5 of the Digital Assets Regulation Act.

26 (Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23;

1 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff.
2 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592,
3 eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24;
4 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff.
5 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081,
6 eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25;
7 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; revised
8 9-10-25.)

9 (Text of Section after amendment by P.A. 104-457 but
10 before 104-441)

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

14 (a) All information determined to be confidential
15 under Section 4002 of the Technology Advancement and
16 Development Act.

17 (b) Library circulation and order records identifying
18 library users with specific materials under the Library
19 Records Confidentiality Act.

20 (c) Applications, related documents, and medical
21 records received by the Experimental Organ Transplantation
22 Procedures Board and any and all documents or other
23 records prepared by the Experimental Organ Transplantation
24 Procedures Board or its staff relating to applications it
25 has received.

1 (d) Information and records held by the Department of
2 Public Health and its authorized representatives relating
3 to known or suspected cases of sexually transmitted
4 infection or any information the disclosure of which is
5 restricted under the Illinois Sexually Transmitted
6 Infection Control Act.

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

9 (f) Firm performance evaluations under Section 55 of
10 the Architectural, Engineering, and Land Surveying
11 Qualifications Based Selection Act.

12 (g) Information the disclosure of which is restricted
13 and exempted under Section 50 of the Illinois Prepaid
14 Tuition Act.

15 (h) Information the disclosure of which is exempted
16 under the State Officials and Employees Ethics Act, and
17 records of any lawfully created State or local inspector
18 general's office that would be exempt if created or
19 obtained by an Executive Inspector General's office under
20 that Act.

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

25 (j) Information and data concerning the distribution
26 of surcharge moneys collected and remitted by carriers

1 under the Emergency Telephone System Act.

2 (k) Law enforcement officer identification information
3 or driver identification information compiled by a law
4 enforcement agency or the Department of Transportation
5 under Section 11-212 of the Illinois Vehicle Code.

6 (l) Records and information provided to a residential
7 health care facility resident sexual assault and death
8 review team or the Executive Council under the Abuse
9 Prevention Review Team Act.

10 (m) Information provided to the predatory lending
11 database created pursuant to Article 3 of the Residential
12 Real Property Disclosure Act, except to the extent
13 authorized under that Article.

14 (n) Defense budgets and petitions for certification of
15 compensation and expenses for court appointed trial
16 counsel as provided under Sections 10 and 15 of the
17 Capital Crimes Litigation Act (repealed). This subsection
18 (n) shall apply until the conclusion of the trial of the
19 case, even if the prosecution chooses not to pursue the
20 death penalty prior to trial or sentencing.

21 (o) Information that is prohibited from being
22 disclosed under Section 4 of the Illinois Health and
23 Hazardous Substances Registry Act.

24 (p) Security portions of system safety program plans,
25 investigation reports, surveys, schedules, lists, data, or
26 information compiled, collected, or prepared by or for the

1 Department of Transportation under Sections 2705-300 and
2 2705-616 of the Department of Transportation Law of the
3 Civil Administrative Code of Illinois, the Northern
4 Illinois Transit Authority under Section 2.11 of the
5 Northern Illinois Transit Authority Act, or the St. Clair
6 County Transit District under the Bi-State Transit Safety
7 Act (repealed).

8 (q) Information prohibited from being disclosed by the
9 Personnel Record Review Act.

10 (r) Information prohibited from being disclosed by the
11 Illinois School Student Records Act.

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

14 (t) (Blank).

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

19 (v) Names and information of people who have applied
20 for or received Firearm Owner's Identification Cards under
21 the Firearm Owners Identification Card Act before the
22 effective date of this amendatory Act of the 104th General
23 Assembly or applied for or received a concealed carry
24 license under the Firearm Concealed Carry Act, unless
25 otherwise authorized by the Firearm Concealed Carry Act;
26 and databases under the Firearm Concealed Carry Act,

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

4 (v-5) Records of the Firearm Owner's Identification
5 Card Review Board that were ~~are~~ exempted from disclosure
6 under Section 10 of the Firearm Owners Identification Card
7 Act before the effective date of this amendatory Act of
8 the 104th General Assembly.

9 (w) Personally identifiable information which is
10 exempted from disclosure under subsection (g) of Section
11 19.1 of the Toll Highway Act.

12 (x) Information which is exempted from disclosure
13 under Section 5-1014.3 of the Counties Code or Section
14 8-11-21 of the Illinois Municipal Code.

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

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

1 (aa) Information which is exempted from disclosure
2 under Section 2.37 of the Wildlife Code.

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

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

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

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

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

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

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

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

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

1 and Temporary Labor Services Act.

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

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

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

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

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

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

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

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

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

1 (tt) Recordings made under the Children's Advocacy
2 Center Act, except to the extent authorized under that
3 Act.

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

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

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

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

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

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

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

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

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

26 (ddd) Information prohibited from being disclosed

1 under Section 35 of the Address Confidentiality for
2 Victims of Domestic Violence, Sexual Assault, Human
3 Trafficking, or Stalking Act.

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

7 (fff) Images from cameras under the Expressway Camera
8 Act and all automated license plate reader (ALPR)
9 information used and collected by the Illinois State
10 Police. "ALPR information" means information gathered by
11 an ALPR or created from the analysis of data generated by
12 an ALPR. This subsection (fff) is inoperative on and after
13 July 1, 2028.

14 (ggg) Information prohibited from disclosure under
15 paragraph (3) of subsection (a) of Section 14 of the Nurse
16 Agency Licensing Act.

17 (hhh) Information submitted to the Illinois State
18 Police in an affidavit or application for an assault
19 weapon endorsement, assault weapon attachment endorsement,
20 .50 caliber rifle endorsement, or .50 caliber cartridge
21 endorsement under the Firearm Owners Identification Card
22 Act.

23 (iii) Data exempt from disclosure under Section 50 of
24 the School Safety Drill Act.

25 (jjj) Information exempt from disclosure under Section
26 30 of the Insurance Data Security Law.

1 (kkk) Confidential business information prohibited
2 from disclosure under Section 45 of the Paint Stewardship
3 Act.

4 (lll) Data exempt from disclosure under Section
5 2-3.196 of the School Code.

6 (mmm) Information prohibited from being disclosed
7 under subsection (e) of Section 1-129 of the Illinois
8 Power Agency Act.

9 (nnn) Materials received by the Department of Commerce
10 and Economic Opportunity that are confidential under the
11 Music and Musicians Tax Credit and Jobs Act.

12 (ooo) Data or information provided pursuant to Section
13 20 of the Statewide Recycling Needs and Assessment Act.

14 (ppp) Information that is exempt from disclosure under
15 Section 28-11 of the Lawful Health Care Activity Act.

16 (qqq) Information that is exempt from disclosure under
17 Section 7-101 of the Illinois Human Rights Act.

18 (rrr) Information prohibited from being disclosed
19 under Section 4-2 of the Uniform Money Transmission
20 Modernization Act.

21 (sss) Information exempt from disclosure under Section
22 40 of the Student-Athlete Endorsement Rights Act.

23 (ttt) Audio recordings made under Section 30 of the
24 Illinois State Police Act, except to the extent authorized
25 under that Section.

26 (uuu) Information prohibited from being disclosed

1 under Section 30-5 of the Digital Assets Regulation Act.
2 (Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23;
3 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff.
4 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592,
5 eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24;
6 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff.
7 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081,
8 eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25;
9 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; 104-457, eff.
10 6-1-26; revised 1-7-26.)

11 (Text of Section after amendment by P.A. 104-441)

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

15 (a) All information determined to be confidential
16 under Section 4002 of the Technology Advancement and
17 Development Act.

18 (b) Library circulation and order records identifying
19 library users with specific materials under the Library
20 Records Confidentiality Act.

21 (c) Applications, related documents, and medical
22 records received by the Experimental Organ Transplantation
23 Procedures Board and any and all documents or other
24 records prepared by the Experimental Organ Transplantation
25 Procedures Board or its staff relating to applications it

1 has received.

2 (d) Information and records held by the Department of
3 Public Health and its authorized representatives relating
4 to known or suspected cases of sexually transmitted
5 infection or any information the disclosure of which is
6 restricted under the Illinois Sexually Transmitted
7 Infection Control Act.

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

10 (f) Firm performance evaluations under Section 55 of
11 the Architectural, Engineering, and Land Surveying
12 Qualifications Based Selection Act.

13 (g) Information the disclosure of which is restricted
14 and exempted under Section 50 of the Illinois Prepaid
15 Tuition Act.

16 (h) Information the disclosure of which is exempted
17 under the State Officials and Employees Ethics Act, and
18 records of any lawfully created State or local inspector
19 general's office that would be exempt if created or
20 obtained by an Executive Inspector General's office under
21 that Act.

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

26 (j) Information and data concerning the distribution

1 of surcharge moneys collected and remitted by carriers
2 under the Emergency Telephone System Act.

3 (k) Law enforcement officer identification information
4 or driver identification information compiled by a law
5 enforcement agency or the Department of Transportation
6 under Section 11-212 of the Illinois Vehicle Code.

7 (l) Records and information provided to a residential
8 health care facility resident sexual assault and death
9 review team or the Executive Council under the Abuse
10 Prevention Review Team Act.

11 (m) Information provided to the predatory lending
12 database created pursuant to Article 3 of the Residential
13 Real Property Disclosure Act, except to the extent
14 authorized under that Article.

15 (n) Defense budgets and petitions for certification of
16 compensation and expenses for court appointed trial
17 counsel as provided under Sections 10 and 15 of the
18 Capital Crimes Litigation Act (repealed). This subsection
19 (n) shall apply until the conclusion of the trial of the
20 case, even if the prosecution chooses not to pursue the
21 death penalty prior to trial or sentencing.

22 (o) Information that is prohibited from being
23 disclosed under Section 4 of the Illinois Health and
24 Hazardous Substances Registry Act.

25 (p) Security portions of system safety program plans,
26 investigation reports, surveys, schedules, lists, data, or

1 information compiled, collected, or prepared by or for the
2 Department of Transportation under Sections 2705-300 and
3 2705-616 of the Department of Transportation Law of the
4 Civil Administrative Code of Illinois, the Northern
5 Illinois Transit Authority under Section 2.11 of the
6 Northern Illinois Transit Authority Act, or the St. Clair
7 County Transit District under the Bi-State Transit Safety
8 Act (repealed).

9 (q) Information prohibited from being disclosed by the
10 Personnel Record Review Act.

11 (r) Information prohibited from being disclosed by the
12 Illinois School Student Records Act.

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

15 (t) (Blank).

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

19 (v) Names and information of people who have applied
20 for or received Firearm Owner's Identification Cards under
21 the Firearm Owners Identification Card Act before the
22 effective date of this amendatory Act of 104th General
23 Assembly or applied for or received a concealed carry
24 license under the Firearm Concealed Carry Act, unless
25 otherwise authorized by the Firearm Concealed Carry Act;
26 and databases under the Firearm Concealed Carry Act,

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

4 (v-5) Records of the Firearm Owner's Identification
5 Card Review Board that were ~~are~~ exempted from disclosure
6 under Section 10 of the Firearm Owners Identification Card
7 Act before the effective date of this amendatory Act of
8 the 104th General Assembly.

9 (w) Personally identifiable information which is
10 exempted from disclosure under subsection (g) of Section
11 19.1 of the Toll Highway Act.

12 (x) Information which is exempted from disclosure
13 under Section 5-1014.3 of the Counties Code or Section
14 8-11-21 of the Illinois Municipal Code.

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

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

1 (aa) Information which is exempted from disclosure
2 under Section 2.37 of the Wildlife Code.

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

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

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

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

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

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

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

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

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

1 and Temporary Labor Services Act.

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

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

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

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

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

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

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

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

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

1 (tt) Recordings made under the Children's Advocacy
2 Center Act, except to the extent authorized under that
3 Act.

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

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

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

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

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

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

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

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

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

26 (ddd) Information prohibited from being disclosed

1 under Section 35 of the Address Confidentiality for
2 Victims of Domestic Violence, Sexual Assault, Human
3 Trafficking, or Stalking Act.

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

7 (fff) Images from cameras under the Expressway Camera
8 Act and all automated license plate reader (ALPR)
9 information used and collected by the Illinois State
10 Police. "ALPR information" means information gathered by
11 an ALPR or created from the analysis of data generated by
12 an ALPR. This subsection (fff) is inoperative on and after
13 July 1, 2028.

14 (ggg) Information prohibited from disclosure under
15 paragraph (3) of subsection (a) of Section 14 of the Nurse
16 Agency Licensing Act.

17 (hhh) Information submitted to the Illinois State
18 Police in an affidavit or application for an assault
19 weapon endorsement, assault weapon attachment endorsement,
20 .50 caliber rifle endorsement, or .50 caliber cartridge
21 endorsement under the Firearm Owners Identification Card
22 Act.

23 (iii) Data exempt from disclosure under Section 50 of
24 the School Safety Drill Act.

25 (jjj) Information exempt from disclosure under Section
26 30 of the Insurance Data Security Law.

1 (kkk) Confidential business information prohibited
2 from disclosure under Section 45 of the Paint Stewardship
3 Act.

4 (lll) Data exempt from disclosure under Section
5 2-3.196 of the School Code.

6 (mmm) Information prohibited from being disclosed
7 under subsection (e) of Section 1-129 of the Illinois
8 Power Agency Act.

9 (nnn) Materials received by the Department of Commerce
10 and Economic Opportunity that are confidential under the
11 Music and Musicians Tax Credit and Jobs Act.

12 (ooo) Data or information provided pursuant to Section
13 20 of the Statewide Recycling Needs and Assessment Act.

14 (ppp) Information that is exempt from disclosure under
15 Section 28-11 of the Lawful Health Care Activity Act.

16 (qqq) Information that is exempt from disclosure under
17 Section 7-101 of the Illinois Human Rights Act.

18 (rrr) Information prohibited from being disclosed
19 under Section 4-2 of the Uniform Money Transmission
20 Modernization Act.

21 (sss) Information exempt from disclosure under Section
22 40 of the Student-Athlete Endorsement Rights Act.

23 (ttt) Audio recordings made under Section 30 of the
24 Illinois State Police Act, except to the extent authorized
25 under that Section.

26 (uuu) Information prohibited from being disclosed

1 under Section 30-5 of the Digital Assets Regulation Act.

2 (vvv) ~~(uuu)~~ Information exempt from disclosure under
3 Section 70 of the End-of-Life Options for Terminally Ill
4 Patients Act.

5 (Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23;
6 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff.
7 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592,
8 eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24;
9 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff.
10 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081,
11 eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25;
12 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; 104-441, eff.
13 9-12-26; 104-457, eff. 6-1-26; revised 1-7-26.)

14 Section 5.5. The Illinois TRUST Act is amended by changing
15 Section 15 as follows:

16 (5 ILCS 805/15)

17 Sec. 15. Prohibition on enforcing federal civil
18 immigration laws.

19 (a) A law enforcement agency or law enforcement official
20 shall not detain or continue to detain any individual solely
21 on the basis of any immigration detainer or civil immigration
22 warrant or otherwise comply with an immigration detainer or
23 civil immigration warrant.

24 (b) A law enforcement agency or law enforcement official

1 shall not stop, arrest, search, detain, or continue to detain
2 a person solely based on an individual's citizenship or
3 immigration status.

4 (c) (Blank).

5 (d) A law enforcement agency or law enforcement official
6 acting in good faith in compliance with this Section who
7 releases a person subject to an immigration detainer or civil
8 immigration warrant shall have immunity from any civil or
9 criminal liability that might otherwise occur as a result of
10 making the release, with the exception of willful or wanton
11 misconduct.

12 (e) A law enforcement agency or law enforcement official
13 may not inquire about or investigate the citizenship or
14 immigration status or place of birth of any individual in the
15 agency or official's custody or who has otherwise been stopped
16 or detained by the agency or official. Nothing in this
17 subsection shall be construed to limit the ability of a law
18 enforcement agency or law enforcement official, pursuant to
19 State or federal law, to notify a person in the law enforcement
20 agency's custody about that person's right to communicate with
21 consular officers from that person's country of nationality,
22 or facilitate such communication, in accordance with the
23 Vienna Convention on Consular Relations or other bilateral
24 agreements. Nothing in this subsection shall be construed to
25 limit the ability of a law enforcement agency or law
26 enforcement official to request evidence of citizenship or

1 immigration status pursuant to ~~the Firearm Owners~~
2 ~~Identification Card Act~~, the Firearm Concealed Carry Act,
3 Article 24 of the Criminal Code of 2012, or 18 United States
4 Code Sections 921 through 931.

5 (f) Unless otherwise limited by federal law, a law
6 enforcement agency or law enforcement official may not deny
7 services, benefits, privileges, or opportunities to an
8 individual in custody or under probation status, including,
9 but not limited to, eligibility for or placement in a lower
10 custody classification, educational, rehabilitative, or
11 diversionary programs, on the basis of the individual's
12 citizenship or immigration status, the issuance of an
13 immigration detainer or civil immigration warrant against the
14 individual, or the individual being in immigration removal
15 proceedings.

16 (g)(1) No law enforcement agency, law enforcement
17 official, or any unit of State or local government may enter
18 into or renew any contract, intergovernmental service
19 agreement, or any other agreement to house or detain
20 individuals for federal civil immigration violations.

21 (2) Any law enforcement agency, law enforcement official,
22 or unit of State or local government with an existing
23 contract, intergovernmental agreement, or other agreement,
24 whether in whole or in part, that is utilized to house or
25 detain individuals for civil immigration violations shall
26 exercise the termination provision in the agreement as applied

1 to housing or detaining individuals for civil immigration
2 violations no later than January 1, 2022.

3 (h) Unless presented with a federal criminal warrant, or
4 otherwise required by federal law, a law enforcement agency or
5 official may not:

6 (1) participate, support, or assist in any capacity
7 with an immigration agent's enforcement operations,
8 including any collateral assistance such as coordinating
9 an arrest in a courthouse or other public facility,
10 providing use of any equipment, transporting any
11 individuals, or establishing a security or traffic
12 perimeter surrounding such operations, or any other
13 on-site support;

14 (2) give any immigration agent access, including by
15 telephone, to any individual who is in that agency's
16 custody;

17 (3) transfer any person into an immigration agent's
18 custody;

19 (4) permit immigration agents use of agency facilities
20 or equipment, including any agency electronic databases
21 not available to the public, for investigative interviews
22 or other investigative or immigration enforcement purpose;

23 (5) enter into or maintain any agreement regarding
24 direct access to any electronic database or other
25 data-sharing platform maintained by any law enforcement
26 agency, or otherwise provide such direct access to the

1 U.S. Immigration and Customs Enforcement, United States
2 Customs and Border Protection or any other federal entity
3 enforcing civil immigration violations;

4 (6) provide information in response to any immigration
5 agent's inquiry or request for information regarding any
6 individual in the agency's custody; or

7 (7) provide to any immigration agent information not
8 otherwise available to the public relating to an
9 individual's release or contact information, or otherwise
10 facilitate for an immigration agent to apprehend or
11 question an individual for immigration enforcement.

12 (i) Nothing in this Section shall preclude a law
13 enforcement official from otherwise executing that official's
14 duties in investigating violations of criminal law and
15 cooperating in such investigations with federal and other law
16 enforcement agencies (including criminal investigations
17 conducted by federal Homeland Security Investigations (HSI))
18 in order to ensure public safety.

19 (Source: P.A. 102-234, eff. 8-2-21; 103-154, eff. 6-30-23.)

20 Section 6. The Gun Trafficking Information Act is amended
21 by changing Section 10-5 as follows:

22 (5 ILCS 830/10-5)

23 Sec. 10-5. Gun trafficking information.

24 (a) The Illinois State Police shall use all reasonable

1 efforts, as allowed by State law and regulations, federal law
2 and regulations, and executed Memoranda of Understanding
3 between Illinois law enforcement agencies and the U.S. Bureau
4 of Alcohol, Tobacco, Firearms and Explosives, in making
5 publicly available, on a regular and ongoing basis, key
6 information related to firearms used in the commission of
7 crimes in this State, including, but not limited to: reports
8 on crimes committed with firearms, locations where the crimes
9 occurred, the number of persons killed or injured in the
10 commission of the crimes, whether or not a stolen firearm was
11 used in the commission of the crimes, the state where the
12 firearms used originated, the Federal Firearms Licensee that
13 sold the firearm, the type of firearms used, if known, ~~annual~~
14 ~~statistical information concerning Firearm Owner's~~
15 ~~Identification Card~~ and concealed carry license applications,
16 ~~revocations, and compliance with Section 9.5 of the Firearm~~
17 ~~Owners Identification Card Act,~~ the information required in
18 the report or on the Illinois State Police's website under
19 Section 85 of the Firearms Restraining Order Act, and firearm
20 dealer license certification inspections. The Illinois State
21 Police shall make the information available on its website,
22 which may be presented in a dashboard format, in addition to
23 electronically filing a report with the Governor and the
24 General Assembly. The report to the General Assembly shall be
25 filed with the Clerk of the House of Representatives and the
26 Secretary of the Senate in electronic form only, in the manner

1 that the Clerk and the Secretary shall direct.

2 (b) (Blank). ~~The Illinois State Police shall study, on a~~
3 ~~regular and ongoing basis, and compile reports on the number~~
4 ~~of Firearm Owner's Identification Card checks to determine~~
5 ~~firearms trafficking or straw purchase patterns. The Illinois~~
6 ~~State Police shall, to the extent not inconsistent with law,~~
7 ~~share such reports and underlying data with academic centers,~~
8 ~~foundations, and law enforcement agencies studying firearms~~
9 ~~trafficking, provided that personally identifying information~~
10 ~~is protected. For purposes of this subsection (b), a Firearm~~
11 ~~Owner's Identification Card number is not personally~~
12 ~~identifying information, provided that no other personal~~
13 ~~information of the card holder is attached to the record. The~~
14 ~~Illinois State Police may create and attach an alternate~~
15 ~~unique identifying number to each Firearm Owner's~~
16 ~~Identification Card number, instead of releasing the Firearm~~
17 ~~Owner's Identification Card number itself.~~

18 (c) Each department, office, division, and agency of this
19 State shall, to the extent not inconsistent with law,
20 cooperate fully with the Illinois State Police and furnish the
21 Illinois State Police with all relevant information and
22 assistance on a timely basis as is necessary to accomplish the
23 purpose of this Act. The Illinois Criminal Justice Information
24 Authority shall submit the information required in subsection
25 (a) of this Section to the Illinois State Police, and any other
26 information as the Illinois State Police may request, to

1 assist the Illinois State Police in carrying out its duties
2 under this Act.

3 (Source: P.A. 103-34, eff. 6-9-23; 104-31, eff. 1-1-26.)

4 Section 7. The First Responders Suicide Prevention Act is
5 amended by changing Section 40 as follows:

6 (5 ILCS 840/40)

7 Sec. 40. Task Force recommendations.

8 (a) Task Force members shall recommend that agencies and
9 organizations guarantee access to mental health and wellness
10 services, including, but not limited to, peer support programs
11 and providing ongoing education related to the ever-evolving
12 concept of mental health wellness. These recommendations could
13 be accomplished by:

14 (1) Revising agencies' and organizations' employee
15 assistance programs (EAPs).

16 (2) Urging health care providers to replace outdated
17 healthcare plans and include more progressive options
18 catering to the needs and disproportionate risks
19 shouldered by our first responders.

20 (3) Allocating funding or resources for public service
21 announcements (PSA) and messaging campaigns aimed at
22 raising awareness of available assistance options.

23 (4) Encouraging agencies and organizations to attach
24 lists of all available resources to training manuals and

1 continuing education requirements.

2 (b) Task Force members shall recommend agencies and
3 organizations sponsor or facilitate first responders with
4 specialized training in the areas of psychological fitness,
5 depressive disorders, early detection, and mitigation best
6 practices. Such trainings could be accomplished by:

7 (1) Assigning, appointing, or designating one member
8 of an agency or organization to attend specialized
9 training(s) sponsored by an accredited agency,
10 association, or organization recognized in their fields of
11 study.

12 (2) Seeking sponsorships or conducting fund-raisers,
13 to host annual or semiannual on-site visits from qualified
14 clinicians or physicians to provide early detection
15 training techniques, or to provide regular access to
16 mental health professionals.

17 (3) Requiring a minimum number of hours of disorders
18 and wellness training be incorporated into reoccurring,
19 annual or biannual training standards, examinations, and
20 curriculums, taking into close consideration respective
21 agency or organization size, frequency, and number of all
22 current federal and state mandatory examinations and
23 trainings expected respectively.

24 (4) Not underestimating the crucial importance of a
25 balanced diet, sleep, mindfulness-based stress reduction
26 techniques, moderate and vigorous intensity activities,

1 and recreational hobbies, which have been scientifically
2 proven to play a major role in brain health and mental
3 wellness.

4 (c) Task Force members shall recommend that administrators
5 and leadership personnel solicit training services from
6 evidence-based, data driven organizations. Organizations with
7 personnel trained on the analytical review and interpretation
8 of specific fields related to the nature of first responders'
9 exploits, such as PTSD, substance abuse, and chronic state of
10 duress. Task Force members shall further recommend funding for
11 expansion and messaging campaigns of preliminary
12 self-diagnosing technologies like the one described above.
13 These objectives could be met by:

14 (1) Contacting an accredited agency, association, or
15 organization recognized in the field or fields of specific
16 study. Unbeknownst to the majority, many of the agencies
17 and organizations listed above receive grants and
18 allocations to assist communities with the very issues
19 being discussed in this Section.

20 (2) Normalizing help-seeking behaviors for both first
21 responders and their families through regular messaging
22 and peer support outreach, beginning with academy
23 curricula and continuing education throughout individuals'
24 careers.

25 (3) Funding and implementing PSA campaigns that
26 provide clear and concise calls to action about mental

1 health and wellness, resiliency, help-seeking, treatment,
2 and recovery.

3 (4) Promoting and raising awareness of not-for-profit
4 organizations currently available to assist individuals in
5 search of care and treatment. Organizations have intuitive
6 user-friendly sites, most of which have mobile
7 applications, so first responders can access at a moment's
8 notice. However, because of limited funds, these
9 organizations have a challenging time of getting the word
10 out there about their existence.

11 (5) Expanding Family and Medical Leave Act protections
12 for individuals voluntarily seeking preventative
13 treatment.

14 (6) Promoting and ensuring complete patient
15 confidentiality protections.

16 (d) Task Force members shall recommend that agencies and
17 organizations incorporate the following training components
18 into already existing modules and educational curriculums.
19 Doing so could be done by:

20 (1) Bolstering academy and school curricula by
21 requiring depressive disorder training catered to PTSD,
22 substance abuse, and early detection techniques training,
23 taking into close consideration respective agency or
24 organization size, and the frequency and number of all
25 current federal and state mandatory examinations and
26 trainings expected respectively.

1 (2) Continuing to allocate or match federal and state
2 funds to maintain Mobile Training Units (MTUs).

3 (3) Incorporating a state certificate for peer support
4 training into already existing statewide curriculums and
5 mandatory examinations, annual State Fire Marshal
6 examinations, and physical fitness examinations. The
7 subject matter of the certificate should have an emphasis
8 on mental health and wellness, as well as familiarization
9 with topics ranging from clinical social work, clinical
10 psychology, clinical behaviorist, and clinical psychiatry.

11 (4) Incorporating and performing statewide mental
12 health check-ins during the same times as already mandated
13 trainings. These checks are not to be compared or used as
14 measures of fitness for duty evaluations or structured
15 psychological examinations.

16 (5) Recommending comprehensive and evidence-based
17 training on the importance of preventative measures on the
18 topics of sleep, nutrition, mindfulness, and physical
19 movement.

20 (6) (Blank). ~~Law enforcement agencies should provide~~
21 ~~training on the Firearm Owners Identification Card Act,~~
22 ~~including seeking relief from the Illinois State Police~~
23 ~~under Section 10 of the Firearm Owners Identification Card~~
24 ~~Act and a FOID card being a continued condition of~~
25 ~~employment under Section 7.2 of the Uniform Peace~~
26 ~~Officers' Disciplinary Act.~~

1 (Source: P.A. 103-154, eff. 6-30-23; 103-605, eff. 7-1-24;
2 104-417, eff. 8-15-25.)

3 Section 8. The Department of Natural Resources
4 (Conservation) Law of the Civil Administrative Code of
5 Illinois is amended by changing Section 805-538 as follows:

6 (20 ILCS 805/805-538)

7 Sec. 805-538. Retiring officer; purchase of service
8 firearm and police badge. The Director of Natural Resources
9 shall establish a program to allow a Conservation Police
10 Officer who is honorably retiring in good standing to purchase
11 either one or both of the following: (1) any Department of
12 Natural Resources police badge previously issued to that
13 officer; or (2) ~~if the officer has a currently valid Firearm~~
14 ~~Owner's Identification Card,~~ the service firearm issued or
15 previously issued to the officer by the Department of Natural
16 Resources. The cost of the firearm shall be the replacement
17 value of the firearm and not the firearm's fair market value.

18 (Source: P.A. 100-931, eff. 8-17-18.)

19 Section 9. The Department of Revenue Law of the Civil
20 Administrative Code of Illinois is amended by changing Section
21 2505-306 as follows:

22 (20 ILCS 2505/2505-306)

1 Sec. 2505-306. Retiring investigators; purchase of service
2 firearm and badge. The Director shall establish a program to
3 allow a Department investigator who is honorably retiring in
4 good standing to purchase either one or both of the following:

5 (1) any badge previously issued to the investigator by the
6 Department; or (2) ~~if the investigator has a currently valid~~
7 ~~Firearm Owner's Identification Card,~~ the service firearm
8 issued or previously issued to the investigator by the
9 Department. The cost of the firearm shall be the replacement
10 value of the firearm and not the firearm's fair market value.

11 (Source: P.A. 102-719, eff. 5-6-22.)

12 Section 10. The Illinois State Police Law of the Civil
13 Administrative Code of Illinois is amended by changing
14 Sections 2605-10, 2605-45, 2605-200, and 2605-595 as follows:

15 (20 ILCS 2605/2605-10) (was 20 ILCS 2605/55a in part)

16 Sec. 2605-10. Powers and duties, generally.

17 (a) The Illinois State Police shall exercise the rights,
18 powers, and duties that have been vested in the Illinois State
19 Police by the following:

20 The Illinois State Police Act.

21 The Illinois State Police Radio Act.

22 The Criminal Identification Act.

23 The Illinois Vehicle Code.

24 ~~The Firearm Owners Identification Card Act.~~

1 The Firearm Concealed Carry Act.

2 The Firearm Dealer License Certification Act.

3 The Intergovernmental Missing Child Recovery Act of
4 1984.

5 The Intergovernmental Drug Laws Enforcement Act.

6 The Narcotic Control Division Abolition Act.

7 The Illinois Uniform Conviction Information Act.

8 The Murderer and Violent Offender Against Youth
9 Registration Act.

10 (b) The Illinois State Police shall have the powers and
11 duties set forth in the following Sections. The Illinois State
12 Police may receive revenue and real and personal property from
13 any legal source, grants, pass-through grants, donations, and
14 lawful appropriations.

15 (c) The Illinois State Police shall exercise the rights,
16 powers, and duties vested in the Illinois State Police to
17 implement the following protective service functions for State
18 facilities, State officials, and State employees serving in
19 their official capacity:

20 (1) Utilize subject matter expertise and law
21 enforcement authority to strengthen the protection of
22 State government facilities, State employees, State
23 officials, and State critical infrastructure.

24 (2) Coordinate State, federal, and local law
25 enforcement activities involving the protection of State
26 facilities, officials, and employees.

1 (3) Conduct investigations of criminal threats to
2 State facilities, State critical infrastructure, State
3 officials, and State employees.

4 (4) Train State officials and employees in personal
5 protection, crime prevention, facility occupant emergency
6 planning, and incident management.

7 (5) Establish standard protocols for prevention and
8 response to criminal threats to State facilities, State
9 officials, State employees, and State critical
10 infrastructure and standard protocols for reporting of
11 suspicious activities.

12 (6) Establish minimum operational standards,
13 qualifications, training, and compliance requirements for
14 State employees and contractors engaged in the protection
15 of State facilities and employees.

16 (7) At the request of departments or agencies of State
17 government, conduct security assessments, including, but
18 not limited to, examination of alarm systems, cameras
19 systems, access points, personnel readiness, and emergency
20 protocols based on risk and need.

21 (8) Oversee the planning and implementation of
22 security and law enforcement activities necessary for the
23 protection of major, multi-jurisdictional events
24 implicating potential criminal threats to State officials,
25 State employees, or State-owned, State-leased, or
26 State-operated critical infrastructure or facilities.

1 (9) Oversee and direct the planning and implementation
2 of security and law enforcement activities by the
3 departments and agencies of the State necessary for the
4 protection of State employees, State officials, and
5 State-owned, State-leased, or State-operated critical
6 infrastructure or facilities from criminal activity.

7 (10) Advise the Governor and Homeland Security Advisor
8 on any matters necessary for the effective protection of
9 State facilities, critical infrastructure, officials, and
10 employees from criminal threats.

11 (11) Utilize intergovernmental agreements and
12 administrative rules as needed for the effective,
13 efficient implementation of law enforcement and support
14 activities necessary for the protection of State
15 facilities, State infrastructure, State employees, and,
16 upon the express written consent of State constitutional
17 officials, State constitutional officials.

18 (Source: P.A. 103-34, eff. 1-1-24; 103-564, eff. 11-17-23;
19 104-24, eff. 1-1-26.)

20 (20 ILCS 2605/2605-45) (was 20 ILCS 2605/55a-5)

21 Sec. 2605-45. Division of Justice Services.

22 (a) The Division of Justice Services shall provide
23 administrative and technical services and support to the
24 Illinois State Police, criminal justice agencies, and the
25 public and shall exercise the following functions:

1 (1) Operate and maintain the Law Enforcement Agencies
2 Data System (LEADS), a statewide, computerized
3 telecommunications system designed to provide services,
4 information, and capabilities to the law enforcement and
5 criminal justice community in the State of Illinois. The
6 Director is responsible for establishing policy,
7 procedures, and regulations consistent with State and
8 federal rules, policies, and law by which LEADS operates.
9 The Director shall designate a statewide LEADS
10 Administrator for management of the system. The Director
11 may appoint a LEADS Advisory Policy Board to reflect the
12 needs and desires of the law enforcement and criminal
13 justice community and to make recommendations concerning
14 policies and procedures.

15 (2) Pursue research and the publication of studies
16 pertaining to local law enforcement activities.

17 (3) Serve as the State's point of contact for the
18 Federal Bureau of Investigation's Uniform Crime Reporting
19 Program and National Incident-Based Reporting System.

20 (4) Operate an electronic data processing and computer
21 center for the storage and retrieval of data pertaining to
22 criminal activity.

23 (5) Exercise the rights, powers, and duties vested in
24 the Illinois State Police by the Cannabis Regulation and
25 Tax Act and the Compassionate Use of Medical Cannabis
26 Program Act.

1 (6) (Blank).

2 (6.5) Exercise the rights, powers, and duties vested
3 in the Illinois State Police by ~~the Firearm Owners~~
4 ~~Identification Card Act~~, the Firearm Concealed Carry Act,
5 the Firearm Transfer Inquiry Program, the prohibited
6 persons portal under Section 2605-304, and the Firearm
7 Dealer License Certification Act.

8 (7) Exercise other duties that may be assigned by the
9 Director to fulfill the responsibilities and achieve the
10 purposes of the Illinois State Police.

11 (8) Exercise the rights, powers, and duties vested by
12 law in the Illinois State Police by the Criminal
13 Identification Act and the Illinois Uniform Conviction
14 Information Act.

15 (9) Exercise the powers and perform the duties that
16 have been vested in the Illinois State Police by the
17 Murderer and Violent Offender Against Youth Registration
18 Act, the Sex Offender Registration Act, and the Sex
19 Offender Community Notification Law and adopt reasonable
20 rules necessitated thereby.

21 (10) Serve as the State central repository for
22 criminal history record information.

23 (11) Share all necessary information with the
24 Concealed Carry Licensing Review Board and the Firearms
25 Owner's Identification Card Review Board necessary for the
26 execution of their duties.

1 (12) Serve as the CJIS Systems Agency for Illinois.

2 (b) Notwithstanding any law to the contrary, the CJIS
3 Security Policy of the Federal Bureau of Investigation governs
4 criminal justice information systems and requires all of those
5 systems to be subject to a management control agreement
6 controlled by the criminal justice agency that owns the
7 criminal justice information system and to be subject to
8 oversight by the CJIS Systems Agency. The CJIS Systems Agency
9 shall establish principles and standards to provide
10 consistency in the operation and use of criminal justice
11 system information technology throughout the State. The CJIS
12 Systems Agency may impose more stringent or additional
13 protection measures than those measures outlined in the CJIS
14 Security Policy of the Federal Bureau of Investigation if the
15 protection measures are documented and maintained. State
16 agencies and units of local government shall work with the
17 CJIS Systems Agency to follow all principles and standards,
18 including those imposed under this Section. Consistent with
19 the CJIS Security Policy of the Federal Bureau of
20 Investigation, no State agency, unit of local government, or
21 employee of a State agency or unit of local government shall
22 usurp, replace, or diminish the role and responsibility of the
23 CJIS Information Security Officer or the CJIS Systems Officer
24 appointed by the head of the CJIS Systems Agency.

25 (Source: P.A. 103-34, eff. 1-1-24; 104-157, eff. 1-1-26.)

1 (20 ILCS 2605/2605-200) (was 20 ILCS 2605/55a in part)
2 Sec. 2605-200. Investigations of crime; enforcement of
3 laws; records; crime laboratories; personnel.

4 (a) To do the following:

5 (1) Investigate the origins, activities, personnel,
6 and incidents of crime and the ways and means to redress
7 the victims of crimes; study the impact, if any, of
8 legislation relative to the effusion of crime and growing
9 crime rates; and enforce the criminal laws of this State
10 related thereto.

11 (2) Enforce all laws regulating the production, sale,
12 prescribing, manufacturing, administering, transporting,
13 having in possession, dispensing, delivering,
14 distributing, or use of controlled substances and
15 cannabis.

16 (3) Employ skilled experts, scientists, technicians,
17 investigators, or otherwise specially qualified persons to
18 aid in preventing or detecting crime, apprehending
19 criminals, or preparing and presenting evidence of
20 violations of the criminal laws of the State.

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

25 (5) Apprehend and deliver up any person charged in
26 this State or any other state of the United States with

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

3 (6) Conduct other investigations as provided by law.

4 (7) Be a central repository and custodian of criminal
5 statistics for the State.

6 (8) Be a central repository for criminal history
7 record information.

8 (9) Procure and file for record information that is
9 necessary and helpful to plan programs of crime
10 prevention, law enforcement, and criminal justice.

11 (10) Procure and file for record copies of
12 fingerprints that may be required by law.

13 (11) Establish general and field crime laboratories.

14 (12) (Blank). ~~Register and file for record information~~
15 ~~that may be required by law for the issuance of firearm~~
16 ~~owner's identification cards under the Firearm Owners~~
17 ~~Identification Card Act and concealed carry licenses under~~
18 ~~the Firearm Concealed Carry Act.~~

19 (13) Employ laboratory technicians and other specially
20 qualified persons to aid in the identification of criminal
21 activity and the identification, collection, and recovery
22 of cyber forensics, including, but not limited to, digital
23 evidence, and may employ polygraph operators and forensic
24 anthropologists.

25 (14) Undertake other identification, information,
26 laboratory, statistical, or registration activities that

1 may be required by law.

2 (b) Persons exercising the powers set forth in subsection
3 (a) within the Illinois State Police are conservators of the
4 peace and as such have all the powers possessed by policemen in
5 cities and sheriffs, except that they may exercise those
6 powers anywhere in the State in cooperation with and after
7 contact with the local law enforcement officials. Those
8 persons may use false or fictitious names in the performance
9 of their duties under this Section, upon approval of the
10 Director, and shall not be subject to prosecution under the
11 criminal laws for that use.

12 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 1-1-24.)

13 (20 ILCS 2605/2605-595)

14 (Text of Section before amendment by P.A. 104-131)

15 Sec. 2605-595. State Police Firearm Services Fund.

16 (a) There is created in the State treasury a special fund
17 known as the State Police Firearm Services Fund. The Fund
18 shall receive revenue under the Firearm Concealed Carry Act
19 and ~~the Firearm Dealer License Certification Act, and~~
20 ~~Section 5 of the Firearm Owners Identification Card Act.~~ The
21 Fund may also receive revenue from grants, pass-through
22 grants, donations, appropriations, and any other legal source.

23 (a-5) (Blank).

24 (b) The Illinois State Police may use moneys in the Fund to
25 finance any of its lawful purposes, mandates, functions, and

1 duties under ~~the Firearm Owners Identification Card Act~~, the
2 Firearm Dealer License Certification Act, and the Firearm
3 Concealed Carry Act, including the cost of sending notices of
4 expiration of ~~Firearm Owner's Identification Cards~~, concealed
5 carry licenses, the prompt and efficient processing of
6 applications under the ~~Firearm Owners Identification Card Act~~
7 ~~and the~~ Firearm Concealed Carry Act, the improved efficiency
8 and reporting of the LEADS and federal NICS law enforcement
9 data systems, and support for investigations required under
10 these Acts and law. Any surplus funds beyond what is needed to
11 comply with the aforementioned purposes shall be used by the
12 Illinois State Police to improve the Law Enforcement Agencies
13 Data System (LEADS) and criminal history background check
14 system.

15 (c) Investment income that is attributable to the
16 investment of moneys in the Fund shall be retained in the Fund
17 for the uses specified in this Section.

18 (Source: P.A. 102-505, eff. 8-20-21; 102-538, eff. 8-20-21;
19 103-363, eff. 7-28-23.)

20 (Text of Section after amendment by P.A. 104-131)

21 Sec. 2605-595. State Police Firearm Services Fund.

22 (a) There is created in the State treasury a special fund
23 known as the State Police Firearm Services Fund. The Fund
24 shall receive revenue under the Firearm Concealed Carry Act
25 and ~~7~~ the Firearm Dealer License Certification Act, Article 24

1 of the Criminal Code of 2012, other provisions of law
2 concerning firearm offenses, ~~and Section 5 of the Firearm~~
3 ~~Owners Identification Card Act.~~ The Fund may also receive
4 revenue from grants, pass-through grants, donations,
5 appropriations, and any other legal source.

6 (a-5) (Blank).

7 (a-10) Notwithstanding any other provision of law to the
8 contrary, and in addition to any other transfers that may be
9 provided by law, on the effective date of this amendatory Act
10 of the 104th General Assembly, or as soon thereafter as
11 practical, the State Comptroller shall direct and the State
12 Treasurer shall transfer the remaining balance from the State
13 Police Firearm Enforcement Fund into the State Police Firearm
14 Services Fund. Upon completion of the transfer, the State
15 Police Firearm Enforcement Fund is dissolved, and any future
16 deposits due to that Fund and any outstanding obligations or
17 liabilities of that Fund shall pass to the State Police
18 Firearm Services Fund.

19 (a-15) The Illinois State Police may use moneys from the
20 Fund to establish task forces and, if necessary, include other
21 law enforcement agencies, under intergovernmental contracts
22 written and executed in conformity with the Intergovernmental
23 Cooperation Act.

24 (a-20) The Illinois State Police may use moneys in the
25 Fund to hire and train Illinois State Police officers and for
26 the prevention of violent crime.

1 (b) The Illinois State Police may use moneys in the Fund to
2 finance any of its lawful purposes, mandates, functions,
3 enforcement, and duties under the ~~Firearm Owners~~
4 ~~Identification Card Act, the~~ Firearm Dealer License
5 Certification Act, Article 24 of the Criminal Code of 2012,
6 provisions of law concerning firearm offenses, and the Firearm
7 Concealed Carry Act, including the cost of sending notices of
8 expiration of ~~Firearm Owner's Identification Cards,~~ concealed
9 carry licenses, the prompt and efficient processing of
10 applications under the ~~Firearm Owners Identification Card Act~~
11 ~~and~~ the Firearm Concealed Carry Act, the improved efficiency
12 and reporting of the LEADS and federal NICS law enforcement
13 data systems, and support for investigations required under
14 these Acts and law. Any surplus funds beyond what is needed to
15 comply with the aforementioned purposes shall be used by the
16 Illinois State Police to improve the Law Enforcement Agencies
17 Data System (LEADS) and criminal history background check
18 system.

19 (b-5) Any surplus in the Fund beyond what is necessary to
20 ensure compliance with subsections (a) through (b) or moneys
21 that are specifically appropriated for those purposes shall be
22 used by the Illinois State Police to award grants to assist
23 with the data reporting requirements of the Gun Trafficking
24 Information Act.

25 (c) Investment income that is attributable to the
26 investment of moneys in the Fund shall be retained in the Fund

1 for the uses specified in this Section.

2 (Source: P.A. 103-363, eff. 7-28-23; 104-131, eff. 9-1-26.)

3 (20 ILCS 2605/2605-120 rep.)

4 (20 ILCS 2605/2605-304 rep.)

5 Section 15. The Department of State Police Law of the
6 Civil Administrative Code of Illinois is amended by repealing
7 Sections 2605-120 and 2605-304.

8 Section 16. The Illinois State Police Act is amended by
9 changing Section 17b as follows:

10 (20 ILCS 2610/17b)

11 Sec. 17b. Retiring officer; purchase of service firearm
12 and police badge. The Director of the Illinois State Police
13 shall establish a policy to allow a State Police officer who is
14 honorably retiring or separating in good standing to purchase
15 either one or both of the following: (i) any State Police badge
16 previously issued to that officer; or (ii) ~~if the officer has a~~
17 ~~currently valid Firearm Owner's Identification Card,~~ the
18 service firearm issued or previously issued to the officer by
19 the Illinois State Police. The cost of the firearm purchased
20 shall be the replacement value of the firearm and not the
21 firearm's fair market value.

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

1 Section 20. The Criminal Identification Act is amended by
2 changing Section 2.2 as follows:

3 (20 ILCS 2630/2.2)

4 Sec. 2.2. Notification to the Illinois State Police. Upon
5 judgment of conviction of a violation of Section 12-1, 12-2,
6 12-3, 12-3.2, 12-3.4, or 12-3.5 of the Criminal Code of 1961 or
7 the Criminal Code of 2012 when the defendant has been
8 determined, pursuant to Section 112A-11.1 of the Code of
9 Criminal Procedure of 1963, to be subject to the prohibitions
10 of 18 U.S.C. 922(g)(9), the circuit court clerk shall include
11 notification and a copy of the written determination in a
12 report of the conviction to the Illinois State Police ~~Firearm~~
13 ~~Owner's Identification Card Office~~ to enable the Illinois
14 State Police ~~office~~ to perform its duties under the Firearm
15 Concealed Carry Act and Sections 4 and 8 of the Firearm Owners
16 ~~Identification Card Act and to report that determination to~~
17 ~~the Federal Bureau of Investigation~~ to assist the Federal
18 Bureau of Investigation in identifying persons prohibited from
19 purchasing and possessing a firearm pursuant to the provisions
20 of 18 U.S.C. 922. The written determination described in this
21 Section shall be included in the defendant's record of arrest
22 and conviction in the manner and form prescribed by the
23 Illinois State Police.

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

1 Section 21. The Peace Officer Fire Investigation Act is
2 amended by changing Section 1 as follows:

3 (20 ILCS 2910/1) (from Ch. 127 1/2, par. 501)

4 Sec. 1. Peace officer status.

5 (a) Any person who is a sworn member of any organized and
6 paid fire department of a political subdivision of this State
7 and is authorized to investigate fires or explosions for such
8 political subdivision and to determine the cause, origin and
9 circumstances of fires or explosions that are suspected to be
10 arson or arson-related crimes, may be classified as a peace
11 officer by the political subdivision or agency employing such
12 person. A person so classified shall possess the same powers
13 of arrest, search and seizure and the securing and service of
14 warrants as sheriffs of counties, and police officers within
15 the jurisdiction of their political subdivision. While in the
16 actual investigation and matters incident thereto, such person
17 may carry weapons as may be necessary, but only if that person
18 has satisfactorily completed (1) a training program offered or
19 approved by the Illinois Law Enforcement Training Standards
20 Board which substantially conforms to standards promulgated
21 pursuant to the Illinois Police Training Act and the Peace
22 Officer and Probation Officer Firearm Training Act; and (2) a
23 course in fire and arson investigation approved by the Office
24 of the State Fire Marshal pursuant to the Illinois Fire
25 Protection Training Act. Such training need not include

1 exposure to vehicle and traffic law, traffic control and crash
2 investigation, or first aid, but shall include training in the
3 law relating to the rights of persons suspected of involvement
4 in criminal activities.

5 Any person granted the powers enumerated in this
6 subsection (a) may exercise such powers only during the actual
7 investigation of the cause, origin and circumstances of such
8 fires or explosions that are suspected to be arson or
9 arson-related crimes.

10 (b) Persons employed by the Office of the State Fire
11 Marshal to conduct arson investigations shall be designated
12 State Fire Marshal Arson Investigator Special Agents and shall
13 be peace officers with all of the powers of peace officers in
14 cities and sheriffs in counties, except that they may exercise
15 those powers throughout the State. These Special Agents may
16 exercise these powers only when engaging in official duties
17 during the actual investigation of the cause, origin, and
18 circumstances of such fires or explosions that are suspected
19 to be arson or arson-related crimes and may carry weapons at
20 all times, but only if they have satisfactorily completed (1)
21 a training course approved by the Illinois Law Enforcement
22 Training Standards Board that substantially conforms to the
23 standards promulgated pursuant to the Peace Officer and
24 Probation Officer Firearm Training Act and (2) a course in
25 fire and arson investigation approved by the Office of the
26 State Fire Marshal pursuant to the Illinois Fire Protection

1 Training Act. Such training need not include exposure to
2 vehicle and traffic law, traffic control and crash
3 investigation, or first aid, but shall include training in the
4 law relating to the rights of persons suspected of involvement
5 in criminal activities.

6 For purposes of this subsection (b), a "State Fire Marshal
7 Arson Investigator Special Agent" does not include any fire
8 investigator, fireman, police officer, or other employee of
9 the federal government; any fire investigator, fireman, police
10 officer, or other employee of any unit of local government; or
11 any fire investigator, fireman, police officer, or other
12 employee of the State of Illinois other than an employee of the
13 Office of the State Fire Marshal assigned to investigate
14 arson.

15 The State Fire Marshal must authorize to each employee of
16 the Office of the State Fire Marshal who is exercising the
17 powers of a peace officer a distinct badge that, on its face,
18 (i) clearly states that the badge is authorized by the Office
19 of the State Fire Marshal and (ii) contains a unique
20 identifying number. No other badge shall be authorized by the
21 Office of the State Fire Marshal, except that a badge,
22 different from the badge issued to peace officers, may be
23 authorized by the Office of the State Fire Marshal for the use
24 of fire prevention inspectors employed by that Office. Nothing
25 in this subsection prohibits the State Fire Marshal from
26 issuing shields or other distinctive identification to

1 employees not exercising the powers of a peace officer if the
2 State Fire Marshal determines that a shield or distinctive
3 identification is needed by the employee to carry out his or
4 her responsibilities.

5 (c) The Office of the State Fire Marshal shall establish a
6 policy to allow a State Fire Marshal Arson Investigator
7 Special Agent who is honorably retiring or separating in good
8 standing to purchase either one or both of the following: (i)
9 any badge previously issued to that State Fire Marshal Arson
10 Investigator Special Agent; or (ii) ~~if the State Fire Marshal~~
11 ~~Arson Investigator Special Agent has a currently valid Firearm~~
12 ~~Owner's Identification Card,~~ the service firearm issued or
13 previously issued to the State Fire Marshal Arson Investigator
14 Special Agent by the Office of the State Fire Marshal. The cost
15 of the firearm purchased shall be the replacement value of the
16 firearm and not the firearm's fair market value. All funds
17 received by the agency under this program shall be deposited
18 into the Fire Prevention Fund.

19 (Source: P.A. 102-982, eff. 7-1-23.)

20 Section 22. The Illinois Criminal Justice Information Act
21 is amended by changing Section 7.9 as follows:

22 (20 ILCS 3930/7.9)

23 (Section scheduled to be repealed on July 1, 2027)

24 Sec. 7.9. Firearm Prohibitors and Records Improvement Task

1 Force.

2 (a) As used in this Section, "firearms prohibitor" means
3 any factor listed in ~~Section 4 of the Firearm Owners~~
4 ~~Identification Card Act or~~ Section 24-3 or 24-3.1 of the
5 Criminal Code of 2012 that prohibits a person from
6 transferring or possessing a firearm, firearm ammunition,
7 ~~Firearm Owner's Identification Card,~~ or concealed carry
8 license.

9 (b) The Firearm Prohibitors and Records Improvement Task
10 Force is created to identify and research all available
11 grants, resources, and revenue that may be applied for and
12 used by all entities responsible for reporting federal and
13 State firearm prohibitors to the Illinois State Police and the
14 National Instant Criminal Background Check System. These ~~Under~~
15 ~~the Firearm Owners Identification Card Act,~~ these reporting
16 entities include, but are not limited to, hospitals, courts,
17 law enforcement and corrections. The Task Force shall identify
18 weaknesses in reporting and recommend a strategy to direct
19 resources and revenue to ensuring reporting is reliable,
20 accurate, and timely. The Task Force shall inventory all
21 statutorily mandated firearm and gun violence related data
22 collection and reporting requirements, along with the agency
23 responsible for collecting that data, and identify gaps in
24 those requirements. The Task Force shall submit a coordinated
25 application with and through the Illinois Criminal Justice
26 Information Authority for federal funds from the National

1 Criminal History Improvement Program and the NICS Acts Record
2 Improvement Program. The Firearm Prohibitors and Records
3 Improvement Task Force shall be comprised of the following
4 members, all of whom shall serve without compensation:

5 (1) the Executive Director of the Illinois Criminal
6 Justice Information Authority, who shall serve as Chair;

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

9 (3) the Secretary of Human Services, or his or her
10 designee;

11 (4) the Director of Corrections, or his or her
12 designee;

13 (5) the Attorney General, or his or her designee;

14 (6) the Director of the Administrative Office of the
15 Illinois Courts, or his or her designee;

16 (7) a representative of an association representing
17 circuit clerks appointed by the President of the Senate;

18 (8) a representative of an association representing
19 sheriffs appointed by the House Minority Leader;

20 (9) a representative of an association representing
21 State's Attorneys appointed by the House Minority Leader;

22 (10) a representative of an association representing
23 chiefs of police appointed by the Senate Minority Leader;

24 (11) a representative of an association representing
25 hospitals appointed by the Speaker of the House of
26 Representatives;

1 (12) a representative of an association representing
2 counties appointed by the President of the Senate; and

3 (13) a representative of an association representing
4 municipalities appointed by the Speaker of the House of
5 Representatives.

6 (c) The Illinois Criminal Justice Information Authority
7 shall provide administrative and other support to the Task
8 Force. The Illinois State Police Division of Justice Services
9 shall also provide support to the Illinois Criminal Justice
10 Information Authority and the Task Force.

11 (d) The Task Force may meet in person or virtually and
12 shall issue a written report of its findings and
13 recommendations to General Assembly on or before July 1, 2022.
14 The Task Force shall issue an annual report, which shall
15 include information on the state of FOID data, including a
16 review of previous activity by the Task Force to close
17 previously identified gaps; identifying known (or new) gaps; a
18 proposal of policy and practice recommendations to close those
19 gaps; and a preview of expected activities of the Task Force
20 for the coming year.

21 (e) Within 60 days of the effective date of this
22 amendatory Act of the 102nd General Assembly, the Chair shall
23 establish the Task Force.

24 (f) This Section is repealed on July 1, 2027.

25 (Source: P.A. 102-237, eff. 1-1-22.)

1 Section 25. The State Finance Act is amended by changing
2 Sections 6z-99 and 6z-127 as follows:

3 (30 ILCS 105/6z-99)

4 Sec. 6z-99. The Mental Health Reporting Fund.

5 (a) There is created in the State treasury a special fund
6 known as the Mental Health Reporting Fund. The Fund shall
7 receive revenue under the Firearm Concealed Carry Act. The
8 Fund may also receive revenue from grants, pass-through
9 grants, donations, appropriations, and any other legal source.

10 (b) The Illinois State Police and Department of Human
11 Services shall coordinate to use moneys in the Fund to finance
12 their respective duties of collecting and reporting data on
13 mental health records and ensuring that mental health firearm
14 possession prohibitors are enforced as set forth under the
15 Firearm Concealed Carry Act ~~and the Firearm Owners~~
16 ~~Identification Card Act~~. Any surplus in the Fund beyond what
17 is necessary to ensure compliance with mental health reporting
18 under that Act ~~these Acts~~ shall be used by the Department of
19 Human Services for mental health treatment programs as
20 follows: (1) 50% shall be used to fund community-based mental
21 health programs aimed at reducing gun violence, community
22 integration and education, or mental health awareness and
23 prevention, including administrative costs; and (2) 50% shall
24 be used to award grants that use and promote the National
25 School Mental Health Curriculum model for school-based mental

1 health support, integration, and services.

2 (c) Investment income that is attributable to the
3 investment of moneys in the Fund shall be retained in the Fund
4 for the uses specified in this Section.

5 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
6 102-813, eff. 5-13-22.)

7 (30 ILCS 105/6z-127)

8 (Text of Section before amendment by P.A. 104-131)

9 (Section scheduled to be repealed on January 1, 2027)

10 Sec. 6z-127. State Police Firearm Enforcement Fund.

11 (a) The State Police Firearm Enforcement Fund is
12 established as a special fund in the State treasury. This Fund
13 is established to receive moneys from ~~the Firearm Owners~~
14 ~~Identification Card Act~~ to enforce that Act, the Firearm
15 Concealed Carry Act, Article 24 of the Criminal Code of 2012,
16 and other firearm offenses. The Fund may also receive revenue
17 from grants, donations, appropriations, and any other legal
18 source.

19 (b) The Illinois State Police may use moneys from the Fund
20 to establish task forces and, if necessary, include other law
21 enforcement agencies, under intergovernmental contracts
22 written and executed in conformity with the Intergovernmental
23 Cooperation Act.

24 (c) The Illinois State Police may use moneys in the Fund to
25 hire and train State Police officers and for the prevention of

1 violent crime.

2 (d) The State Police Firearm Enforcement Fund is not
3 subject to administrative chargebacks.

4 (e) (Blank). ~~Law enforcement agencies that participate in~~
5 ~~Firearm Owner's Identification Card revocation enforcement in~~
6 ~~the Violent Crime Intelligence Task Force may apply for grants~~
7 ~~from the Illinois State Police.~~

8 (f) Any surplus in the Fund beyond what is necessary to
9 ensure compliance with subsections (a) through (e) or moneys
10 that are specifically appropriated for those purposes shall be
11 used by the Illinois State Police to award grants to assist
12 with the data reporting requirements of the Gun Trafficking
13 Information Act.

14 (Source: P.A. 102-237, eff. 1-1-22; 102-813, eff. 5-13-22;
15 103-34, eff. 6-9-23; 103-609, eff. 7-1-24.)

16 (Text of Section after amendment by P.A. 104-131)

17 (Section scheduled to be repealed on January 1, 2027)

18 Sec. 6z-127. State Police Firearm Enforcement Fund.

19 (a) The State Police Firearm Enforcement Fund is
20 established as a special fund in the State treasury. This Fund
21 is established to receive moneys ~~from the Firearm Owners~~
22 ~~Identification Card Act~~ to enforce ~~that Act,~~ the Firearm
23 Concealed Carry Act, Article 24 of the Criminal Code of 2012,
24 and other firearm offenses. The Fund may also receive revenue
25 from grants, donations, appropriations, and any other legal

1 source.

2 (b) The Illinois State Police may use moneys from the Fund
3 to establish task forces and, if necessary, include other law
4 enforcement agencies, under intergovernmental contracts
5 written and executed in conformity with the Intergovernmental
6 Cooperation Act.

7 (c) The Illinois State Police may use moneys in the Fund to
8 hire and train State Police officers and for the prevention of
9 violent crime.

10 (d) The State Police Firearm Enforcement Fund is not
11 subject to administrative chargebacks.

12 (e) (Blank). ~~Law enforcement agencies that participate in~~
13 ~~Firearm Owner's Identification Card revocation enforcement in~~
14 ~~the Violent Crime Intelligence Task Force may apply for grants~~
15 ~~from the Illinois State Police.~~

16 (f) Any surplus in the Fund beyond what is necessary to
17 ensure compliance with subsections (a) through (e) or moneys
18 that are specifically appropriated for those purposes shall be
19 used by the Illinois State Police to award grants to assist
20 with the data reporting requirements of the Gun Trafficking
21 Information Act.

22 (g) This Fund is dissolved upon the transfer of the
23 remaining balance from the State Police Firearm Enforcement
24 Fund to the State Police Firearm Services Fund as provided
25 under subsection (a-10) of Section 2605-595 of the Illinois
26 State Police Law. This Section is repealed on January 1, 2027.

1 (Source: P.A. 103-34, eff. 6-9-23; 103-609, eff. 7-1-24;
2 104-131, eff. 9-1-26.)

3 Section 25.5. The Illinois Procurement Code is amended by
4 changing Section 1-10 as follows:

5 (30 ILCS 500/1-10)

6 Sec. 1-10. Application.

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

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

22 (1) Contracts between the State and its political
23 subdivisions or other governments, or between State
24 governmental bodies, except as specifically provided in

1 this Code.

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

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

6 (4) Hiring of an individual as an employee and not as
7 an independent contractor, whether pursuant to an
8 employment code or policy or by contract directly with
9 that individual.

10 (5) Collective bargaining contracts.

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

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

1 subject to the jurisdiction of the Governor.

2 (8) (Blank).

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

5 (10) (Blank).

6 (11) Public-private agreements entered into according
7 to the procurement requirements of Section 20 of the
8 Public-Private Partnerships for Transportation Act and
9 design-build agreements entered into according to the
10 procurement requirements of Section 25 of the
11 Public-Private Partnerships for Transportation Act.

12 (12) (A) Contracts for legal, financial, and other
13 professional and artistic services entered into by the
14 Illinois Finance Authority in which the State of Illinois
15 is not obligated. Such contracts shall be awarded through
16 a competitive process authorized by the members of the
17 Illinois Finance Authority and are subject to Sections
18 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
19 as well as the final approval by the members of the
20 Illinois Finance Authority of the terms of the contract.

21 (B) Contracts for legal and financial services entered
22 into by the Illinois Housing Development Authority in
23 connection with the issuance of bonds in which the State
24 of Illinois is not obligated. Such contracts shall be
25 awarded through a competitive process authorized by the
26 members of the Illinois Housing Development Authority and

1 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
2 and 50-37 of this Code, as well as the final approval by
3 the members of the Illinois Housing Development Authority
4 of the terms of the contract.

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

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

21 (14) Contracts for participation expenditures required
22 by a domestic or international trade show or exhibition of
23 an exhibitor, member, or sponsor.

24 (15) Contracts with a railroad or utility that
25 requires the State to reimburse the railroad or utilities
26 for the relocation of utilities for construction or other

1 public purpose. Contracts included within this paragraph
2 (15) shall include, but not be limited to, those
3 associated with: relocations, crossings, installations,
4 and maintenance. For the purposes of this paragraph (15),
5 "railroad" means any form of non-highway ground
6 transportation that runs on rails or electromagnetic
7 guideways and "utility" means: (1) public utilities as
8 defined in Section 3-105 of the Public Utilities Act, (2)
9 telecommunications carriers as defined in Section 13-202
10 of the Public Utilities Act, (3) electric cooperatives as
11 defined in Section 3.4 of the Electric Supplier Act, (4)
12 telephone or telecommunications cooperatives as defined in
13 Section 13-212 of the Public Utilities Act, (5) rural
14 water or waste water systems with 10,000 connections or
15 less, (6) a holder as defined in Section 21-201 of the
16 Public Utilities Act, and (7) municipalities owning or
17 operating utility systems consisting of public utilities
18 as that term is defined in Section 11-117-2 of the
19 Illinois Municipal Code.

20 (16) Procurement expenditures necessary for the
21 Department of Public Health to provide the delivery of
22 timely newborn screening services in accordance with the
23 Newborn Metabolic Screening Act.

24 (17) Procurement expenditures necessary for the
25 Department of Agriculture, the Department of Financial and
26 Professional Regulation, the Department of Human Services,

1 and the Department of Public Health to implement the
2 Compassionate Use of Medical Cannabis Program and Opioid
3 Alternative Pilot Program requirements and ensure access
4 to medical cannabis for patients with debilitating medical
5 conditions in accordance with the Compassionate Use of
6 Medical Cannabis Program Act.

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

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

19 (19) Acquisition of modifications or adjustments,
20 limited to assistive technology devices and assistive
21 technology services, adaptive equipment, repairs, and
22 replacement parts to provide reasonable accommodations (i)
23 that enable a qualified applicant with a disability to
24 complete the job application process and be considered for
25 the position such qualified applicant desires, (ii) that
26 modify or adjust the work environment to enable a

1 qualified current employee with a disability to perform
2 the essential functions of the position held by that
3 employee, (iii) to enable a qualified current employee
4 with a disability to enjoy equal benefits and privileges
5 of employment as are enjoyed by other similarly situated
6 employees without disabilities, and (iv) that allow a
7 customer, client, claimant, or member of the public
8 seeking State services full use and enjoyment of and
9 access to its programs, services, or benefits.

10 For purposes of this paragraph (19):

11 "Assistive technology devices" means any item, piece
12 of equipment, or product system, whether acquired
13 commercially off the shelf, modified, or customized, that
14 is used to increase, maintain, or improve functional
15 capabilities of individuals with disabilities.

16 "Assistive technology services" means any service that
17 directly assists an individual with a disability in
18 selection, acquisition, or use of an assistive technology
19 device.

20 "Qualified" has the same meaning and use as provided
21 under the federal Americans with Disabilities Act when
22 describing an individual with a disability.

23 (20) Procurement expenditures necessary for the
24 Illinois Commerce Commission to hire third-party
25 facilitators pursuant to Sections 16-105.17 and 16-108.18
26 of the Public Utilities Act or an ombudsman pursuant to

1 Section 16-107.5 of the Public Utilities Act, a
2 facilitator pursuant to Section 16-105.17 of the Public
3 Utilities Act, or a grid auditor pursuant to Section
4 16-105.10 of the Public Utilities Act.

5 (21) Procurement expenditures for the purchase,
6 renewal, and expansion of software, software licenses, or
7 software maintenance agreements that support the efforts
8 of the Illinois State Police to enforce, regulate, and
9 administer the ~~Firearm Owners Identification Card Act, the~~
10 Firearm Concealed Carry Act, the Firearms Restraining
11 Order Act, the Firearm Dealer License Certification Act,
12 the Law Enforcement Agencies Data System (LEADS), the
13 Uniform Crime Reporting Act, the Criminal Identification
14 Act, the Illinois Uniform Conviction Information Act, and
15 the Gun Trafficking Information Act, or establish or
16 maintain record management systems necessary to conduct
17 human trafficking investigations or gun trafficking or
18 other stolen firearm investigations. This paragraph (21)
19 applies to contracts entered into on or after January 10,
20 2023 (the effective date of Public Act 102-1116) and the
21 renewal of contracts that are in effect on January 10,
22 2023 (the effective date of Public Act 102-1116).

23 (22) Contracts for project management services and
24 system integration services required for the completion of
25 the State's enterprise resource planning project. This
26 exemption becomes inoperative 5 years after June 7, 2023

1 (the effective date of the changes made to this Section by
2 Public Act 103-8). This paragraph (22) applies to
3 contracts entered into on or after June 7, 2023 (the
4 effective date of the changes made to this Section by
5 Public Act 103-8) and the renewal of contracts that are in
6 effect on June 7, 2023 (the effective date of the changes
7 made to this Section by Public Act 103-8).

8 (23) Procurements necessary for the Department of
9 Insurance to implement the Illinois Health Benefits
10 Exchange Law if the Department of Insurance has made a
11 good faith determination that it is necessary and
12 appropriate for the expenditure to fall within this
13 exemption. The procurement process shall be conducted in a
14 manner substantially in accordance with the requirements
15 of Sections 20-160 and 25-60 and Article 50 of this Code. A
16 copy of these contracts shall be made available to the
17 Chief Procurement Officer immediately upon request. This
18 paragraph is inoperative 5 years after June 27, 2023 (the
19 effective date of Public Act 103-103).

20 (24) Contracts for public education programming,
21 noncommercial sustaining announcements, public service
22 announcements, and public awareness and education
23 messaging with the nonprofit trade associations of the
24 providers of those services that inform the public on
25 immediate and ongoing health and safety risks and hazards.

26 (25) Procurements necessary for the Department of

1 Early Childhood to implement the Department of Early
2 Childhood Act if the Department has made a good faith
3 determination that it is necessary and appropriate for the
4 expenditure to fall within this exemption. This exemption
5 shall only be used for products and services procured
6 solely for use by the Department of Early Childhood. The
7 procurements may include those necessary to design and
8 build integrated, operational systems of programs and
9 services. The procurements may include, but are not
10 limited to, those necessary to align and update program
11 standards, integrate funding systems, design and establish
12 data and reporting systems, align and update models for
13 technical assistance and professional development, design
14 systems to manage grants and ensure compliance, design and
15 implement management and operational structures, and
16 establish new means of engaging with families, educators,
17 providers, and stakeholders. The procurement processes
18 shall be conducted in a manner substantially in accordance
19 with the requirements of Article 50 (ethics) and Sections
20 5-5 (Procurement Policy Board), 5-7 (Commission on Equity
21 and Inclusion), 20-80 (contract files), 20-120
22 (subcontractors), 20-155 (paperwork), 20-160
23 (ethics/campaign contribution prohibitions), 25-60
24 (prevailing wage), and 25-90 (prohibited and authorized
25 cybersecurity) of this Code. Beginning January 1, 2025,
26 the Department of Early Childhood shall provide a

1 quarterly report to the General Assembly detailing a list
2 of expenditures and contracts for which the Department
3 uses this exemption. This paragraph is inoperative on and
4 after July 1, 2027.

5 (26) Procurements that are necessary for increasing
6 the recruitment and retention of State employees,
7 particularly minority candidates for employment,
8 including:

9 (A) procurements related to registration fees for
10 job fairs and other outreach and recruitment events;

11 (B) production of recruitment materials; and

12 (C) other services related to recruitment and
13 retention of State employees.

14 The exemption under this paragraph (26) applies only
15 if the State agency has made a good faith determination
16 that it is necessary and appropriate for the expenditure
17 to fall within this paragraph (26). The procurement
18 process under this paragraph (26) shall be conducted in a
19 manner substantially in accordance with the requirements
20 of Sections 20-160 and 25-60 and Article 50 of this Code. A
21 copy of these contracts shall be made available to the
22 Chief Procurement Officer immediately upon request.
23 Nothing in this paragraph (26) authorizes the replacement
24 or diminishment of State responsibilities in hiring or the
25 positions that effectuate that hiring. This paragraph (26)
26 is inoperative on and after June 30, 2029.

1 (27) Procurements necessary for the Department of
2 Healthcare and Family Services to implement changes to the
3 State's Integrated Eligibility System to ensure the
4 system's compliance with federal implementation mandates
5 and deadlines, if the Department of Healthcare and Family
6 Services has made a good faith determination that it is
7 necessary and appropriate for the procurement to fall
8 within this exemption.

9 Notwithstanding any other provision of law, for contracts
10 with an annual value of more than \$100,000 entered into on or
11 after October 1, 2017 under an exemption provided in any
12 paragraph of this subsection (b), except paragraph (1), (2),
13 or (5), each State agency shall post to the appropriate
14 procurement bulletin the name of the contractor, a description
15 of the supply or service provided, the total amount of the
16 contract, the term of the contract, and the exception to the
17 Code utilized. The chief procurement officer shall submit a
18 report to the Governor and General Assembly no later than
19 November 1 of each year that shall include, at a minimum, an
20 annual summary of the monthly information reported to the
21 chief procurement officer.

22 (c) This Code does not apply to the electric power
23 procurement process provided for under Section 1-75 of the
24 Illinois Power Agency Act and Section 16-111.5 of the Public
25 Utilities Act. This Code does not apply to the procurement of
26 technical and policy experts pursuant to Section 1-129 of the

1 Illinois Power Agency Act.

2 (d) Except for Section 20-160 and Article 50 of this Code,
3 and as expressly required by Section 9.1 of the Illinois
4 Lottery Law, the provisions of this Code do not apply to the
5 procurement process provided for under Section 9.1 of the
6 Illinois Lottery Law.

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

18 (f) (Blank).

19 (g) (Blank).

20 (h) This Code does not apply to the process to procure or
21 contracts entered into in accordance with Sections 11-5.2 and
22 11-5.3 of the Illinois Public Aid Code.

23 (i) Each chief procurement officer may access records
24 necessary to review whether a contract, purchase, or other
25 expenditure is or is not subject to the provisions of this
26 Code, unless such records would be subject to attorney-client

1 privilege.

2 (j) This Code does not apply to the process used by the
3 Capital Development Board to retain an artist or work or works
4 of art as required in Section 14 of the Capital Development
5 Board Act.

6 (k) This Code does not apply to the process to procure
7 contracts, or contracts entered into, by the State Board of
8 Elections or the State Electoral Board for hearing officers
9 appointed pursuant to the Election Code.

10 (l) This Code does not apply to the processes used by the
11 Illinois Student Assistance Commission to procure supplies and
12 services paid for from the private funds of the Illinois
13 Prepaid Tuition Fund. As used in this subsection (l), "private
14 funds" means funds derived from deposits paid into the
15 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

16 (m) This Code shall apply regardless of the source of
17 funds with which contracts are paid, including federal
18 assistance moneys. Except as specifically provided in this
19 Code, this Code shall not apply to procurement expenditures
20 necessary for the Department of Public Health to conduct the
21 Healthy Illinois Survey in accordance with Section 2310-431 of
22 the Department of Public Health Powers and Duties Law of the
23 Civil Administrative Code of Illinois.

24 (Source: P.A. 103-8, eff. 6-7-23; 103-103, eff. 6-27-23;
25 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; 103-594, eff.
26 6-25-24; 103-605, eff. 7-1-24; 103-865, eff. 1-1-25; 104-2,

1 eff. 6-16-25; 104-417, eff. 8-15-25)

2 Section 26. The Intergovernmental Drug Laws Enforcement
3 Act is amended by changing Section 3 as follows:

4 (30 ILCS 715/3) (from Ch. 56 1/2, par. 1703)

5 Sec. 3. A Metropolitan Enforcement Group which meets the
6 minimum criteria established in this Section is eligible to
7 receive State grants to help defray the costs of operation. To
8 be eligible a MEG must:

9 (1) Be established and operating pursuant to
10 intergovernmental contracts written and executed in
11 conformity with the Intergovernmental Cooperation Act, and
12 involve 2 or more units of local government.

13 (2) Establish a MEG Policy Board composed of an
14 elected official, or his designee, and the chief law
15 enforcement officer, or his designee, from each
16 participating unit of local government to oversee the
17 operations of the MEG and make such reports to the
18 Illinois State Police as the Illinois State Police may
19 require.

20 (3) Designate a single appropriate elected official of
21 a participating unit of local government to act as the
22 financial officer of the MEG for all participating units
23 of local government and to receive funds for the operation
24 of the MEG.

1 (4) Limit its operations to enforcement of drug laws;
2 enforcement of Sections 10-9, 24-1, 24-1.1, 24-1.2,
3 24-1.2-5, 24-1.5, 24-1.7, 24-1.8, 24-2.1, 24-2.2, 24-3,
4 24-3.1, 24-3.2, 24-3.3, 24-3.4, 24-3.5, 24-3.7, 24-3.8,
5 24-3.9, 24-3A, 24-3B, 24-4, and 24-5 of the Criminal Code
6 of 2012; ~~Sections 2, 3, 6.1, 9.5, and 14 of the Firearm~~
7 ~~Owners Identification Card Act;~~ and the investigation of
8 streetgang related offenses.

9 (5) Cooperate with the Illinois State Police in order
10 to assure compliance with this Act and to enable the
11 Illinois State Police to fulfill its duties under this
12 Act, and supply the Illinois State Police with all
13 information the Illinois State Police deems necessary
14 therefor.

15 (6) Receive funding of at least 50% of the total
16 operating budget of the MEG from the participating units
17 of local government.

18 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
19 102-813, eff. 5-13-22; 103-34, eff. 6-9-23.)

20 Section 30. The Peace Officer Firearm Training Act is
21 amended by changing Section 1 as follows:

22 (50 ILCS 710/1) (from Ch. 85, par. 515)

23 Sec. 1. Definitions. As used in this Act:

24 (a) "Peace officer" means (i) any person who by virtue of

1 his office or public employment is vested by law with a primary
2 duty to maintain public order or to make arrests for offenses,
3 whether that duty extends to all offenses or is limited to
4 specific offenses, and who is employed in such capacity by any
5 county or municipality or (ii) any retired law enforcement
6 officers qualified under federal law to carry a concealed
7 weapon.

8 (a-5) "Probation officer" means a county probation officer
9 authorized by the Chief Judge of the Circuit Court to carry a
10 firearm as part of his or her duties under Section 12 of the
11 Probation and Probation Officers Act and Section 24-2 of the
12 Criminal Code of 2012.

13 (b) "Firearms" means any weapon or device defined as a
14 firearm in Section 2-7.5 of the Criminal Code of 2012 ~~1.1 of~~
15 ~~"An Act relating to the acquisition, possession and transfer~~
16 ~~of firearms and firearm ammunition, to provide a penalty for~~
17 ~~the violation thereof and to make an appropriation in~~
18 ~~connection therewith", approved August 3, 1967, as amended.~~

19 (Source: P.A. 98-725, eff. 1-1-15.)

20 Section 31. The Counties Code is amended by changing
21 Section 3-6042 as follows:

22 (55 ILCS 5/3-6042)

23 Sec. 3-6042. Retiring employee; purchase of service
24 firearm and badge. Each Sheriff shall establish a program to

1 allow an employee of the Sheriff's Department who is honorably
2 retiring in good standing to purchase either one or both of the
3 following: (1) any badge previously issued to the employee by
4 the Sheriff's Department; or (2) ~~if the employee has a~~
5 ~~currently valid Firearm Owner's Identification Card,~~ the
6 service firearm issued or previously issued to the employee by
7 the Sheriff's Department. The badge must be permanently and
8 conspicuously marked in such a manner that the individual who
9 possesses the badge is not mistaken for an actively serving
10 law enforcement officer. The cost of the firearm shall be the
11 replacement value of the firearm and not the firearm's fair
12 market value.

13 (Source: P.A. 102-719, eff. 5-6-22.)

14 Section 35. The School Code is amended by changing
15 Sections 10-22.6, 10-27.1A and 34-8.05 as follows:

16 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

17 Sec. 10-22.6. Suspension or expulsion of students; school
18 searches.

19 (a) To expel students guilty of gross disobedience or
20 misconduct, including gross disobedience or misconduct
21 perpetuated by electronic means, pursuant to subsection (b-20)
22 of this Section, and no action shall lie against them for such
23 expulsion. Expulsion shall take place only after the parents
24 or guardians have been requested to appear at a meeting of the

1 board, or with a hearing officer appointed by it, to discuss
2 their child's behavior. Such request shall be made by
3 registered or certified mail and shall state the time, place
4 and purpose of the meeting. The board, or a hearing officer
5 appointed by it, at such meeting shall state the reasons for
6 dismissal and the date on which the expulsion is to become
7 effective. If a hearing officer is appointed by the board, the
8 hearing officer shall report to the board a written summary of
9 the evidence heard at the meeting and the board may take such
10 action thereon as it finds appropriate. If the board acts to
11 expel a student, the written expulsion decision shall detail
12 the specific reasons why removing the student from the
13 learning environment is in the best interest of the school.
14 The expulsion decision shall also include a rationale as to
15 the specific duration of the expulsion. An expelled student
16 may be immediately transferred to an alternative program in
17 the manner provided in Article 13A or 13B of this Code. A
18 student must not be denied transfer because of the expulsion,
19 except in cases in which such transfer is deemed to cause a
20 threat to the safety of students or staff in the alternative
21 program.

22 (b) To suspend or by policy to authorize the
23 superintendent of the district or the principal, assistant
24 principal, or dean of students of any school to suspend
25 students guilty of gross disobedience or misconduct, or to
26 suspend students guilty of gross disobedience or misconduct on

1 the school bus from riding the school bus, pursuant to
2 subsections (b-15) and (b-20) of this Section, and no action
3 shall lie against them for such suspension. The board may by
4 policy authorize the superintendent of the district or the
5 principal, assistant principal, or dean of students of any
6 school to suspend students guilty of such acts for a period not
7 to exceed 10 school days. If a student is suspended due to
8 gross disobedience or misconduct on a school bus, the board
9 may suspend the student in excess of 10 school days for safety
10 reasons.

11 Any suspension shall be reported immediately to the
12 parents or guardians of a student along with a full statement
13 of the reasons for such suspension and a notice of their right
14 to a review. The school board must be given a summary of the
15 notice, including the reason for the suspension and the
16 suspension length. Upon request of the parents or guardians,
17 the school board or a hearing officer appointed by it shall
18 review such action of the superintendent or principal,
19 assistant principal, or dean of students. At such review, the
20 parents or guardians of the student may appear and discuss the
21 suspension with the board or its hearing officer. If a hearing
22 officer is appointed by the board, he shall report to the board
23 a written summary of the evidence heard at the meeting. After
24 its hearing or upon receipt of the written report of its
25 hearing officer, the board may take such action as it finds
26 appropriate. If a student is suspended pursuant to this

1 subsection (b), the board shall, in the written suspension
2 decision, detail the specific act of gross disobedience or
3 misconduct resulting in the decision to suspend. The
4 suspension decision shall also include a rationale as to the
5 specific duration of the suspension.

6 (b-5) Among the many possible disciplinary interventions
7 and consequences available to school officials, school
8 exclusions, such as out-of-school suspensions and expulsions,
9 are the most serious. School officials shall limit the number
10 and duration of expulsions and suspensions to the greatest
11 extent practicable, and it is recommended that they use them
12 only for legitimate educational purposes. To ensure that
13 students are not excluded from school unnecessarily, it is
14 recommended that school officials consider forms of
15 non-exclusionary discipline prior to using out-of-school
16 suspensions or expulsions.

17 (b-10) Unless otherwise required by federal law or this
18 Code, school boards may not institute zero-tolerance policies
19 by which school administrators are required to suspend or
20 expel students for particular behaviors.

21 (b-15) Out-of-school suspensions of 3 days or less may be
22 used only if the student's continuing presence in school would
23 pose a threat to school safety or a disruption to other
24 students' learning opportunities. For purposes of this
25 subsection (b-15), "threat to school safety or a disruption to
26 other students' learning opportunities" shall be determined on

1 a case-by-case basis by the school board or its designee.
2 School officials shall make all reasonable efforts to resolve
3 such threats, address such disruptions, and minimize the
4 length of suspensions to the greatest extent practicable.

5 (b-20) Unless otherwise required by this Code,
6 out-of-school suspensions of longer than 3 days, expulsions,
7 and disciplinary removals to alternative schools may be used
8 only if other appropriate and available behavioral and
9 disciplinary interventions have been exhausted and the
10 student's continuing presence in school would either (i) pose
11 a threat to the safety of other students, staff, or members of
12 the school community or (ii) substantially disrupt, impede, or
13 interfere with the operation of the school. For purposes of
14 this subsection (b-20), "threat to the safety of other
15 students, staff, or members of the school community" and
16 "substantially disrupt, impede, or interfere with the
17 operation of the school" shall be determined on a case-by-case
18 basis by school officials. For purposes of this subsection
19 (b-20), the determination of whether "appropriate and
20 available behavioral and disciplinary interventions have been
21 exhausted" shall be made by school officials. School officials
22 shall make all reasonable efforts to resolve such threats,
23 address such disruptions, and minimize the length of student
24 exclusions to the greatest extent practicable. Within the
25 suspension decision described in subsection (b) of this
26 Section or the expulsion decision described in subsection (a)

1 of this Section, it shall be documented whether other
2 interventions were attempted or whether it was determined that
3 there were no other appropriate and available interventions.

4 (b-25) Students who are suspended out-of-school for longer
5 than 3 school days shall be provided appropriate and available
6 support services during the period of their suspension. For
7 purposes of this subsection (b-25), "appropriate and available
8 support services" shall be determined by school authorities.
9 Within the suspension decision described in subsection (b) of
10 this Section, it shall be documented whether such services are
11 to be provided or whether it was determined that there are no
12 such appropriate and available services.

13 A school district may refer students who are expelled to
14 appropriate and available support services.

15 A school district shall create a policy to facilitate the
16 re-engagement of students who are suspended out-of-school,
17 expelled, or returning from an alternative school setting. In
18 consultation with stakeholders deemed appropriate by the State
19 Board of Education, the State Board of Education shall draft
20 and publish guidance for the re-engagement of students who are
21 suspended out-of-school, expelled, or returning from an
22 alternative school setting in accordance with this Section and
23 Section 13A-4 on or before July 1, 2025.

24 (b-30) A school district shall create a policy by which
25 suspended students, including those students suspended from
26 the school bus who do not have alternate transportation to

1 school, shall have the opportunity to make up work for
2 equivalent academic credit. It shall be the responsibility of
3 a student's parents or guardians to notify school officials
4 that a student suspended from the school bus does not have
5 alternate transportation to school.

6 (b-35) In all suspension review hearings conducted under
7 subsection (b) or expulsion hearings conducted under
8 subsection (a), a student may disclose any factor to be
9 considered in mitigation, including his or her status as a
10 parent, expectant parent, or victim of domestic or sexual
11 violence, as defined in Article 26A. A representative of the
12 parent's or guardian's choice, or of the student's choice if
13 emancipated, must be permitted to represent the student
14 throughout the proceedings and to address the school board or
15 its appointed hearing officer. With the approval of the
16 student's parent or guardian, or of the student if
17 emancipated, a support person must be permitted to accompany
18 the student to any disciplinary hearings or proceedings. The
19 representative or support person must comply with any rules of
20 the school district's hearing process. If the representative
21 or support person violates the rules or engages in behavior or
22 advocacy that harasses, abuses, or intimidates either party, a
23 witness, or anyone else in attendance at the hearing, the
24 representative or support person may be prohibited from
25 further participation in the hearing or proceeding. A
26 suspension or expulsion proceeding under this subsection

1 (b-35) must be conducted independently from any ongoing
2 criminal investigation or proceeding, and an absence of
3 pending or possible criminal charges, criminal investigations,
4 or proceedings may not be a factor in school disciplinary
5 decisions.

6 (b-40) During a suspension review hearing conducted under
7 subsection (b) or an expulsion hearing conducted under
8 subsection (a) that involves allegations of sexual violence by
9 the student who is subject to discipline, neither the student
10 nor his or her representative shall directly question nor have
11 direct contact with the alleged victim. The student who is
12 subject to discipline or his or her representative may, at the
13 discretion and direction of the school board or its appointed
14 hearing officer, suggest questions to be posed by the school
15 board or its appointed hearing officer to the alleged victim.

16 (c) A school board must invite a representative from a
17 local mental health agency to consult with the board at the
18 meeting whenever there is evidence that mental illness may be
19 the cause of a student's expulsion or suspension.

20 (c-5) School districts shall make reasonable efforts to
21 provide ongoing professional development to all school
22 personnel, school board members, and school resource officers
23 on the requirements of this Section and Section 10-20.14, the
24 adverse consequences of school exclusion and justice-system
25 involvement, effective classroom management strategies,
26 culturally responsive discipline, trauma-responsive learning

1 environments, as defined in subsection (b) of Section 3-11,
2 the appropriate and available supportive services for the
3 promotion of student attendance and engagement, and
4 developmentally appropriate disciplinary methods that promote
5 positive and healthy school climates.

6 (d) The board may expel a student for a definite period of
7 time not to exceed 2 calendar years, as determined on a
8 case-by-case basis. A student who is determined to have
9 brought one of the following objects to school, any
10 school-sponsored activity or event, or any activity or event
11 that bears a reasonable relationship to school shall be
12 expelled for a period of not less than one year:

13 (1) A firearm. For the purposes of this Section,
14 "firearm" means any gun, rifle, shotgun, weapon as defined
15 by Section 921 of Title 18 of the United States Code,
16 firearm as defined in Section 2-7.5 ~~1.1 of the Firearm~~
17 ~~Owners Identification Card Act, or firearm as defined in~~
18 ~~Section 24-1~~ of the Criminal Code of 2012. The expulsion
19 period under this subdivision (1) may be modified by the
20 superintendent, and the superintendent's determination may
21 be modified by the board on a case-by-case basis.

22 (2) A knife, brass knuckles or other knuckle weapon
23 regardless of its composition, a billy club, or any other
24 object if used or attempted to be used to cause bodily
25 harm, including "look alike" of any firearm as defined in
26 subdivision (1) of this subsection (d). The expulsion

1 requirement under this subdivision (2) may be modified by
2 the superintendent, and the superintendent's determination
3 may be modified by the board on a case-by-case basis.

4 Expulsion or suspension shall be construed in a manner
5 consistent with the federal Individuals with Disabilities
6 Education Act. A student who is subject to suspension or
7 expulsion as provided in this Section may be eligible for a
8 transfer to an alternative school program in accordance with
9 Article 13A of the School Code.

10 (d-5) The board may suspend or by regulation authorize the
11 superintendent of the district or the principal, assistant
12 principal, or dean of students of any school to suspend a
13 student for a period not to exceed 10 school days or may expel
14 a student for a definite period of time not to exceed 2
15 calendar years, as determined on a case-by-case basis, if (i)
16 that student has been determined to have made an explicit
17 threat on an Internet website against a school employee, a
18 student, or any school-related personnel, (ii) the Internet
19 website through which the threat was made is a site that was
20 accessible within the school at the time the threat was made or
21 was available to third parties who worked or studied within
22 the school grounds at the time the threat was made, and (iii)
23 the threat could be reasonably interpreted as threatening to
24 the safety and security of the threatened individual because
25 of the individual's duties or employment status or status as a
26 student inside the school.

1 (e) To maintain order and security in the schools, school
2 authorities may inspect and search places and areas such as
3 lockers, desks, parking lots, and other school property and
4 equipment owned or controlled by the school, as well as
5 personal effects left in those places and areas by students,
6 without notice to or the consent of the student, and without a
7 search warrant. As a matter of public policy, the General
8 Assembly finds that students have no reasonable expectation of
9 privacy in these places and areas or in their personal effects
10 left in these places and areas. School authorities may request
11 the assistance of law enforcement officials for the purpose of
12 conducting inspections and searches of lockers, desks, parking
13 lots, and other school property and equipment owned or
14 controlled by the school for illegal drugs, weapons, or other
15 illegal or dangerous substances or materials, including
16 searches conducted through the use of specially trained dogs.
17 If a search conducted in accordance with this Section produces
18 evidence that the student has violated or is violating either
19 the law, local ordinance, or the school's policies or rules,
20 such evidence may be seized by school authorities, and
21 disciplinary action may be taken. School authorities may also
22 turn over such evidence to law enforcement authorities.

23 (f) Suspension or expulsion may include suspension or
24 expulsion from school and all school activities and a
25 prohibition from being present on school grounds.

26 (g) A school district may adopt a policy providing that if

1 a student is suspended or expelled for any reason from any
2 public or private school in this or any other state, the
3 student must complete the entire term of the suspension or
4 expulsion in an alternative school program under Article 13A
5 of this Code or an alternative learning opportunities program
6 under Article 13B of this Code before being admitted into the
7 school district if there is no threat to the safety of students
8 or staff in the alternative program. A school district that
9 adopts a policy under this subsection (g) must include a
10 provision allowing for consideration of any mitigating
11 factors, including, but not limited to, a student's status as
12 a parent, expectant parent, or victim of domestic or sexual
13 violence, as defined in Article 26A.

14 (h) School officials shall not advise or encourage
15 students to drop out voluntarily due to behavioral or academic
16 difficulties.

17 (i) In this subsection (i), "municipal code violation"
18 means the violation of a rule or regulation established by a
19 local government authority, authorized by Section 1-2-1 of the
20 Illinois Municipal Code.

21 A student must not be issued a monetary fine, fee, ticket,
22 or citation as a school-based disciplinary consequence or for
23 a municipal code violation on school grounds during school
24 hours or while taking school transportation by any person,
25 though this shall not preclude requiring a student to provide
26 restitution for lost, stolen, or damaged property.

1 This subsection (i) does not modify school disciplinary
2 responses under this Section or Section 10-20.14 of this Code
3 that existed before the effective date of this amendatory Act
4 of the 104th General Assembly or responses to alleged
5 delinquent or criminal conduct set forth in this Code, Article
6 V of the Juvenile Court Act of 1987, or the Criminal Code of
7 2012. This subsection (i) does not apply to violations of
8 traffic, boating, or fish and game laws.

9 (j) Subsections (a) through (i) of this Section shall
10 apply to elementary and secondary schools, charter schools,
11 special charter districts, and school districts organized
12 under Article 34 of this Code.

13 (k) Through June 30, 2026, the expulsion of students
14 enrolled in programs funded under Section 1C-2 of this Code is
15 subject to the requirements under paragraph (7) of subsection
16 (a) of Section 2-3.71 of this Code.

17 (k-5) On and after July 1, 2026, the expulsion of children
18 enrolled in programs funded under Section 15-25 of the
19 Department of Early Childhood Act is subject to the
20 requirements of paragraph (7) of subsection (a) of Section
21 15-30 of the Department of Early Childhood Act.

22 (l) An in-school suspension program provided by a school
23 district for any students in kindergarten through grade 12 may
24 focus on promoting non-violent conflict resolution and
25 positive interaction with other students and school personnel.
26 A school district may employ a school social worker or a

1 licensed mental health professional to oversee an in-school
2 suspension program in kindergarten through grade 12.

3 (Source: P.A. 103-594, eff. 6-25-24; 103-896, eff. 8-9-24;
4 104-417, eff. 8-15-25; 104-430, eff. 8-20-25.)

5 (105 ILCS 5/10-27.1A)

6 (Text of Section from P.A. 103-609 and 104-174)

7 Sec. 10-27.1A. Firearms in schools.

8 (a) All school officials, including teachers, school
9 counselors, and support staff, shall immediately notify the
10 office of the principal in the event that they:

11 (1) observe any person in possession of a firearm on
12 school grounds;

13 (2) become aware of any person in possession of a
14 firearm on school grounds; or

15 (3) become aware of any threat of gun violence on
16 school grounds;

17 provided that taking such immediate action to notify the
18 office of the principal would not immediately endanger the
19 health, safety, or welfare of students who are under the
20 direct supervision of the school official or the school
21 official. If the health, safety, or welfare of students under
22 the direct supervision of the school official or of the school
23 official is immediately endangered, the school official shall
24 notify the office of the principal as soon as the students
25 under his or her supervision and he or she are no longer under

1 immediate danger. A report is not required by this Section
2 when the school official knows that the person in possession
3 of the firearm is a law enforcement official engaged in the
4 conduct of his or her official duties. Any school official
5 acting in good faith who makes such a report under this Section
6 shall have immunity from any civil or criminal liability that
7 might otherwise be incurred as a result of making the report.
8 The identity of the school official making such report shall
9 not be disclosed except as expressly and specifically
10 authorized by law. Knowingly and willfully failing to comply
11 with this Section is a petty offense. A second or subsequent
12 offense is a Class C misdemeanor.

13 (b) Upon receiving a report from any school official
14 pursuant to this Section, or from any other person, the
15 principal or his or her designee shall immediately notify a
16 local law enforcement agency. If the person found to be in
17 possession of a firearm on school grounds is a student, the
18 principal or his or her designee shall also immediately notify
19 that student's parent or guardian. If the report pertains to a
20 threat of firearm violence made by a student, the principal or
21 the principal's designee shall attempt to notify that
22 student's parent or guardian as soon as possible. The
23 principal or principal's designee shall further attempt to
24 contact the student's parent or guardian so that the parent or
25 guardian may ensure that the student does not have access to a
26 firearm. Any principal or his or her designee acting in good

1 faith who makes such reports under this Section shall have
2 immunity from any civil or criminal liability that might
3 otherwise be incurred or imposed as a result of making the
4 reports. Knowingly and willfully failing to comply with this
5 Section is a petty offense. A second or subsequent offense is a
6 Class C misdemeanor. If the person found to be in possession of
7 the firearm on school grounds is a minor, the law enforcement
8 agency shall detain that minor until such time as the agency
9 makes a determination pursuant to clause (a) of subsection (1)
10 of Section 5-401 of the Juvenile Court Act of 1987, as to
11 whether the agency reasonably believes that the minor is
12 delinquent. If the law enforcement agency determines that
13 probable cause exists to believe that the minor committed a
14 violation of item (4) of subsection (a) of Section 24-1 of the
15 Criminal Code of 2012 while on school grounds, the agency
16 shall detain the minor for processing pursuant to Section
17 5-407 of the Juvenile Court Act of 1987.

18 (c) Upon receipt of any written, electronic, or verbal
19 report from any school personnel regarding a verified incident
20 involving a firearm in a school or on school owned or leased
21 property, including any conveyance owned, leased, or used by
22 the school for the transport of students or school personnel,
23 the superintendent or his or her designee shall report all
24 such firearm-related incidents occurring in a school or on
25 school property to the local law enforcement authorities
26 immediately.

1 (c-5) Schools shall report any written, electronic, or
2 verbal report of a verified incident involving a firearm made
3 under subsection (c) to the State Board of Education through
4 existing school incident reporting systems as they occur
5 during the year by no later than August 1 of each year. The
6 State Board of Education shall report data by school district,
7 as collected from school districts, and make it available to
8 the public via its website. The local law enforcement
9 authority shall, by March 1 of each year, report the required
10 data from the previous year to the Illinois State Police's
11 Illinois Uniform Crime Reporting Program, which shall be
12 included in its annual Crime in Illinois report.

13 (d) As used in this Section, the term "firearm" shall have
14 the meaning ascribed to it in Section 2-7.5 of the Criminal
15 Code of 2012 ~~1.1 of the Firearm Owners Identification Card~~
16 ~~Act.~~

17 As used in this Section, the term "school" means any
18 public or private elementary or secondary school.

19 As used in this Section, the term "school grounds"
20 includes the real property comprising any school, any
21 conveyance owned, leased, or contracted by a school to
22 transport students to or from school or a school-related
23 activity, or any public way within 1,000 feet of the real
24 property comprising any school.

25 (Source: P.A. 102-197, eff. 7-30-21; 102-538, eff. 8-20-21;
26 102-813, eff. 5-13-22; 103-34, eff. 6-9-23; 103-609, eff.

1 7-1-24; 104-174, eff. 8-15-25.)

2 (Text of Section from P.A. 103-780 and 104-174)

3 Sec. 10-27.1A. Firearms in schools.

4 (a) All school officials, including teachers, school
5 counselors, and support staff, shall immediately notify the
6 office of the principal in the event that they:

7 (1) observe any person in possession of a firearm on
8 school grounds;

9 (2) become aware of any person in possession of a
10 firearm on school grounds; or

11 (3) become aware of any threat of gun violence on
12 school grounds;

13 provided that taking such immediate action to notify the
14 office of the principal would not immediately endanger the
15 health, safety, or welfare of students who are under the
16 direct supervision of the school official or the school
17 official. If the health, safety, or welfare of students under
18 the direct supervision of the school official or of the school
19 official is immediately endangered, the school official shall
20 notify the office of the principal as soon as the students
21 under his or her supervision and he or she are no longer under
22 immediate danger. A report is not required by this Section
23 when the school official knows that the person in possession
24 of the firearm is a law enforcement official engaged in the
25 conduct of his or her official duties. Any school official

1 acting in good faith who makes such a report under this Section
2 shall have immunity from any civil or criminal liability that
3 might otherwise be incurred as a result of making the report.
4 The identity of the school official making such report shall
5 not be disclosed except as expressly and specifically
6 authorized by law. Knowingly and willfully failing to comply
7 with this Section is a petty offense. A second or subsequent
8 offense is a Class C misdemeanor.

9 (b) Upon receiving a report from any school official
10 pursuant to this Section, or from any other person, the
11 principal or his or her designee shall immediately notify a
12 local law enforcement agency. If the person found to be in
13 possession of a firearm on school grounds is a student, the
14 principal or his or her designee shall also immediately notify
15 that student's parent or guardian. If the report pertains to a
16 threat of firearm violence made by a student, the principal or
17 the principal's designee shall attempt to notify that
18 student's parent or guardian as soon as possible. The
19 principal or principal's designee shall further attempt to
20 contact the student's parent or guardian so that the parent or
21 guardian may ensure that the student does not have access to a
22 firearm. Any principal or his or her designee acting in good
23 faith who makes such reports under this Section shall have
24 immunity from any civil or criminal liability that might
25 otherwise be incurred or imposed as a result of making the
26 reports. Knowingly and willfully failing to comply with this

1 Section is a petty offense. A second or subsequent offense is a
2 Class C misdemeanor. If the person found to be in possession of
3 the firearm on school grounds is a minor, the law enforcement
4 agency shall detain that minor until such time as the agency
5 makes a determination pursuant to clause (a) of subsection (1)
6 of Section 5-401 of the Juvenile Court Act of 1987, as to
7 whether the agency reasonably believes that the minor is
8 delinquent. If the law enforcement agency determines that
9 probable cause exists to believe that the minor committed a
10 violation of item (4) of subsection (a) of Section 24-1 of the
11 Criminal Code of 2012 while on school grounds, the agency
12 shall detain the minor for processing pursuant to Section
13 5-407 of the Juvenile Court Act of 1987.

14 (c) Upon receipt of any written, electronic, or verbal
15 report from any school personnel regarding a verified incident
16 involving a firearm in a school or on school owned or leased
17 property, including any conveyance owned, leased, or used by
18 the school for the transport of students or school personnel,
19 the superintendent or his or her designee shall report all
20 such firearm-related incidents occurring in a school or on
21 school property to the local law enforcement authorities
22 immediately.

23 (c-5) Schools shall report any written, electronic, or
24 verbal report of a verified incident involving a firearm made
25 under subsection (c) to the State Board of Education through
26 existing school incident reporting systems as they occur

1 during the year by no later than July 31 for the previous
2 school year. The State Board of Education shall report data by
3 school district, as collected from school districts, and make
4 it available to the public via its website. The local law
5 enforcement authority shall, by March 1 of each year, report
6 the required data from the previous year to the Illinois State
7 Police's Illinois Uniform Crime Reporting Program, which shall
8 be included in its annual Crime in Illinois report.

9 (d) As used in this Section, the term "firearm" shall have
10 the meaning ascribed to it in Section 2-7.5 of the Criminal
11 Code of 2012 ~~1.1 of the Firearm Owners Identification Card~~
12 ~~Act.~~

13 As used in this Section, the term "school" means any
14 public or private elementary or secondary school.

15 As used in this Section, the term "school grounds"
16 includes the real property comprising any school, any
17 conveyance owned, leased, or contracted by a school to
18 transport students to or from school or a school-related
19 activity, or any public way within 1,000 feet of the real
20 property comprising any school.

21 (Source: P.A. 103-34, eff. 6-9-23; 103-780, eff. 8-2-24;
22 104-174, eff. 8-15-25.)

23 (105 ILCS 5/34-8.05)

24 Sec. 34-8.05. Reporting firearms in schools. On or after
25 January 1, 1997, upon receipt of any written, electronic, or

1 verbal report from any school personnel regarding a verified
2 incident involving a firearm in a school or on school owned or
3 leased property, including any conveyance owned, leased, or
4 used by the school for the transport of students or school
5 personnel, the general superintendent or his or her designee
6 shall report all such firearm-related incidents occurring in a
7 school or on school property to the local law enforcement
8 authorities no later than 24 hours after the occurrence of the
9 incident.

10 The general superintendent or the general superintendent's
11 designee shall report any written, electronic, or verbal
12 report of a verified incident involving a firearm to the State
13 Board of Education through existing school incident reporting
14 systems as they occur during the year by no later than July 31
15 for the previous school year. The State Board of Education
16 shall report the data and make it available to the public via
17 its website. The local law enforcement authority shall, by
18 March 1 of each year, report the required data from the
19 previous year to the Illinois State Police's Illinois Uniform
20 Crime Reporting Program, which shall be included in its annual
21 Crime in Illinois report.

22 As used in this Section, the term "firearm" shall have the
23 meaning ascribed to it in Section 2-7.5 of the Criminal Code of
24 2012 1.1 of the Firearm Owners Identification Card Act.

25 (Source: P.A. 102-538, eff. 8-20-21; 103-780, eff. 8-2-24.)

1 Section 40. The Illinois Explosives Act is amended by
2 changing Section 2005 as follows:

3 (225 ILCS 210/2005) (from Ch. 96 1/2, par. 1-2005)

4 Sec. 2005. Qualifications for licensure.

5 (a) No person shall qualify to hold a license who:

6 (1) is under 21 years of age;

7 (2) has been convicted in any court of a crime
8 punishable by imprisonment for a term exceeding one year;

9 (3) is under indictment for a crime punishable by
10 imprisonment for a term exceeding one year;

11 (4) is a fugitive from justice;

12 (5) is an unlawful user of or addicted to alcohol or
13 any controlled substance as defined in Section 102 of the
14 federal Controlled Substances Act (21 U.S.C. Sec. 802 et
15 seq.);

16 (6) has been adjudicated a person with a mental
17 disability as defined in Section 6-103.1 of the Mental
18 Health and Developmental Disabilities Code ~~1.1 of the~~
19 ~~Firearm Owners Identification Card Act~~ or the person's
20 FOID card is suspended or revoked; or

21 (7) is not a legal citizen of the United States or
22 lawfully admitted for permanent residence.

23 (b) A person who has been granted a "relief from
24 disabilities" regarding criminal convictions and indictments,
25 pursuant to the federal Safe Explosives Act (18 U.S.C. Sec.

1 845) may receive a license provided all other qualifications
2 under this Act are met.

3 (Source: P.A. 104-420, eff. 1-1-26.)

4 Section 45. The Private Detective, Private Alarm, Private
5 Security, and Locksmith Act of 2004 is amended by changing
6 Sections 35-30 and 35-35 as follows:

7 (225 ILCS 447/35-30)

8 (Section scheduled to be repealed on January 1, 2029)

9 Sec. 35-30. Employee requirements. All employees of a
10 licensed agency, other than those exempted, shall apply for a
11 permanent employee registration card. The holder of an agency
12 license issued under this Act, known in this Section as
13 "employer", may employ in the conduct of the employer's
14 business employees under the following provisions:

15 (a) No person shall be issued a permanent employee
16 registration card who:

17 (1) Is younger than 18 years of age.

18 (2) Is younger than 21 years of age if the services
19 will include being armed.

20 (3) Has been determined by the Department to be unfit
21 by reason of conviction of an offense in this or another
22 state, including registration as a sex offender, but not
23 including a traffic offense. Persons convicted of felonies
24 involving bodily harm, weapons, violence, or theft within

1 the previous 10 years shall be presumed to be unfit for
2 registration. The Department shall adopt rules for making
3 those determinations that shall afford the applicant due
4 process of law.

5 (4) Has had a license or permanent employee
6 registration card denied, suspended, or revoked under this
7 Act (i) within one year before the date the person's
8 application for permanent employee registration card is
9 received by the Department; and (ii) that refusal, denial,
10 suspension, or revocation was based on any provision of
11 this Act other than Section 40-50, item (6) or (8) of
12 subsection (a) of Section 15-10, subsection (b) of Section
13 15-10, item (6) or (8) of subsection (a) of Section 20-10,
14 subsection (b) of Section 20-10, item (6) or (8) of
15 subsection (a) of Section 25-10, subsection (b) of Section
16 25-10, item (7) of subsection (a) of Section 30-10,
17 subsection (b) of Section 30-10, or Section 10-40.

18 (5) Has been declared incompetent by any court of
19 competent jurisdiction by reason of mental disease or
20 defect and has not been restored.

21 (6) Has been dishonorably discharged from the armed
22 services of the United States.

23 (b) No person may be employed by a private detective
24 agency, private security contractor agency, private alarm
25 contractor agency, fingerprint vendor agency, or locksmith
26 agency under this Section until the person has executed and

1 furnished to the employer, on forms furnished by the
2 Department, a verified statement to be known as "Employee's
3 Statement" setting forth:

4 (1) The person's full name, age, and residence
5 address.

6 (2) The business or occupation engaged in for the 5
7 years immediately before the date of the execution of the
8 statement, the place where the business or occupation was
9 engaged in, and the names of employers, if any.

10 (3) That the person has not had a license or employee
11 registration denied, revoked, or suspended under this Act
12 (i) within one year before the date the person's
13 application for permanent employee registration card is
14 received by the Department; and (ii) that refusal, denial,
15 suspension, or revocation was based on any provision of
16 this Act other than Section 40-50, item (6) or (8) of
17 subsection (a) of Section 15-10, subsection (b) of Section
18 15-10, item (6) or (8) of subsection (a) of Section 20-10,
19 subsection (b) of Section 20-10, item (6) or (8) of
20 subsection (a) of Section 25-10, subsection (b) of Section
21 25-10, item (7) of subsection (a) of Section 30-10,
22 subsection (b) of Section 30-10, or Section 10-40.

23 (4) Any conviction of a felony or misdemeanor.

24 (5) Any declaration of incompetence by a court of
25 competent jurisdiction that has not been restored.

26 (6) Any dishonorable discharge from the armed services

1 of the United States.

2 (7) Any other information as may be required by any
3 rule of the Department to show the good character,
4 competency, and integrity of the person executing the
5 statement.

6 (c) Each applicant for a permanent employee registration
7 card shall have the applicant's fingerprints submitted to the
8 Illinois State Police in an electronic format that complies
9 with the form and manner for requesting and furnishing
10 criminal history record information as prescribed by the
11 Illinois State Police. These fingerprints shall be checked
12 against the Illinois State Police and Federal Bureau of
13 Investigation criminal history record databases now and
14 hereafter filed. The Illinois State Police shall charge
15 applicants a fee for conducting the criminal history records
16 check, which shall be deposited in the State Police Services
17 Fund and shall not exceed the actual cost of the records check.
18 The Illinois State Police shall furnish, pursuant to positive
19 identification, records of Illinois convictions to the
20 Department. The Department may require applicants to pay a
21 separate fingerprinting fee, either to the Department or
22 directly to the vendor. The Department, in its discretion, may
23 allow an applicant who does not have reasonable access to a
24 designated vendor to provide the applicant's fingerprints in
25 an alternative manner. The Department, in its discretion, may
26 also use other procedures in performing or obtaining criminal

1 background checks of applicants. Instead of submitting the
2 applicant's fingerprints, an individual may submit proof that
3 is satisfactory to the Department that an equivalent security
4 clearance has been conducted. Also, an individual who has
5 retired as a peace officer within 12 months of application may
6 submit verification, on forms provided by the Department and
7 signed by the applicant's employer, of the applicant's
8 previous full-time employment as a peace officer.

9 (d) The Department shall issue a permanent employee
10 registration card, in a form the Department prescribes, to all
11 qualified applicants. The holder of a permanent employee
12 registration card shall carry the card at all times while
13 actually engaged in the performance of the duties of the
14 employee's employment. Expiration and requirements for renewal
15 of permanent employee registration cards shall be established
16 by rule of the Department. Possession of a permanent employee
17 registration card does not in any way imply that the holder of
18 the card is employed by an agency unless the permanent
19 employee registration card is accompanied by the employee
20 identification card required by subsection (f) of this
21 Section.

22 (e) Each employer shall maintain a record of each employee
23 that is accessible to the duly authorized representatives of
24 the Department. The record shall contain the following
25 information:

26 (1) A photograph taken within 10 days of the date that

1 the employee begins employment with the employer. The
2 photograph shall be replaced with a current photograph
3 every 3 calendar years.

4 (2) The Employee's Statement specified in subsection
5 (b) of this Section.

6 (3) All correspondence or documents relating to the
7 character and integrity of the employee received by the
8 employer from any official source or law enforcement
9 agency.

10 (4) In the case of former employees, the employee
11 identification card of that person issued under subsection
12 (f) of this Section. Each employee record shall duly note
13 if the employee is employed in an armed capacity. Armed
14 employee files shall contain ~~a copy of an active firearm~~
15 ~~owner's identification card and~~ a copy of an active
16 firearm control card. Each employer shall maintain a
17 record for each armed employee of each instance in which
18 the employee's weapon was discharged during the course of
19 the employee's professional duties or activities. The
20 record shall be maintained on forms provided by the
21 Department, a copy of which must be filed with the
22 Department within 15 days of an instance. The record shall
23 include the date and time of the occurrence, the
24 circumstances involved in the occurrence, and any other
25 information as the Department may require. Failure to
26 provide this information to the Department or failure to

1 maintain the record as a part of each armed employee's
2 permanent file is grounds for disciplinary action. The
3 Department, upon receipt of a report, shall have the
4 authority to make any investigation it considers
5 appropriate into any occurrence in which an employee's
6 weapon was discharged and to take disciplinary action as
7 may be appropriate.

8 (5) A copy of the employee's permanent employee
9 registration card or a copy of the Department's "License
10 Lookup" Webpage showing that the employee has been issued
11 a valid permanent employee registration card by the
12 Department.

13 The Department may, by rule, prescribe further record
14 requirements.

15 (f) Every employer shall furnish an employee
16 identification card to each of the employer's employees. This
17 employee identification card shall contain a recent photograph
18 of the employee, the employee's name, the name and agency
19 license number of the employer, the employee's personal
20 description, the signature of the employer, the signature of
21 that employee, the date of issuance, and an employee
22 identification card number.

23 (g) No employer may issue an employee identification card
24 to any person who is not employed by the employer in accordance
25 with this Section or falsely state or represent that a person
26 is or has been in the employer's employ. It is unlawful for an

1 applicant for registered employment to file with the
2 Department the fingerprints of a person other than himself or
3 herself.

4 (h) Every employer shall obtain the identification card of
5 every employee who terminates employment with the employer.

6 (i) Every employer shall maintain a separate roster of the
7 names of all employees currently working in an armed capacity
8 and submit the roster to the Department on request.

9 (j) No agency may employ any person to perform a licensed
10 activity under this Act unless the person possesses a valid
11 permanent employee registration card or a valid license under
12 this Act, or is exempt pursuant to subsection (n).

13 (k) Notwithstanding the provisions of subsection (j), an
14 agency may employ a person in a temporary capacity if all of
15 the following conditions are met:

16 (1) The agency completes in its entirety and submits
17 to the Department an application for a permanent employee
18 registration card, including the required fingerprint
19 receipt and fees.

20 (2) The agency has verification from the Department
21 that the applicant has no record of any criminal
22 conviction pursuant to the criminal history check
23 conducted by the Illinois State Police. The agency shall
24 maintain the verification of the results of the Illinois
25 State Police criminal history check as part of the
26 employee record as required under subsection (e) of this

1 Section.

2 (3) The agency exercises due diligence to ensure that
3 the person is qualified under the requirements of this Act
4 to be issued a permanent employee registration card.

5 (4) The agency maintains a separate roster of the
6 names of all employees whose applications are currently
7 pending with the Department and submits the roster to the
8 Department on a monthly basis. Rosters are to be
9 maintained by the agency for a period of at least 24
10 months.

11 An agency may employ only a permanent employee applicant
12 for which it either submitted a permanent employee application
13 and all required forms and fees or it confirms with the
14 Department that a permanent employee application and all
15 required forms and fees have been submitted by another agency,
16 licensee or the permanent employee and all other requirements
17 of this Section are met.

18 The Department shall have the authority to revoke, without
19 a hearing, the temporary authority of an individual to work
20 upon receipt of Federal Bureau of Investigation fingerprint
21 data or a report of another official authority indicating a
22 criminal conviction. If the Department has not received a
23 temporary employee's Federal Bureau of Investigation
24 fingerprint data within 120 days of the date the Department
25 received the Illinois State Police fingerprint data, the
26 Department may, at its discretion, revoke the employee's

1 temporary authority to work with 15 days written notice to the
2 individual and the employing agency.

3 An agency may not employ a person in a temporary capacity
4 if it knows or reasonably should have known that the person has
5 been convicted of a crime under the laws of this State, has
6 been convicted in another state of any crime that is a crime
7 under the laws of this State, has been convicted of any crime
8 in a federal court, or has been posted as an unapproved
9 applicant by the Department. Notice by the Department to the
10 agency, via certified mail, personal delivery, electronic
11 mail, or posting on the Department's Internet site accessible
12 to the agency that the person has been convicted of a crime
13 shall be deemed constructive knowledge of the conviction on
14 the part of the agency. The Department may adopt rules to
15 implement this subsection (k).

16 (1) No person may be employed under this Section in any
17 capacity if:

18 (1) the person, while so employed, is being paid by
19 the United States or any political subdivision for the
20 time so employed in addition to any payments the person
21 may receive from the employer; or

22 (2) the person wears any portion of the person's
23 official uniform, emblem of authority, or equipment while
24 so employed.

25 (m) If information is discovered affecting the
26 registration of a person whose fingerprints were submitted

1 under this Section, the Department shall so notify the agency
2 that submitted the fingerprints on behalf of that person.

3 (n) Peace officers shall be exempt from the requirements
4 of this Section relating to permanent employee registration
5 cards. The agency shall remain responsible for any peace
6 officer employed under this exemption, regardless of whether
7 the peace officer is compensated as an employee or as an
8 independent contractor and as further defined by rule.

9 (o) Persons who have no access to confidential or security
10 information, who do not go to a client's or prospective
11 client's residence or place of business, and who otherwise do
12 not provide traditional security services are exempt from
13 employee registration. Examples of exempt employees include,
14 but are not limited to, employees working in the capacity of
15 ushers, directors, ticket takers, cashiers, drivers, and
16 reception personnel. Confidential or security information is
17 that which pertains to employee files, scheduling, client
18 contracts, or technical security and alarm data.

19 (p) An applicant who is 21 years of age or older seeking a
20 religious exemption to the photograph requirement of this
21 Section shall furnish with the application an approved copy of
22 United States Department of the Treasury Internal Revenue
23 Service Form 4029. Regardless of age, an applicant seeking a
24 religious exemption to this photograph requirement shall
25 submit fingerprints in a form and manner prescribed by the
26 Department with the applicant's application in lieu of a

1 photograph.

2 (Source: P.A. 102-538, eff. 8-20-21; 103-309, eff. 1-1-24.)

3 (225 ILCS 447/35-35)

4 (Section scheduled to be repealed on January 1, 2029)

5 Sec. 35-35. Requirement of a firearm control card.

6 (a) No person shall perform duties that include the use,
7 carrying, or possession of a firearm in the performance of
8 those duties without complying with the provisions of this
9 Section and having been issued a valid firearm control card by
10 the Department.

11 (b) No employer shall employ any person to perform the
12 duties for which licensure or employee registration is
13 required and allow that person to carry a firearm unless that
14 person has complied with all the firearm training requirements
15 of this Section and has been issued a firearm control card.
16 This Act permits only the following to carry firearms while
17 actually engaged in the performance of their duties or while
18 commuting directly to or from their places of employment:
19 persons licensed as private detectives and their registered
20 employees; persons licensed as private security contractors
21 and their registered employees; persons licensed as private
22 alarm contractors and their registered employees; and
23 employees of a registered armed proprietary security force.

24 (c) Possession of a valid firearm control card allows a
25 licensee or employee to carry a firearm not otherwise

1 prohibited by law while the licensee or employee is engaged in
2 the performance of the licensee's or employee's duties or
3 while the licensee or employee is commuting directly to or
4 from the licensee's or employee's place or places of
5 employment.

6 (d) The Department shall issue a firearm control card to a
7 person who has passed an approved firearm training course, who
8 is currently licensed or employed by an agency licensed by
9 this Act and has met all the requirements of this Act, and who
10 is not prohibited under State or federal law from possessing a
11 firearm ~~possesses a valid firearm owner identification card.~~

12 Application for the firearm control card shall be made by the
13 employer to the Department on forms provided by the
14 Department. The Department shall forward the card to the
15 employer who shall be responsible for its issuance to the
16 licensee or employee. The firearm control card shall be issued
17 by the Department and shall identify the person holding it and
18 the name of the course where the licensee or employee received
19 firearm instruction and shall specify the type of weapon or
20 weapons the person is authorized by the Department to carry
21 and for which the person has been trained.

22 (e) Expiration and requirements for renewal of firearm
23 control cards shall be determined by rule.

24 (f) The Department may, in addition to any other
25 disciplinary action permitted by this Act, refuse to issue,
26 suspend, or revoke a firearm control card if the applicant or

1 holder has been convicted of any felony or crime involving the
2 illegal use, carrying, or possession of a deadly weapon or for
3 a violation of this Act or rules adopted ~~promulgated~~ under
4 this Act. The Department shall refuse to issue or shall revoke
5 a firearm control card if the applicant or holder is
6 prohibited under State or federal law from possessing a
7 firearm ~~fails to possess a valid firearm owners identification~~
8 ~~card without hearing~~. The Secretary shall summarily suspend a
9 firearm control card if the Secretary finds that its continued
10 use would constitute an imminent danger to the public. A
11 hearing shall be held before the Board within 30 days if the
12 Secretary summarily suspends a firearm control card.

13 (g) Notwithstanding any other provision of this Act to the
14 contrary, all requirements relating to firearms control cards
15 do not apply to a peace officer. If an individual ceases to be
16 employed as a peace officer and continues to perform services
17 in an armed capacity under this Act that are licensed
18 activities, then the individual is required to obtain a
19 permanent employee registration card pursuant to Section 35-30
20 of this Act ~~and must possess a valid Firearm Owner's~~
21 ~~Identification Card~~, but is not required to obtain a firearm
22 control card if the individual is otherwise in continuing
23 compliance with the federal Law Enforcement Officers Safety
24 Act of 2004. If an individual elects to carry a firearm
25 pursuant to the federal Law Enforcement Officers Safety Act of
26 2004, then the agency employing the officer shall submit an

1 application to the Department for issuance of a waiver card
2 along with a fee specified by rule.

3 (h) The Department may issue a temporary firearm control
4 card pending issuance of a new firearm control card upon an
5 agency's acquiring of an established armed account. An agency
6 that has acquired armed employees as a result of acquiring an
7 established armed account may, on forms supplied by the
8 Department, request the issuance of a temporary firearm
9 control card for each acquired employee who held a valid
10 firearm control card under the employer's employment with the
11 newly acquired established armed account immediately preceding
12 the acquiring of the account and who continues to meet all of
13 the qualifications for issuance of a firearm control card set
14 forth in this Act and any rules adopted under this Act. The
15 Department shall, by rule, set the fee for issuance of a
16 temporary firearm control card.

17 (i) The Department shall not issue a firearm control card
18 to a licensed fingerprint vendor or a licensed locksmith or
19 employees of a licensed fingerprint vendor agency or a
20 licensed locksmith agency.

21 (Source: P.A. 103-309, eff. 1-1-24.)

22 Section 46. The Illinois Gambling Act is amended by
23 changing Section 5.4 as follows:

24 (230 ILCS 10/5.4)

1 Sec. 5.4. Retired investigators and sworn law enforcement
2 personnel.

3 (a) The Board shall establish a program to allow an
4 investigator appointed under paragraph (20.6) of subsection
5 (c) of Section 4 who is honorably retiring in good standing to
6 purchase either one or both of the following: (1) any badge
7 previously issued to the investigator by the Board; or (2) ~~if~~
8 ~~the investigator has a currently valid Firearm Owner's~~
9 ~~Identification Card,~~ the service firearm issued or previously
10 issued to the investigator by the Board. The badge must be
11 permanently and conspicuously marked in such a manner that the
12 individual who possesses the badge is not mistaken for an
13 actively serving law enforcement officer. The cost of the
14 firearm shall be the replacement value of the firearm and not
15 the firearm's fair market value.

16 (b) The Board shall:

17 (1) allow sworn law enforcement personnel employed by
18 the Board who retire in good standing to keep their
19 previously issued Board identification cards. The Board
20 shall stamp in red lettering "RETIRED" recognizing their
21 retired status; or

22 (2) issue photographic identification cards to sworn
23 law enforcement personnel employed by the Board who retire
24 in good standing that indicate their separation from
25 service and identify the person as having been employed by
26 the Board as sworn law enforcement personnel.

1 If a Board-issued identification card described in this
2 subsection is lost or stolen, the Board shall immediately
3 reissue a replacement identification card that meets the
4 requirements of paragraph (1) or (2) upon written request by
5 the retired sworn law enforcement personnel.

6 (Source: P.A. 104-347, eff. 8-15-25.)

7 Section 50. The Mental Health and Developmental
8 Disabilities Code is amended by changing Sections 1-106,
9 1-116, 6-103.1, 6-103.2, and 6-103.3 as follows:

10 (405 ILCS 5/1-106) (from Ch. 91 1/2, par. 1-106)

11 Sec. 1-106. "Developmental disability" means a severe,
12 chronic disability, other than mental illness, found to be
13 closely related to an intellectual disability because this
14 condition results in impairment of general intellectual
15 functioning or adaptive behavior similar to that of persons
16 with ID, and requires services similar to those required for a
17 person with an intellectual disability. In addition, a
18 developmental disability: (1) is manifested before the
19 individual reaches 22 years of age; (2) is likely to continue
20 indefinitely; (3) results in substantial functional
21 limitations in three or more of the following areas of major
22 life activity: self-care, receptive and expressive language,
23 learning, mobility, self-direction, capacity for independent
24 living, or economic self-sufficiency; and (4) reflects the

1 individual's need for a combination and sequence of special
2 interdisciplinary or generic services, individualized
3 supports, or other forms of assistance that are of lifelong or
4 extended duration and are individually planned and
5 coordinated. ~~This definition does not supersede the~~
6 ~~"developmental disability" definition in Section 1.1 of the~~
7 ~~Firearm Owners Identification Card Act which is required to be~~
8 ~~applied under that Act for the purpose of mandatory reporting.~~
9 (Source: P.A. 102-972, eff. 1-1-23.)

10 (405 ILCS 5/1-116) (from Ch. 91 1/2, par. 1-116)

11 Sec. 1-116. Intellectual disability. "Intellectual
12 disability" means a disorder with onset during the
13 developmental period (before the individual reaches age 22),
14 that includes both intellectual and adaptive deficits in
15 conceptual, social and practical domains. The following 3
16 criteria must be met: (1) deficits in intellectual functions
17 such as reasoning, problem solving, planning, abstract
18 thinking, judgment, academic learning, and learning from
19 experience confirmed by both clinical assessment and
20 individualized, standardized intelligence testing (generally
21 indicated with an IQ score of about 70 or below), (2) deficits
22 in adaptive functioning that result in failure to meet
23 developmental and sociocultural standards for personal
24 independence and social responsibility. Without ongoing
25 support, the adaptive deficits limit functioning in one or

1 more activities of daily life, such as communication, social
2 participation, and independent living, across multiple
3 environments, such as home, school, work, and community, and
4 (3) onset of intellectual and adaptive deficits during the
5 developmental period. ~~This definition does not supersede the~~
6 ~~"intellectual disability" definition in Section 1.1 of the~~
7 ~~Firearm Owners Identification Card Act which is required to be~~
8 ~~applied under that Act for the purpose of mandatory reporting.~~
9 (Source: P.A. 102-972, eff. 1-1-23.)

10 (405 ILCS 5/6-103.1)

11 Sec. 6-103.1. Adjudication as a person with a mental
12 disability. When a person has been adjudicated as a person
13 with a mental disability ~~as defined in Section 1.1 of the~~
14 ~~Firearm Owners Identification Card Act~~, including, but not
15 limited to, an adjudication as a person with a disability as
16 defined in Section 11a-2 of the Probate Act of 1975, the court
17 shall direct the circuit court clerk to notify the Illinois
18 State Police, ~~Firearm Owner's Identification (FOID) Office~~, in
19 a form and manner prescribed by the Illinois State Police, and
20 shall forward a copy of the court order to the Department no
21 later than 7 days after the entry of the order. Upon receipt of
22 the order, the Illinois State Police shall provide
23 notification to the National Instant Criminal Background Check
24 System. In this Section, "has been adjudicated as a mentally
25 disabled person" means the person is the subject of a

1 determination by a court, board, commission, or other lawful
2 authority that the person, as a result of marked subnormal
3 intelligence, or mental illness, mental impairment,
4 incompetency, condition, or disease:

5 (1) presents a clear and present danger to himself,
6 herself, or to others;

7 (2) lacks the mental capacity to manage his or her own
8 affairs or is adjudicated a disabled person as defined in
9 Section 11a-2 of the Probate Act of 1975;

10 (3) is not guilty in a criminal case by reason of
11 insanity, mental disease or defect;

12 (3.5) is guilty but mentally ill, as provided in
13 Section 5-2-6 of the Unified Code of Corrections;

14 (4) is unfit to stand trial in a criminal case;

15 (5) is not guilty by reason of lack of mental
16 responsibility under Articles 50a and 72b of the Uniform
17 Code of Military Justice, 10 U.S.C. 850a, 876b;

18 (6) is a sexually violent person under subsection (f)
19 of Section 5 of the Sexually Violent Persons Commitment
20 Act;

21 (7) is a sexually dangerous person under the Sexually
22 Dangerous Persons Act;

23 (8) is unfit to stand trial under the Juvenile Court
24 Act of 1987;

25 (9) is not guilty by reason of insanity under the
26 Juvenile Court Act of 1987;

1 (10) is a person subject to involuntary admission on
2 an inpatient basis as defined in Section 1-119 of the
3 Mental Health and Developmental Disabilities Code;

4 (11) is a person subject to involuntary admission on
5 an outpatient basis as defined in Section 1-119.1 of the
6 Mental Health and Developmental Disabilities Code;

7 (12) is subject to judicial admission as set forth in
8 Section 4-500 of the Mental Health and Developmental
9 Disabilities Code; or

10 (13) is subject to the provisions of the Interstate
11 Agreements on Sexually Dangerous Persons Act.

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

13 (405 ILCS 5/6-103.2)

14 Sec. 6-103.2. Developmental disability; notice. If a
15 person 14 years old or older is determined to be a person with
16 a developmental disability by a physician, clinical
17 psychologist, advanced practice psychiatric nurse, or
18 qualified examiner, the physician, clinical psychologist,
19 advanced practice psychiatric nurse, or qualified examiner
20 shall notify the Department of Human Services within 7 days of
21 making the determination that the person has a developmental
22 disability. The Department of Human Services shall immediately
23 update its records and information relating to mental health
24 and developmental disabilities, and if appropriate, shall
25 notify the Illinois State Police in a form and manner

1 prescribed by the Illinois State Police. Information disclosed
2 under this Section shall remain privileged and confidential,
3 and shall not be redisclosed, except as required under
4 paragraph (2) of subsection (e) of Section 24-4.5 of the
5 Criminal Code of 2012 ~~subsection (e) of Section 3.1 of the~~
6 ~~Firearm Owners Identification Card Act~~, nor used for any other
7 purpose. The method of providing this information shall
8 guarantee that the information is not released beyond that
9 which is necessary for the purpose of this Section and shall be
10 provided by rule by the Department of Human Services. The
11 identity of the person reporting under this Section shall not
12 be disclosed to the subject of the report.

13 The physician, clinical psychologist, advanced practice
14 psychiatric nurse, or qualified examiner making the
15 determination and his or her employer may not be held
16 criminally, civilly, or professionally liable for making or
17 not making the notification required under this Section,
18 except for willful or wanton misconduct.

19 In this Section, "developmentally disabled" has the
20 meaning ascribed to it in Section 12 of the Mental Health and
21 Developmental Disabilities Confidentiality Act.

22 In ~~For purposes of~~ this Section, "developmental
23 disability" means a disability which is attributable to any
24 other condition which results in impairment similar to that
25 caused by an intellectual disability and which requires
26 services similar to those required by intellectually disabled

1 persons. The disability must originate before the age of 18
2 years, be expected to continue indefinitely, and constitute a
3 substantial disability. This disability results, in the
4 professional opinion of a physician, clinical psychologist,
5 advanced practice psychiatric nurse, or qualified examiner, in
6 significant functional limitations in 3 or more of the
7 following areas of major life activity:

- 8 (i) self-care;
- 9 (ii) receptive and expressive language;
- 10 (iii) learning;
- 11 (iv) mobility; or
- 12 (v) self-direction.

13 "Determined to be a person with a developmental disability
14 by a physician, clinical psychologist, advanced practice
15 psychiatric nurse, or qualified examiner" means in the
16 professional opinion of the physician, clinical psychologist,
17 advanced practice psychiatric nurse, or qualified examiner, a
18 person, with whom the physician, psychologist, nurse, or
19 examiner has a formal relationship in his or her professional
20 or official capacity, is diagnosed, assessed, or evaluated as
21 having a developmental disability.

22 (Source: P.A. 104-270, eff. 8-15-25.)

23 (405 ILCS 5/6-103.3)

24 Sec. 6-103.3. Clear and present danger; notice. If a
25 person is determined to pose a clear and present danger to

1 himself, herself, or to others by a physician, clinical
2 psychologist, advanced practice psychiatric nurse, or
3 qualified examiner, whether employed by the State, by any
4 public or private mental health facility or part thereof, or
5 by a law enforcement official or a school administrator, then
6 the physician, clinical psychologist, advanced practice
7 psychiatric nurse, or qualified examiner shall notify the
8 Department of Human Services and a law enforcement official or
9 school administrator shall notify the Illinois State Police,
10 within 24 hours of making the determination that the person
11 poses a clear and present danger. The Department of Human
12 Services shall immediately update its records and information
13 relating to mental health and developmental disabilities, and
14 if appropriate, shall notify the Illinois State Police in a
15 form and manner prescribed by the Illinois State Police.
16 Information disclosed under this Section shall remain
17 privileged and confidential, and shall not be redisclosed,
18 except as required under paragraph (2) of subsection (e) of
19 Section 24-4.5 of the Criminal Code of 2012 ~~subsection (e) of~~
20 ~~Section 3.1 of the Firearm Owners Identification Card Act~~, nor
21 used for any other purpose. The method of providing this
22 information shall guarantee that the information is not
23 released beyond that which is necessary for the purpose of
24 this Section and shall be provided by rule by the Department of
25 Human Services. The identity of the person reporting under
26 this Section shall not be disclosed to the subject of the

1 report. The physician, clinical psychologist, advanced
2 practice psychiatric nurse, qualified examiner, law
3 enforcement official, or school administrator making the
4 determination and his or her employer shall not be held
5 criminally, civilly, or professionally liable for making or
6 not making the notification required under this Section,
7 except for willful or wanton misconduct. This Section does not
8 apply to a law enforcement official, if making the
9 notification under this Section will interfere with an ongoing
10 or pending criminal investigation.

11 In ~~For the purposes of~~ this Section:

12 "Clear and present danger" means a person who:

13 (1) communicates a serious threat of physical
14 violence against a reasonably identifiable victim or
15 poses a clear and imminent risk of serious physical
16 injury to himself, herself, or another person as
17 determined by a physician, clinical psychologist, or
18 qualified examiner; or

19 (2) demonstrates threatening physical or verbal
20 behavior, such as violent, suicidal, or assaultive
21 threats, actions, or other behavior, as determined by
22 a physician, clinical psychologist, qualified
23 examiner, school administrator, or law enforcement
24 official.

25 "Physician", "clinical psychologist", and "qualified
26 examiner" have the meanings ascribed to them in the Mental

1 Health and Developmental Disabilities Code ~~has the meaning~~
2 ~~ascribed to it in Section 1.1 of the Firearm Owners~~
3 ~~Identification Card Act.~~

4 "Determined to pose a clear and present danger to
5 himself, herself, or to others by a physician, clinical
6 psychologist, advanced practice psychiatric nurse, or
7 qualified examiner" means in the professional opinion of
8 the physician, clinical psychologist, advanced practice
9 psychiatric nurse, or qualified examiner, a person, with
10 whom the physician, psychologist, nurse, or examiner has a
11 formal relationship in his or her official capacity, poses
12 a clear and present danger.

13 "School administrator" means the person required to
14 report under the School Administrator Reporting of Mental
15 Health Clear and Present Danger Determinations Law.

16 (Source: P.A. 104-270, eff. 8-15-25.)

17 Section 55. The Lead Poisoning Prevention Act is amended
18 by changing Section 2 as follows:

19 (410 ILCS 45/2) (from Ch. 111 1/2, par. 1302)

20 Sec. 2. Definitions. As used in this Act:

21 "Child care facility" means any structure used by a child
22 care provider licensed by the Department of Children and
23 Family Services or public or private school structure
24 frequented by children 6 years of age or younger.

1 "Childhood Lead Risk Questionnaire" means the
2 questionnaire developed by the Department for use by
3 physicians and other health care providers to determine risk
4 factors for children 6 years of age or younger residing in
5 areas designated as low risk for lead exposure.

6 "Delegate agency" means a unit of local government or
7 health department approved by the Department to carry out the
8 provisions of this Act.

9 "Department" means the Department of Public Health.

10 "Director" means the Director of Public Health.

11 "Dwelling unit" means an individual unit within a
12 residential building used as living quarters for one
13 household.

14 "Elevated blood lead level" means a blood lead level in
15 excess of the limits established under State rules.

16 "Exposed surface" means any interior or exterior surface
17 of a regulated facility.

18 "High risk area" means an area in the State determined by
19 the Department to be high risk for lead exposure for children 6
20 years of age or younger. The Department may consider, but is
21 not limited to, the following factors to determine a high risk
22 area: age and condition (using Department of Housing and Urban
23 Development definitions of "slum" and "blighted") of housing,
24 proximity to highway traffic or heavy local traffic or both,
25 percentage of housing determined as rental or vacant,
26 proximity to industry using lead, established incidence of

1 elevated blood lead levels in children, percentage of
2 population living below 200% of federal poverty guidelines,
3 and number of children residing in the area who are 6 years of
4 age or younger.

5 "Lead abatement" means any approved work practices that
6 will permanently eliminate lead exposure or remove the
7 lead-bearing substances in a regulated facility. The
8 Department shall establish by rule which work practices are
9 approved or prohibited for lead abatement.

10 "Lead abatement contractor" means any person or entity
11 licensed by the Department to perform lead abatement and
12 mitigation.

13 "Lead abatement supervisor" means any person employed by a
14 lead abatement contractor and licensed by the Department to
15 perform lead abatement and lead mitigation and to supervise
16 lead workers who perform lead abatement and lead mitigation.

17 "Lead abatement worker" means any person employed by a
18 lead abatement contractor and licensed by the Department to
19 perform lead abatement and mitigation.

20 "Lead activities" means the conduct of any lead services,
21 including, lead inspection, lead risk assessment, lead
22 mitigation, or lead abatement work or supervision in a
23 regulated facility.

24 "Lead-bearing substance" means any item containing or
25 coated with lead such that the lead content is more than
26 six-hundredths of one percent (0.06%) lead by total weight; or

1 any dust on surfaces or in furniture or other nonpermanent
2 elements of the regulated facility; or any paint or other
3 surface coating material containing more than five-tenths of
4 one percent (0.5%) lead by total weight (calculated as lead
5 metal) in the total non-volatile content of liquid paint; or
6 lead-bearing substances containing greater than one milligram
7 per square centimeter or any lower standard for lead content
8 in residential paint as may be established by federal law or
9 rule; or more than 1 milligram per square centimeter in the
10 dried film of paint or previously applied substance; or item
11 or dust on item containing lead in excess of the amount
12 specified in the rules authorized by this Act or a lower
13 standard for lead content as may be established by federal law
14 or rule. "Lead-bearing substance" does not include firearm
15 ammunition or components as defined by Section 2-7.1 of the
16 Criminal Code of 2012 ~~the Firearm Owners Identification Card~~
17 ~~Act.~~

18 "Lead hazard" means a lead-bearing substance that poses an
19 immediate health hazard to humans.

20 "Lead hazard screen" means a lead risk assessment that
21 involves limited dust and paint sampling for lead-bearing
22 substances and lead hazards. This service is used as a
23 screening tool designed to determine if further lead
24 investigative services are required for the regulated
25 facility.

26 "Lead inspection" means a surface-by-surface investigation

1 to determine the presence of lead-based paint.

2 "Lead inspector" means an individual who has been trained
3 by a Department-approved training program and is licensed by
4 the Department to conduct lead inspections; to sample for the
5 presence of lead in paint, dust, soil, and water; and to
6 conduct compliance investigations.

7 "Lead mitigation" means the remediation, in a manner
8 described in Section 9, of a lead hazard so that the
9 lead-bearing substance does not pose an immediate health
10 hazard to humans.

11 "Lead poisoning" means having an elevated blood lead
12 level.

13 "Lead risk assessment" means an on-site investigation to
14 determine the existence, nature, severity, and location of
15 lead hazards. "Lead risk assessment" includes any lead
16 sampling and visual assessment associated with conducting a
17 lead risk assessment and lead hazard screen and all lead
18 sampling associated with compliance investigations.

19 "Lead risk assessor" means an individual who has been
20 trained by a Department-approved training program and is
21 licensed by the Department to conduct lead risk assessments,
22 lead inspections, and lead hazard screens; to sample for the
23 presence of lead in paint, dust, soil, water, and sources for
24 lead-bearing substances; and to conduct compliance
25 investigations.

26 "Lead training program provider" means any person

1 providing Department-approved lead training in Illinois to
2 individuals seeking licensure in accordance with the Act.

3 "Low risk area" means an area in the State determined by
4 the Department to be low risk for lead exposure for children 6
5 years of age or younger. The Department may consider the
6 factors named in "high risk area" to determine low risk areas.

7 "Owner" means any person, who alone, jointly, or severally
8 with others:

9 (a) Has legal title to any regulated facility, with or
10 without actual possession of the regulated facility, or

11 (b) Has charge, care, or control of the regulated
12 facility as owner or agent of the owner, or as executor,
13 administrator, trustee, or guardian of the estate of the
14 owner.

15 "Person" means any individual, partnership, firm, company,
16 limited liability company, corporation, association, joint
17 stock company, trust, estate, political subdivision, State
18 agency, or any other legal entity, or their legal
19 representative, agent, or assign.

20 "Regulated facility" means a residential building or child
21 care facility.

22 "Residential building" means any room, group of rooms, or
23 other interior areas of a structure designed or used for human
24 habitation; common areas accessible by inhabitants; and the
25 surrounding property or structures.

26 (Source: P.A. 100-723, eff. 1-1-19.)

1 (430 ILCS 65/Act rep.)

2 Section 60. The Firearm Owners Identification Card Act is
3 repealed.

4 Section 65. The Firearm Concealed Carry Act is amended by
5 changing Sections 25, 30, 40, 66, 70, 80, and 105 as follows:

6 (430 ILCS 66/25)

7 Sec. 25. Qualifications for a license.

8 The Illinois State Police shall issue a license to an
9 applicant completing an application in accordance with Section
10 30 of this Act if the person:

11 (1) is at least 21 years of age;

12 (2) ~~has a currently valid Firearm Owner's~~
13 ~~Identification Card and at the time of application meets~~
14 ~~the requirements for the issuance of a Firearm Owner's~~
15 ~~Identification Card and~~ is not prohibited under State ~~the~~
16 ~~Firearm Owners Identification Card Act~~ or federal law from
17 possessing or receiving a firearm;

18 (3) has not been convicted or found guilty in this
19 State or in any other state of:

20 (A) a misdemeanor involving the use or threat of
21 physical force or violence to any person within the 5
22 years preceding the date of the license application;
23 or

1 (B) 2 or more violations related to driving while
2 under the influence of alcohol, other drug or drugs,
3 intoxicating compound or compounds, or any combination
4 thereof, within the 5 years preceding the date of the
5 license application;

6 (4) is not the subject of a pending arrest warrant,
7 prosecution, or proceeding for an offense or action that
8 could lead to disqualification to own or possess a
9 firearm;

10 (5) has not been in residential or court-ordered
11 treatment for alcoholism, alcohol detoxification, or drug
12 treatment within the 5 years immediately preceding the
13 date of the license application; and

14 (6) has completed firearms training and any education
15 component required under Section 75 of this Act.

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

17 (430 ILCS 66/30)

18 Sec. 30. Contents of license application.

19 (a) The license application shall be in writing, under
20 penalty of perjury, on a standard form adopted by the Illinois
21 State Police and shall be accompanied by the documentation
22 required in this Section and the applicable fee. Each
23 application form shall include the following statement printed
24 in bold type: "Warning: Entering false information on this
25 form is punishable as perjury under Section 32-2 of the

1 Criminal Code of 2012."

2 (b) The application shall contain the following:

3 (1) the applicant's name, current address, date and
4 year of birth, place of birth, height, weight, hair color,
5 eye color, maiden name or any other name the applicant has
6 used or identified with, and any address where the
7 applicant resided for more than 30 days within the 10
8 years preceding the date of the license application;

9 (2) the applicant's valid driver's license number or
10 valid state identification card number;

11 (3) a waiver of the applicant's privacy and
12 confidentiality rights and privileges under all federal
13 and state laws, including those limiting access to
14 juvenile court, criminal justice, psychological, or
15 psychiatric records or records relating to any
16 institutionalization of the applicant, and an affirmative
17 request that a person having custody of any of these
18 records provide it or information concerning it to the
19 Illinois State Police. The waiver only applies to records
20 sought in connection with determining whether the
21 applicant qualifies for a license to carry a concealed
22 firearm under this Act, ~~or whether the applicant remains~~
23 ~~in compliance with the Firearm Owners Identification Card~~
24 ~~Act;~~

25 (4) an affirmation that the applicant is not
26 prohibited under State or federal law from possessing or

1 receiving a firearm ~~possesses a currently valid Firearm~~
2 ~~Owner's Identification Card and card number if possessed~~
3 ~~or notice the applicant is applying for a Firearm Owner's~~
4 ~~Identification Card in conjunction with the license~~
5 ~~application;~~

6 (5) an affirmation that the applicant has not been
7 convicted or found guilty of:

8 (A) a felony;

9 (B) a misdemeanor involving the use or threat of
10 physical force or violence to any person within the 5
11 years preceding the date of the application; or

12 (C) 2 or more violations related to driving while
13 under the influence of alcohol, other drug or drugs,
14 intoxicating compound or compounds, or any combination
15 thereof, within the 5 years preceding the date of the
16 license application;

17 (6) whether the applicant has failed a drug test for a
18 drug for which the applicant did not have a prescription,
19 within the previous year, and if so, the provider of the
20 test, the specific substance involved, and the date of the
21 test;

22 (7) written consent for the Illinois State Police to
23 review and use the applicant's Illinois digital driver's
24 license or Illinois identification card photograph and
25 signature;

26 (8) ~~unless submitted under subsection (a 25) of~~

1 ~~Section 4 of the Firearm Owners Identification Card Act,~~ a
2 full set of fingerprints submitted to the Illinois State
3 Police in electronic format, provided the Illinois State
4 Police may accept an application submitted without a set
5 of fingerprints, in which case the Illinois State Police
6 shall be granted 30 days in addition to the 90 days
7 provided under subsection (e) of Section 10 of this Act to
8 issue or deny a license;

9 (9) a head and shoulder color photograph in a size
10 specified by the Illinois State Police taken within the 30
11 days preceding the date of the license application; and

12 (10) a photocopy of any certificates or other evidence
13 of compliance with the training requirements under this
14 Act.

15 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
16 102-813, eff. 5-13-22.)

17 (430 ILCS 66/40)

18 Sec. 40. Non-resident license applications.

19 (a) For the purposes of this Section, "non-resident" means
20 a person who has not resided within this State for more than 30
21 days and resides in another state or territory.

22 (b) The Illinois State Police shall by rule allow for
23 non-resident license applications from any state or territory
24 of the United States with laws related to firearm ownership,
25 possession, and carrying, that are substantially similar to

1 the requirements to obtain a license under this Act.

2 (c) A resident of a state or territory approved by the
3 Illinois State Police under subsection (b) of this Section may
4 apply for a non-resident license. The applicant shall apply to
5 the Illinois State Police and must meet all of the
6 qualifications established in Section 25 of this Act, ~~except~~
7 ~~for the Illinois residency requirement in item (xiv) of~~
8 ~~paragraph (2) of subsection (a) of Section 4 of the Firearm~~
9 ~~Owners Identification Card Act.~~ The applicant shall submit:

10 (1) the application and documentation required under
11 Section 30 of this Act and the applicable fee;

12 (2) a notarized document stating that the applicant:

13 (A) is eligible under federal law and the laws of
14 his or her state or territory of residence to own or
15 possess a firearm;

16 (B) if applicable, has a license or permit to
17 carry a firearm or concealed firearm issued by his or
18 her state or territory of residence and attach a copy
19 of the license or permit to the application;

20 (C) understands Illinois laws pertaining to the
21 possession and transport of firearms; and

22 (D) acknowledges that the applicant is subject to
23 the jurisdiction of the Illinois State Police and
24 Illinois courts for any violation of this Act;

25 (3) a photocopy of any certificates or other evidence
26 of compliance with the training requirements under Section

1 75 of this Act; and

2 (4) a head and shoulder color photograph in a size
3 specified by the Illinois State Police taken within the 30
4 days preceding the date of the application.

5 (d) In lieu of an Illinois driver's license or Illinois
6 identification card, a non-resident applicant shall provide
7 similar documentation from his or her state or territory of
8 residence. The applicant shall submit ~~In lieu of a valid~~
9 ~~Firearm Owner's Identification Card, the applicant shall~~
10 ~~submit documentation and information required by the Illinois~~
11 ~~State Police to obtain a Firearm Owner's Identification Card,~~
12 ~~including~~ an affidavit that the non-resident meets the mental
13 health standards to obtain a firearm under Illinois law, and
14 the Illinois State Police shall ensure that the applicant
15 would meet the eligibility criteria under State law to possess
16 a firearm ~~to obtain a Firearm Owner's Identification card~~ if
17 he or she was a resident of this State.

18 (e) Nothing in this Act shall prohibit a non-resident from
19 transporting a concealed firearm within his or her vehicle in
20 Illinois, if the concealed firearm remains within his or her
21 vehicle and the non-resident:

22 (1) is not prohibited from owning or possessing a
23 firearm under federal law;

24 (2) is eligible to carry a firearm in public under the
25 laws of his or her state or territory of residence, as
26 evidenced by the possession of a concealed carry license

1 or permit issued by his or her state of residence, if
2 applicable; and

3 (3) is not in possession of a license under this Act.

4 If the non-resident leaves his or her vehicle unattended,
5 he or she shall store the firearm within a locked vehicle or
6 locked container within the vehicle in accordance with
7 subsection (b) of Section 65 of this Act.

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

9 (430 ILCS 66/66)

10 Sec. 66. Illinois State Police to monitor databases for
11 firearms prohibitors. The Illinois State Police shall
12 continuously monitor relevant State and federal databases for
13 firearms prohibitors and correlate those records with
14 concealed carry license holders to ensure compliance with this
15 Act and any other State and federal laws. As used in this
16 Section, "firearms prohibitor" means any factor listed in
17 ~~Section 8 or Section 8.2 of the Firearm Owners Identification~~
18 ~~Card Act or~~ Section 24-3 or 24-3.1 of the Criminal Code of 2012
19 that prohibits a person from transferring or possessing a
20 firearm, firearm ammunition, ~~Firearm Owner's Identification~~
21 ~~Card~~, or concealed carry license.

22 (Source: P.A. 102-237, eff. 1-1-22.)

23 (430 ILCS 66/70)

24 Sec. 70. Violations.

1 (a) A license issued or renewed under this Act shall be
2 revoked if, at any time, the licensee is found to be ineligible
3 for a license under this Act or the licensee is prohibited from
4 possessing a firearm under State or federal law no longer
5 ~~meets the eligibility requirements of the Firearm Owners~~
6 ~~Identification Card Act.~~

7 (b) A license shall be suspended if an order of
8 protection, including an emergency order of protection,
9 plenary order of protection, or interim order of protection
10 under Article 112A of the Code of Criminal Procedure of 1963 or
11 under the Illinois Domestic Violence Act of 1986, or if a
12 firearms restraining order, including an emergency firearms
13 restraining order, under the Firearms Restraining Order Act,
14 is issued against a licensee for the duration of the order, or
15 if the Illinois State Police is made aware of a similar order
16 issued against the licensee in any other jurisdiction. If an
17 order of protection is issued against a licensee, the licensee
18 shall surrender the license, as applicable, to the court at
19 the time the order is entered or to the law enforcement agency
20 or entity serving process at the time the licensee is served
21 the order. The court, law enforcement agency, or entity
22 responsible for serving the order of protection shall notify
23 the Illinois State Police within 7 days and transmit the
24 license to the Illinois State Police.

25 (c) A license is invalid upon expiration of the license,
26 unless the licensee has submitted an application to renew the

1 license, and the applicant is otherwise eligible to possess a
2 license under this Act.

3 (d) A licensee shall not carry a concealed firearm while
4 under the influence of alcohol, other drug or drugs,
5 intoxicating compound or combination of compounds, or any
6 combination thereof, under the standards set forth in
7 subsection (a) of Section 11-501 of the Illinois Vehicle Code.

8 A licensee in violation of this subsection (d) shall be
9 guilty of a Class A misdemeanor for a first or second violation
10 and a Class 4 felony for a third violation. The Illinois State
11 Police may suspend a license for up to 6 months for a second
12 violation and shall permanently revoke a license for a third
13 violation.

14 (e) Except as otherwise provided, a licensee in violation
15 of this Act shall be guilty of a Class B misdemeanor. A second
16 or subsequent violation is a Class A misdemeanor. The Illinois
17 State Police may suspend a license for up to 6 months for a
18 second violation and shall permanently revoke a license for 3
19 or more violations of Section 65 of this Act. Any person
20 convicted of a violation under this Section shall pay a \$150
21 fee to be deposited into the Mental Health Reporting Fund,
22 plus any applicable court costs or fees.

23 (f) A licensee convicted or found guilty of a violation of
24 this Act who has a valid license and is otherwise eligible to
25 carry a concealed firearm shall only be subject to the
26 penalties under this Section and shall not be subject to the

1 penalties under Section 21-6, paragraph (4), (8), or (10) of
2 subsection (a) of Section 24-1, or subparagraph (A-5) or (B-5)
3 of paragraph (3) of subsection (a) of Section 24-1.6 of the
4 Criminal Code of 2012. Except as otherwise provided in this
5 subsection, nothing in this subsection prohibits the licensee
6 from being subjected to penalties for violations other than
7 those specified in this Act.

8 (g) A licensee whose license is revoked, suspended, or
9 denied shall, within 48 hours of receiving notice of the
10 revocation, suspension, or denial, surrender his or her
11 concealed carry license to the local law enforcement agency
12 where the person resides. The local law enforcement agency
13 shall provide the licensee a receipt and transmit the
14 concealed carry license to the Illinois State Police. If the
15 licensee whose concealed carry license has been revoked,
16 suspended, or denied fails to comply with the requirements of
17 this subsection, the law enforcement agency where the person
18 resides may petition the circuit court to issue a warrant to
19 search for and seize the concealed carry license in the
20 possession and under the custody or control of the licensee
21 whose concealed carry license has been revoked, suspended, or
22 denied. The observation of a concealed carry license in the
23 possession of a person whose license has been revoked,
24 suspended, or denied constitutes a sufficient basis for the
25 arrest of that person for violation of this subsection. A
26 violation of this subsection is a Class A misdemeanor.

1 (h) (Blank). ~~Except as otherwise provided in subsection~~
2 ~~(h-5), a license issued or renewed under this Act shall be~~
3 ~~revoked if, at any time, the licensee is found ineligible for a~~
4 ~~Firearm Owner's Identification Card, or the licensee no longer~~
5 ~~possesses a valid Firearm Owner's Identification Card. If the~~
6 ~~Firearm Owner's Identification Card is expired or suspended~~
7 ~~rather than denied or revoked, the license may be suspended~~
8 ~~for a period of up to one year to allow the licensee to~~
9 ~~reinstate his or her Firearm Owner's Identification Card. The~~
10 ~~Illinois State Police shall adopt rules to enforce this~~
11 ~~subsection. A licensee whose license is revoked under this~~
12 ~~subsection (h) shall surrender his or her concealed carry~~
13 ~~license as provided for in subsection (g) of this Section.~~

14 ~~This subsection shall not apply to a person who has filed~~
15 ~~an application with the Illinois State Police for renewal of a~~
16 ~~Firearm Owner's Identification Card and who is not otherwise~~
17 ~~ineligible to obtain a Firearm Owner's Identification Card.~~

18 (h-5) (Blank). ~~If the Firearm Owner's Identification Card~~
19 ~~of a licensee under this Act expires during the term of the~~
20 ~~license issued under this Act, the license and the Firearm~~
21 ~~Owner's Identification Card remain valid, and the Illinois~~
22 ~~State Police may automatically renew the licensee's Firearm~~
23 ~~Owner's Identification Card as provided in subsection (c) of~~
24 ~~Section 5 of the Firearm Owners Identification Card Act.~~

25 (i) A certified firearms instructor who knowingly provides
26 or offers to provide a false certification that an applicant

1 has completed firearms training as required under this Act is
2 guilty of a Class A misdemeanor. A person guilty of a violation
3 of this subsection (i) is not eligible for court supervision.
4 The Illinois State Police shall permanently revoke the
5 firearms instructor certification of a person convicted under
6 this subsection (i).

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

9 (430 ILCS 66/80)

10 Sec. 80. Certified firearms instructors.

11 (a) Within 60 days of the effective date of this Act, the
12 Illinois State Police shall begin approval of certified
13 firearms instructors and enter certified firearms instructors
14 into an online registry on the Illinois State Police's
15 website.

16 (b) A person who is not a certified firearms instructor
17 shall not teach applicant training courses or advertise or
18 otherwise represent courses they teach as qualifying their
19 students to meet the requirements to receive a license under
20 this Act. Each violation of this subsection is a business
21 offense with a fine of at least \$1,000 per violation.

22 (c) A person seeking to become a certified firearms
23 instructor shall:

24 (1) be at least 21 years of age;

25 (2) be a legal resident of the United States; and

1 (3) meet the requirements of Section 25 of this Act,
2 ~~except for the Illinois residency requirement in item~~
3 ~~(xiv) of paragraph (2) of subsection (a) of Section 4 of~~
4 ~~the Firearm Owners Identification Card Act;~~ and any
5 additional uniformly applied requirements established by
6 the Illinois State Police.

7 (d) A person seeking to become a certified firearms
8 instructor, in addition to the requirements of subsection (c)
9 of this Section, shall:

10 (1) possess a high school diploma or State of Illinois
11 High School Diploma; and

12 (2) have at least one of the following valid firearms
13 instructor certifications:

14 (A) certification from a law enforcement agency;

15 (B) certification from a firearm instructor course
16 offered by a State or federal governmental agency;

17 (C) certification from a firearm instructor
18 qualification course offered by the Illinois Law
19 Enforcement Training Standards Board; or

20 (D) certification from an entity approved by the
21 Illinois State Police that offers firearm instructor
22 education and training in the use and safety of
23 firearms.

24 (e) A person may have his or her firearms instructor
25 certification denied or revoked if he or she does not meet the
26 requirements to obtain a license under this Act, provides

1 false or misleading information to the Illinois State Police,
2 or has had a prior instructor certification revoked or denied
3 by the Illinois State Police.

4 (Source: P.A. 102-538, eff. 8-20-21; 102-1100, eff. 1-1-23.)

5 (430 ILCS 66/105)

6 Sec. 105. Duty of school administrator. It is the duty of
7 the principal of a public elementary or secondary school, or
8 his or her designee, and the chief administrative officer of a
9 private elementary or secondary school or a public or private
10 community college, college, or university, or his or her
11 designee, to report to the Illinois State Police when a
12 student is determined to pose a clear and present danger to
13 himself, herself, or to others, within 24 hours of the
14 determination as provided in Section 6-103.3 of the Mental
15 Health and Developmental Disabilities Code. "Clear and present
16 danger" has the meaning as provided in paragraph (2) of the
17 definition of "clear and present danger" in Section 6-103.3 of
18 the Mental Health and Developmental Disabilities Code ~~1.1 of~~
19 ~~the Firearm Owners Identification Card Act.~~

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

21 Section 66. The Firearms Restraining Order Act is amended
22 by changing Sections 35 and 40 as follows:

23 (430 ILCS 67/35)

1 Sec. 35. Ex parte orders and emergency hearings.

2 (a) A petitioner may request an emergency firearms
3 restraining order by filing an affidavit or verified pleading
4 alleging that the respondent poses an immediate and present
5 danger of causing personal injury to himself, herself, or
6 another by having in his or her custody or control,
7 purchasing, possessing, or receiving a firearm, ammunition, or
8 firearm parts that could be assembled to make an operable
9 firearm. The petition shall also describe the type and
10 location of any firearm or firearms, ammunition, or firearm
11 parts that could be assembled to make an operable firearm
12 presently believed by the petitioner to be possessed or
13 controlled by the respondent.

14 (b) If the respondent is alleged to pose an immediate and
15 present danger of causing personal injury to an intimate
16 partner, or an intimate partner is alleged to have been the
17 target of a threat or act of violence by the respondent, the
18 petitioner shall make a good faith effort to provide notice to
19 any and all intimate partners of the respondent. The notice
20 must include that the petitioner intends to petition the court
21 for an emergency firearms restraining order, and, if the
22 petitioner is a law enforcement officer, referral to relevant
23 domestic violence or stalking advocacy or counseling
24 resources, if appropriate. The petitioner shall attest to
25 having provided the notice in the filed affidavit or verified
26 pleading. If, after making a good faith effort, the petitioner

1 is unable to provide notice to any or all intimate partners,
2 the affidavit or verified pleading should describe what
3 efforts were made.

4 (c) Every person who files a petition for an emergency
5 firearms restraining order, knowing the information provided
6 to the court at any hearing or in the affidavit or verified
7 pleading to be false, is guilty of perjury under Section 32-2
8 of the Criminal Code of 2012.

9 (d) An emergency firearms restraining order shall be
10 issued on an ex parte basis, that is, without notice to the
11 respondent.

12 (e) An emergency hearing held on an ex parte basis shall be
13 held the same day that the petition is filed or the next day
14 that the court is in session.

15 (f) If a circuit or associate judge finds probable cause
16 to believe that the respondent poses an immediate and present
17 danger of causing personal injury to himself, herself, or
18 another by having in his or her custody or control,
19 purchasing, possessing, or receiving a firearm, ammunition, or
20 firearm parts that could be assembled to make an operable
21 firearm, the circuit or associate judge shall issue an
22 emergency order.

23 (f-5) If the court issues an emergency firearms
24 restraining order, it shall, upon a finding of probable cause
25 that the respondent possesses firearms, ammunition, or firearm
26 parts that could be assembled to make an operable firearm,

1 issue a search warrant directing a law enforcement agency to
2 seize the respondent's firearms, ammunition, and firearm parts
3 that could be assembled to make an operable firearm. The court
4 may, as part of that warrant, direct the law enforcement
5 agency to search the respondent's residence and other places
6 where the court finds there is probable cause to believe he or
7 she is likely to possess the firearms, ammunition, or firearm
8 parts that could be assembled to make an operable firearm. A
9 return of the search warrant shall be filed by the law
10 enforcement agency within 4 days thereafter, setting forth the
11 time, date, and location that the search warrant was executed
12 and what items, if any, were seized.

13 (g) An emergency firearms restraining order shall require:

14 (1) the respondent to refrain from having in his or
15 her custody or control, purchasing, possessing, or
16 receiving additional firearms, ammunition, or firearm
17 parts that could be assembled to make an operable firearm,
18 or removing firearm parts that could be assembled to make
19 an operable firearm for the duration of the order ~~under~~
20 ~~Section 8.2 of the Firearm Owners Identification Card Act;~~
21 and

22 (2) the respondent to comply with ~~Section 9.5 of the~~
23 ~~Firearm Owners Identification Card Act and~~ subsection (g)
24 of Section 70 of the Firearm Concealed Carry Act.

25 (h) Except as otherwise provided in subsection (h-5) of
26 this Section, upon expiration of the period of safekeeping, if

1 the firearms, ammunition, and firearm parts that could be
2 assembled to make an operable firearm ~~or Firearm Owner's~~
3 ~~Identification Card~~ and concealed carry license cannot be
4 returned to the respondent because the respondent cannot be
5 located, fails to respond to requests to retrieve the
6 firearms, or is not lawfully eligible to possess a firearm,
7 ammunition, or firearm parts that could be assembled to make
8 an operable firearm, upon petition from the local law
9 enforcement agency, the court may order the local law
10 enforcement agency to destroy the firearms, ammunition, and
11 firearm parts that could be assembled to make an operable
12 firearm, use the firearms, ammunition, and firearm parts that
13 could be assembled to make an operable firearm for training
14 purposes, or use the firearms, ammunition, and firearm parts
15 that could be assembled to make an operable firearm for any
16 other application as deemed appropriate by the local law
17 enforcement agency.

18 (h-5) On or before January 1, 2022, a respondent whose
19 firearms have been turned over to a local law enforcement
20 agency ~~Firearm Owner's Identification Card has been revoked or~~
21 ~~suspended~~ may petition the court, if the petitioner is present
22 in court or has notice of the respondent's petition, to
23 transfer the respondent's firearm, ammunition, and firearm
24 parts that could be assembled to make an operable firearm to a
25 person who is lawfully able to possess the firearm,
26 ammunition, and firearm parts that could be assembled to make

1 an operable firearm if the person does not reside at the same
2 address as the respondent. Notice of the petition shall be
3 served upon the person protected by the emergency firearms
4 restraining order. While the order is in effect, the
5 transferee who receives the respondent's firearms, ammunition,
6 and firearm parts that could be assembled to make an operable
7 firearm must swear or affirm by affidavit that he or she shall
8 not transfer the firearm, ammunition, and firearm parts that
9 could be assembled to make an operable firearm to the
10 respondent or to anyone residing in the same residence as the
11 respondent.

12 (h-6) If a person other than the respondent claims title
13 to any firearms, ammunition, and firearm parts that could be
14 assembled to make an operable firearm surrendered under this
15 Section, he or she may petition the court, if the petitioner is
16 present in court or has notice of the petition, to have the
17 firearm, ammunition, and firearm parts that could be assembled
18 to make an operable firearm returned to him or her. If the
19 court determines that person to be the lawful owner of the
20 firearm, ammunition, and firearm parts that could be assembled
21 to make an operable firearm, the firearm, ammunition, and
22 firearm parts that could be assembled to make an operable
23 firearm shall be returned to him or her, provided that:

24 (1) the firearm, ammunition, and firearm parts that
25 could be assembled to make an operable firearm are removed
26 from the respondent's custody, control, or possession and

1 the lawful owner agrees to store the firearm, ammunition,
2 and firearm parts that could be assembled to make an
3 operable firearm in a manner such that the respondent does
4 not have access to or control of the firearm, ammunition,
5 and firearm parts that could be assembled to make an
6 operable firearm; and

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

10 The person petitioning for the return of his or her
11 firearm, ammunition, and firearm parts that could be assembled
12 to make an operable firearm must swear or affirm by affidavit
13 that he or she: (i) is the lawful owner of the firearm,
14 ammunition, and firearm parts that could be assembled to make
15 an operable firearm; (ii) shall not transfer the firearm,
16 ammunition, and firearm parts that could be assembled to make
17 an operable firearm to the respondent; and (iii) will store
18 the firearm, ammunition, and firearm parts that could be
19 assembled to make an operable firearm in a manner that the
20 respondent does not have access to or control of the firearm,
21 ammunition, and firearm parts that could be assembled to make
22 an operable firearm.

23 (i) In accordance with subsection (e) of this Section, the
24 court shall schedule a full hearing as soon as possible, but no
25 longer than 14 days from the issuance of an ex parte firearms
26 restraining order, to determine if a 6-month firearms

1 restraining order shall be issued. The court may extend an ex
2 parte order as needed, but not to exceed 14 days, to effectuate
3 service of the order or if necessary to continue protection.
4 The court may extend the order for a greater length of time by
5 mutual agreement of the parties.

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

9 (430 ILCS 67/40)

10 Sec. 40. Plenary orders.

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

25 (b) If the respondent is alleged to pose a significant

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

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

21 (d) Upon receipt of a petition for a plenary firearms
22 restraining order, the court shall order a hearing within 30
23 days.

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

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

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

8 (3) Any prior arrest of the respondent for a felony
9 offense.

10 (4) Evidence of the abuse of controlled substances or
11 alcohol by the respondent.

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

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

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

26 (f) At the hearing, the petitioner shall have the burden

1 of proving, by clear and convincing evidence, that the
2 respondent poses a significant danger of personal injury to
3 himself, herself, or another by having in his or her custody or
4 control, purchasing, possessing, or receiving a firearm,
5 ammunition, and firearm parts that could be assembled to make
6 an operable firearm.

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

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

1 and location that the search warrant was executed and what
2 items, if any, were seized.

3 (h) A plenary firearms restraining order shall require:

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

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

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

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

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

26 (i-6) If a person other than the respondent claims title

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

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

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

24 The person petitioning for the return of his or her
25 firearm, ammunition, and firearm parts that could be assembled
26 to make an operable firearm must swear or affirm by affidavit

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

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

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

20 (Source: P.A. 101-81, eff. 7-12-19; 102-237, eff. 1-1-22;
21 102-345, eff. 6-1-22; 102-538, eff. 8-20-21; 102-813, eff.
22 5-13-22; 102-1116, eff. 1-10-23.)

23 Section 67. The Firearm Dealer License Certification Act
24 is amended by changing Sections 5-20, 5-25, 5-40, and 5-85 as
25 follows:

1 (430 ILCS 68/5-20)

2 Sec. 5-20. Additional licensee requirements.

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

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

12 "With few exceptions enumerated in the Criminal Code
13 of 2012 ~~Firearm Owners Identification Card Act~~, it is
14 unlawful for you to:

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

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

20 (B) ~~(C)~~ fail to report the loss or theft of your
21 firearm to local law enforcement within 48 hours."

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

25 (c) No retail location established after the effective

1 date of this Act shall be located within 500 feet of any
2 school, pre-school, or day care facility in existence at its
3 location before the retail location is established as measured
4 from the nearest corner of the building holding the retail
5 location to the corner of the school, pre-school, or day care
6 facility building nearest the retail location at the time the
7 retail location seeks licensure.

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

19 (Source: P.A. 104-31, eff. 1-1-26.)

20 (430 ILCS 68/5-25)

21 Sec. 5-25. Exemptions. The provisions of this Act related
22 to the certification of a license do not apply to a person or
23 entity that engages in the following activities:

24 (1) temporary transfers of firearms solely for use at
25 the location or on the premises where the transfer takes

1 place, such as transfers at a shooting range for use at
2 that location;

3 (2) temporary transfers of firearms solely for use
4 while in the presence of the transferor or transfers for
5 the purposes of firearm safety training by a firearms
6 safety training instructor;

7 (3) transfers of firearms among immediate family or
8 household members, as "immediate family or household
9 member" is defined in Section 3-2.7-10 of the Unified Code
10 of Corrections, provided that both the transferor and
11 transferee are not prohibited from possessing a firearm
12 under federal or State law ~~have a currently valid Firearm~~
13 ~~Owner's Identification Card; however, this paragraph (3)~~
14 ~~does not limit the familial gift exemption under paragraph~~
15 ~~(2) of subsection (a-15) of Section 3 of the Firearm~~
16 ~~Owners Identification Card Act;~~

17 (4) transfers by persons or entities acting under
18 operation of law or a court order;

19 (5) transfers by persons or entities liquidating all
20 or part of a collection. For purposes of this paragraph
21 (5), "collection" means 2 or more firearms which are of
22 special interest to collectors by reason of some quality
23 other than is associated with firearms intended for
24 sporting use or as offensive or defensive weapons;

25 (6) transfers of firearms that have been rendered
26 permanently inoperable to a nonprofit historical society,

1 museum, or institutional collection;

2 (7) transfers by a law enforcement or corrections
3 agency or a law enforcement or corrections officer acting
4 within the course and scope of his or her official duties;

5 (8) (blank); ~~transfers to a State or local law~~
6 ~~enforcement agency by a person who has his or her Firearm~~
7 ~~Owner's Identification Card revoked;~~

8 (9) transfers of curios and relics, as defined under
9 federal law, between collectors licensed under subsection
10 (b) of Section 923 of the federal Gun Control Act of 1968;

11 (10) transfers by a person or entity licensed as an
12 auctioneer under the Auction License Act;

13 (10.5) transfers of firearms to a resident registered
14 competitor or attendee or non-resident registered
15 competitor or attendee by a licensed federal firearms
16 dealer under Section 923 of the federal Gun Control Act of
17 1968 at a competitive shooting event held at the World
18 Shooting and Recreational Complex that is sanctioned by a
19 national governing body; or

20 (11) transfers between a pawnshop and a customer which
21 amount to a bailment. For purposes of this paragraph (11),
22 "bailment" means the act of placing property in the
23 custody and control of another, by agreement in which the
24 holder is responsible for the safekeeping and return of
25 the property.

26 (Source: P.A. 100-1178, eff. 1-18-19; 101-80, eff. 7-12-19.)

1 (430 ILCS 68/5-40)

2 Sec. 5-40. Qualifications for operation.

3 (a) Each certified licensee shall submit with each
4 application for certification or renewal an affidavit to the
5 Illinois State Police stating that each owner, employee, or
6 other agent of the certified licensee who sells or conducts
7 transfers of firearms for the certified licensee is at least
8 21 years of age, ~~has a currently valid Firearm Owner's~~
9 ~~Identification Card~~ and, for a renewal, has completed the
10 training required under Section 5-30. The affidavit must also
11 contain the name ~~and Firearm Owner's Identification Card~~
12 ~~number~~ of each owner, employee, or other agent who sells or
13 conducts transfers of firearms for the certified licensee. If
14 an owner, employee, or other agent of the certified licensee
15 is not otherwise a resident of this State, the certified
16 licensee shall submit an affidavit stating that the owner,
17 employee, or other agent has undergone a background check and
18 is not prohibited from owning or possessing firearms.

19 (b) In addition to the affidavit required under subsection
20 (a), within 30 days of a new owner, employee, or other agent
21 beginning selling or conducting transfers of firearms for the
22 certified licensee, the certified licensee shall submit an
23 affidavit to the Illinois State Police stating the date that
24 the new owner, employee, or other agent began selling or
25 conducting transfers of firearms for the certified licensee,

1 and providing the information required in subsection (a) for
2 that new owner, employee, or other agent.

3 (c) If a certified licensee has a license, certificate, or
4 permit to sell, lease, transfer, purchase, or possess firearms
5 issued by the federal government or the government of any
6 state revoked or suspended for good cause within the preceding
7 4 years, the Illinois State Police may consider revoking or
8 suspending the certified licenses in this State. In making a
9 determination of whether or not to revoke or suspend a
10 certified license in this State, the Illinois State Police
11 shall consider the number of retail locations the certified
12 licensee or any related person or entity operates in this
13 State or in other states under the same or different business
14 names, and the severity of the infraction in the state in which
15 a license was revoked or suspended.

16 (d) Applications and affidavits required under this
17 Section are not subject to disclosure by the Illinois State
18 Police under the Freedom of Information Act.

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

20 (430 ILCS 68/5-85)

21 Sec. 5-85. Disciplinary sanctions.

22 (a) For violations of this Act not penalized under Section
23 5-15, the Illinois State Police may refuse to renew or
24 restore, or may reprimand, place on probation, suspend,
25 revoke, or take other disciplinary or non-disciplinary action

1 against any licensee, and may impose a fine commensurate with
2 the severity of the violation not to exceed \$10,000 for each
3 violation for any of the following, consistent with the
4 Protection of Lawful Commerce in Arms Act, 15 U.S.C. 7901
5 through 7903:

6 (1) Violations of this Act, or any law applicable to
7 the sale or transfer of firearms.

8 (2) A pattern of practice or other behavior which
9 demonstrates incapacity or incompetency to practice under
10 this Act.

11 (3) Aiding or assisting another person in violating
12 any provision of this Act or rules adopted under this Act.

13 (4) Failing, within 60 days, to provide information in
14 response to a written request made by the Illinois State
15 Police.

16 (5) Conviction of, plea of guilty to, or plea of nolo
17 contendere to any crime that disqualifies the person from
18 obtaining a firearm ~~valid Firearm Owner's Identification~~
19 ~~Card~~.

20 (6) Continued practice, although the person has become
21 unfit to practice due to any of the following:

22 (A) Any circumstance that disqualifies the person
23 from obtaining a firearm ~~valid Firearm Owner's~~
24 ~~Identification Card~~ or concealed carry license.

25 (B) Habitual or excessive use or abuse of drugs
26 defined in law as controlled substances, alcohol, or

1 any other substance that results in the inability to
2 practice with reasonable judgment, skill, or safety.

3 (7) Receiving, directly or indirectly, compensation
4 for any firearms sold or transferred illegally.

5 (8) Discipline by another United States jurisdiction,
6 foreign nation, or governmental agency, if at least one of
7 the grounds for the discipline is the same or
8 substantially equivalent to those set forth in this Act.

9 (9) Violation of any disciplinary order imposed on a
10 licensee by the Illinois State Police.

11 (10) A finding by the Illinois State Police that the
12 licensee, after having his or her certified license placed
13 on probationary status, has violated the terms of
14 probation.

15 (11) A fraudulent or material misstatement in the
16 completion of an affirmative obligation or inquiry by law
17 enforcement.

18 (b) All fines imposed under this Section shall be paid
19 within 90 days after the effective date of the final order
20 imposing the fine.

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

22 Section 70. The Wildlife Code is amended by changing
23 Sections 3.2 and 3.2a as follows:

24 (520 ILCS 5/3.2) (from Ch. 61, par. 3.2)

1 Sec. 3.2. Hunting license; application; instruction.
2 Before the Department or any county, city, village, township,
3 incorporated town clerk or the clerk's duly designated agent
4 or any other person authorized or designated by the Department
5 to issue hunting licenses shall issue a hunting license to any
6 person, the person shall file the person's application with
7 the Department or other party authorized to issue licenses on
8 a form provided by the Department and further give definite
9 proof of identity and place of legal residence. Each clerk
10 designating agents to issue licenses and stamps shall furnish
11 the Department, within 10 days following the appointment, the
12 names and mailing addresses of the agents. Each clerk or the
13 clerk's duly designated agent shall be authorized to sell
14 licenses and stamps only within the territorial area for which
15 the clerk was elected or appointed. No duly designated agent
16 is authorized to furnish licenses or stamps for issuance by
17 any other business establishment. Each application shall be
18 executed and sworn to and shall set forth the name and
19 description of the applicant and place of residence.

20 No hunting license shall be issued to any person born on or
21 after January 1, 1980 unless that person presents the person
22 who is authorized to issue the license evidence that the
23 person seeking the license has held a hunting license issued
24 by the State of Illinois in a prior year, or a certificate of
25 competency as provided in this Section. Persons under 18 years
26 of age may be issued a Lifetime Hunting or Sportsmen's

1 Combination License as provided under Section 20-45 of the
2 Fish and Aquatic Life Code but shall not be entitled to hunt
3 alone, without the supervision of an adult age 21 or older,
4 unless they have a certificate of competency as provided in
5 this Section and the certificate is in their possession while
6 hunting.

7 The Department of Natural Resources shall authorize
8 personnel of the Department or certified volunteer instructors
9 to conduct courses, of not less than 10 hours in length, in
10 firearms and hunter safety, which may include training in bow
11 and arrow safety, at regularly specified intervals throughout
12 the State. Persons successfully completing the course shall
13 receive a certificate of competency. The Department of Natural
14 Resources may further cooperate with any reputable association
15 or organization in establishing courses if the organization
16 has as one of its objectives the promotion of safety in the
17 handling of firearms or bow and arrow.

18 The Department of Natural Resources shall designate any
19 person found by it to be competent to give instruction in the
20 handling of firearms, hunter safety, and bow and arrow. The
21 persons so appointed shall give the course of instruction and
22 upon the successful completion shall issue to the person
23 instructed a certificate of competency in the safe handling of
24 firearms, hunter safety, and bow and arrow. No charge shall be
25 made for any course of instruction except for materials or
26 ammunition consumed. The Department of Natural Resources shall

1 furnish information on the requirements of hunter safety
2 education programs to be distributed free of charge to
3 applicants for hunting licenses by the persons appointed and
4 authorized to issue licenses. ~~Funds for the conducting of~~
5 ~~firearms and hunter safety courses shall be taken from the fee~~
6 ~~charged for the Firearm Owners Identification Card.~~

7 The fee for a hunting license to hunt all species for a
8 resident of Illinois is \$12. For residents age 65 or older,
9 and, commencing with the 2012 license year, resident veterans
10 of the United States Armed Forces after returning from service
11 abroad or mobilization by the President of the United States
12 as an active duty member of the United States Armed Forces, the
13 Illinois National Guard, or the Reserves of the United States
14 Armed Forces, the fee is one-half of the fee charged for a
15 hunting license to hunt all species for a resident of
16 Illinois. Veterans must provide to the Department acceptable
17 verification of their service. The Department shall establish
18 by administrative rule the procedure by which such
19 verification of service shall be made to the Department for
20 the purpose of issuing resident veterans hunting licenses at a
21 reduced fee. The fee for a hunting license to hunt all species
22 shall be \$1 for residents over 75 years of age. Nonresidents
23 shall be charged \$57 for a hunting license.

24 Residents of this State may obtain a 3-year hunting
25 license to hunt all species as described in Section 3.1 for 3
26 times the annual fee. For residents age 65 or older and

1 resident veterans of the United States Armed Forces after
2 returning from service abroad or mobilization by the President
3 of the United States, the fee is one-half of the fee charged
4 for a 3-year hunting license to hunt all species as described
5 in Section 3.1 for a resident of this State. Veterans must
6 provide to the Department, per administrative rule,
7 verification of their service. The Department shall establish
8 what constitutes suitable verification of service for the
9 purpose of issuing resident veterans 3-year hunting licenses
10 at a reduced fee.

11 Nonresidents may be issued a nonresident hunting license
12 for a period not to exceed 10 consecutive days' hunting in the
13 State and shall be charged a fee of \$35.

14 A special nonresident hunting license authorizing a
15 nonresident to take game birds by hunting on a game breeding
16 and hunting preserve area only, established under Section
17 3.27, shall be issued upon proper application being made and
18 payment of a fee equal to that for a resident hunting license.
19 The expiration date of this license shall be on the same date
20 each year that game breeding and hunting preserve area
21 licenses expire.

22 Each applicant for a State Migratory Waterfowl Stamp,
23 regardless of the applicant's residence or other condition,
24 shall pay a fee of \$15 and shall receive a stamp. The fee for a
25 State Migratory Waterfowl Stamp shall be waived for residents
26 over 75 years of age. Except as provided under Section 20-45 of

1 the Fish and Aquatic Life Code, the stamp shall be signed by
2 the person or affixed to the person's license or permit in a
3 space designated by the Department for that purpose.

4 Each applicant for a State Habitat Stamp, regardless of
5 the applicant's residence or other condition, shall pay a fee
6 of \$5 and shall receive a stamp. The fee for a State Habitat
7 Stamp shall be waived for residents over 75 years of age.
8 Except as provided under Section 20-45 of the Fish and Aquatic
9 Life Code, the stamp shall be signed by the person or affixed
10 to the person's license or permit in a space designated by the
11 Department for that purpose.

12 Nothing in this Section shall be construed as to require
13 the purchase of more than one State Habitat Stamp by any person
14 in any one license year.

15 The fees for State Pheasant Stamps and State Furbearer
16 Stamps shall be waived for residents over 75 years of age.

17 The Department shall furnish the holders of hunting
18 licenses and stamps with an insignia as evidence of possession
19 of license, or license and stamp, as the Department may
20 consider advisable. The insignia shall be exhibited and used
21 as the Department may order.

22 All other hunting licenses and all State stamps shall
23 expire upon March 31 of each year. Three-year hunting licenses
24 shall expire on March 31 of the 2nd year after the year in
25 which the license is issued.

26 Every person holding any license, permit, or stamp issued

1 under the provisions of this Act shall have it in the person's
2 possession for immediate presentation for inspection to the
3 officers and authorized employees of the Department, any
4 sheriff, deputy sheriff, or any other peace officer making a
5 demand for it. This provision shall not apply to Department
6 owned or managed sites where it is required that all hunters
7 deposit their license or ~~permit, or Firearm Owner's~~
8 ~~Identification Card~~ at the check station upon entering the
9 hunting areas.

10 For the purposes of this Section, "acceptable
11 verification" means official documentation from the Department
12 of Defense or the appropriate Major Command showing
13 mobilization dates or service abroad dates, including: (i) a
14 DD-214, (ii) a letter from the Illinois Department of Military
15 Affairs for members of the Illinois National Guard, (iii) a
16 letter from the Regional Reserve Command for members of the
17 Armed Forces Reserve, (iv) a letter from the Major Command
18 covering Illinois for active duty members, (v) personnel
19 records for mobilized State employees, and (vi) any other
20 documentation that the Department, by administrative rule,
21 deems acceptable to establish dates of mobilization or service
22 abroad.

23 For the purposes of this Section, the term "service
24 abroad" means active duty service outside of the 50 United
25 States and the District of Columbia, and includes all active
26 duty service in territories and possessions of the United

1 States.

2 (Source: P.A. 103-456, eff. 1-1-24; 104-325, eff. 1-1-26.)

3 (520 ILCS 5/3.2a) (from Ch. 61, par. 3.2a)

4 Sec. 3.2a. Every person holding any license, permit or
5 stamp issued under the provisions hereof shall have it in his
6 possession for immediate presentation for inspection to the
7 officers and authorized employees of the Department, any
8 sheriff, deputy sheriff or any other peace officer making a
9 demand for it. This provision shall not apply to Department
10 owned or managed sites where it is required that all hunters
11 deposit their license or ~~7~~ permit ~~or Firearm Owner's~~
12 ~~Identification Card~~ at the check station upon entering the
13 hunting areas.

14 (Source: P.A. 85-152.)

15 Section 71. The Illinois Vehicle Code is amended by
16 changing Section 2-116 as follows:

17 (625 ILCS 5/2-116) (from Ch. 95 1/2, par. 2-116)

18 Sec. 2-116. Secretary of State Department of Police.

19 (a) The Secretary of State and the officers, inspectors,
20 and investigators appointed by him shall cooperate with the
21 Illinois State Police and the sheriffs and police in enforcing
22 the laws regulating the operation of vehicles and the use of
23 the highways.

1 (b) The Secretary of State may provide training and
2 education for members of his office in traffic regulation, the
3 promotion of traffic safety and the enforcement of laws vested
4 in the Secretary of State for administration and enforcement
5 regulating the operation of vehicles and the use of the
6 highways.

7 (c) The Secretary of State may provide distinctive
8 uniforms and badges for officers, inspectors and investigators
9 employed in the administration of laws relating to the
10 operation of vehicles and the use of the highways and vesting
11 the administration and enforcement of such laws in the
12 Secretary of State.

13 (c-5) The Director of the Secretary of State Department of
14 Police shall establish a program to allow a Secretary of State
15 Police officer, inspector, or investigator who is honorably
16 retiring in good standing to purchase either one or both of the
17 following: (1) any Secretary of State Department of Police
18 badge previously issued to that officer, inspector, or
19 investigator; or (2) ~~if the officer, inspector, or~~
20 ~~investigator has a currently valid Firearm Owner's~~
21 ~~Identification Card,~~ the service firearm issued or previously
22 issued to the officer, inspector, or investigator by the
23 Secretary of State Department of Police. The cost of the
24 firearm shall be the replacement value of the firearm and not
25 the firearm's fair market value.

26 (d) The Secretary of State Department of Police is

1 authorized to:

2 (1) investigate the origins, activities, persons, and
3 incidents of crime and the ways and means, if any, to
4 redress the victims of crimes, and study the impact, if
5 any, of legislation relative to the criminal laws of this
6 State related thereto and conduct any other investigations
7 as may be provided by law;

8 (2) employ skilled experts, technicians,
9 investigators, special agents, or otherwise specially
10 qualified persons to aid in preventing or detecting crime,
11 apprehending criminals, or preparing and presenting
12 evidence of violations of the criminal laws of the State;

13 (3) cooperate with the police of cities, villages, and
14 incorporated towns, and with the police officers of any
15 county, in enforcing the laws of the State and in making
16 arrests;

17 (4) provide, as may be required by law, assistance to
18 local law enforcement agencies through training,
19 management, and consultant services for local law
20 enforcement agencies, pertaining to law enforcement
21 activities;

22 (5) exercise the rights, powers, and duties which have
23 been vested in it by the Secretary of State Act and this
24 Code; and

25 (6) enforce and administer any other laws in relation
26 to law enforcement as may be vested in the Secretary of

1 State Department of Police.

2 Persons within the Secretary of State Department of Police
3 who exercise these powers are conservators of the peace and
4 have all the powers possessed by policemen in municipalities
5 and sheriffs, and may exercise these powers anywhere in the
6 State in cooperation with local law enforcement officials.
7 These persons may use false or fictitious names in the
8 performance of their duties under this Section, upon approval
9 of the Director of Police-Secretary of State, and shall not be
10 subject to prosecution under the criminal laws for that use.

11 (e) The Secretary of State Department of Police may
12 charge, collect, and receive fees or moneys equivalent to the
13 cost of providing its personnel, equipment, and services to
14 governmental agencies when explicitly requested by a
15 governmental agency and according to an intergovernmental
16 agreement or memorandums of understanding as provided by this
17 Section, including but not limited to fees or moneys
18 equivalent to the cost of providing training to other
19 governmental agencies on terms and conditions that in the
20 judgment of the Director of Police-Secretary of State are in
21 the best interest of the Secretary of State. All fees received
22 by the Secretary of State Police Department under this Act
23 shall be deposited in a special fund in the State Treasury to
24 be known as the Secretary of State Police Services Fund. The
25 money deposited in the Secretary of State Police Services Fund
26 shall be appropriated to the Secretary of State Department of

1 Police as provided for in subsection (g).

2 (f) The Secretary of State Department of Police may apply
3 for grants or contracts and receive, expend, allocate, or
4 disburse moneys made available by public or private entities,
5 including, but not limited to, contracts, bequests, grants, or
6 receiving equipment from corporations, foundations, or public
7 or private institutions of higher learning.

8 (g) The Secretary of State Police Services Fund is hereby
9 created as a special fund in the State Treasury. All moneys
10 received under this Section by the Secretary of State
11 Department of Police shall be deposited into the Secretary of
12 State Police Services Fund to be appropriated to the Secretary
13 of State Department of Police for purposes as indicated by the
14 grantor or contractor or, in the case of moneys bequeathed or
15 granted for no specific purpose, for any purpose as deemed
16 appropriate by the Director of Police-Secretary of State in
17 administering the responsibilities of the Secretary of State
18 Department of Police.

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

20 Section 75. The Criminal Code of 2012 is amended by
21 changing Sections 2-7.1, 2-7.5, 12-3.05, 16-0.1, 17-30, 24-1,
22 24-1.1, 24-1.6, 24-1.8, 24-1.9, 24-1.10, 24-2, 24-3, 24-3.1,
23 24-3.2, 24-3.4, 24-3.5, 24-3B, 24-4.1, 24-5.1, and 24-9 and
24 adding Section 24-4.5 as follows:

(720 ILCS 5/2-7.1)

Sec. 2-7.1. "Firearm" ~~"Firearm"~~ and ~~"firearm"~~ ammunition".
"Firearm" ~~"Firearm"~~ and ~~"firearm"~~ ammunition" means any
self-contained cartridge or shotgun shell, by whatever name
known, which is designed to be used or adaptable to use in a
firearm; excluding, however:

(1) any ammunition exclusively designed for use with a
device used exclusively for signaling or safety and required
or recommended by the United States Coast Guard or the
Interstate Commerce Commission; and

(2) any ammunition designed exclusively for use with a
stud or rivet driver or other similar industrial ammunition
~~have the meanings ascribed to them in Section 1.1 of the~~
~~Firearm Owners Identification Card Act.~~

(Source: P.A. 91-544, eff. 1-1-00.)

(720 ILCS 5/2-7.5)

Sec. 2-7.5. "Firearm". Except as otherwise provided in a
specific Section, "firearm" means any device, by whatever name
known, which is designed to expel a projectile or projectiles
by the action of an explosion, expansion of gas or escape of
gas; excluding, however:

(1) any pneumatic gun, spring gun, paint ball gun, or B-B
gun which expels a single globular projectile not exceeding
.18 inch in diameter or which has a maximum muzzle velocity of
less than 700 feet per second;

1 (1.1) any pneumatic gun, spring gun, paint ball gun, or
2 B-B gun which expels breakable paint balls containing washable
3 marking colors;

4 (2) any device used exclusively for signaling or safety
5 and required or recommended by the United States Coast Guard
6 or the Interstate Commerce Commission;

7 (3) any device used exclusively for the firing of stud
8 cartridges, explosive rivets, or similar industrial
9 ammunition; and

10 (4) an antique firearm (other than a machine-gun) which,
11 although designed as a weapon, the Illinois State Police finds
12 by reason of the date of its manufacture, value, design, and
13 other characteristics is primarily a collector's item and is
14 not likely to be used as a weapon ~~has the meaning ascribed to~~
15 ~~it in Section 1.1 of the Firearm Owners Identification Card~~
16 ~~Act.~~

17 (Source: P.A. 95-331, eff. 8-21-07.)

18 (720 ILCS 5/12-3.05) (was 720 ILCS 5/12-4)

19 Sec. 12-3.05. Aggravated battery.

20 (a) Offense based on injury. A person commits aggravated
21 battery when, in committing a battery, other than by the
22 discharge of a firearm, he or she knowingly does any of the
23 following:

24 (1) Causes great bodily harm or permanent disability
25 or disfigurement.

1 (2) Causes severe and permanent disability, great
2 bodily harm, or disfigurement by means of a caustic or
3 flammable substance, a poisonous gas, a deadly biological
4 or chemical contaminant or agent, a radioactive substance,
5 or a bomb or explosive compound.

6 (3) Causes great bodily harm or permanent disability
7 or disfigurement to an individual whom the person knows to
8 be a peace officer, community policing volunteer, fireman,
9 private security officer, correctional institution
10 employee, or Department of Human Services employee
11 supervising or controlling sexually dangerous persons or
12 sexually violent persons:

13 (i) performing his or her official duties;

14 (ii) battered to prevent performance of his or her
15 official duties; or

16 (iii) battered in retaliation for performing his
17 or her official duties.

18 (4) Causes great bodily harm or permanent disability
19 or disfigurement to an individual 60 years of age or
20 older.

21 (5) Strangles another individual.

22 (b) Offense based on injury to a child or person with an
23 intellectual disability. A person who is at least 18 years of
24 age commits aggravated battery when, in committing a battery,
25 he or she knowingly and without legal justification by any
26 means:

1 (1) causes great bodily harm or permanent disability
2 or disfigurement to any child under the age of 13 years, or
3 to any person with a severe or profound intellectual
4 disability; or

5 (2) causes bodily harm or disability or disfigurement
6 to any child under the age of 13 years or to any person
7 with a severe or profound intellectual disability.

8 (c) Offense based on location of conduct. A person commits
9 aggravated battery when, in committing a battery, other than
10 by the discharge of a firearm, he or she is or the person
11 battered is on or about a public way, public property, a public
12 place of accommodation or amusement, a sports venue, or a
13 domestic violence shelter, or in a church, synagogue, mosque,
14 or other building, structure, or place used for religious
15 worship.

16 (d) Offense based on status of victim. A person commits
17 aggravated battery when, in committing a battery, other than
18 by discharge of a firearm, he or she knows the individual
19 battered to be any of the following:

20 (1) A person 60 years of age or older.

21 (2) A person who is pregnant or has a physical
22 disability.

23 (3) A teacher or school employee upon school grounds
24 or grounds adjacent to a school or in any part of a
25 building used for school purposes.

26 (4) A peace officer, community policing volunteer,

1 fireman, private security officer, correctional
2 institution employee, or Department of Human Services
3 employee supervising or controlling sexually dangerous
4 persons or sexually violent persons:

5 (i) performing his or her official duties;

6 (ii) battered to prevent performance of his or her
7 official duties; or

8 (iii) battered in retaliation for performing his
9 or her official duties.

10 (5) A judge, emergency management worker, emergency
11 medical services personnel, or utility worker:

12 (i) performing his or her official duties;

13 (ii) battered to prevent performance of his or her
14 official duties; or

15 (iii) battered in retaliation for performing his
16 or her official duties.

17 (6) An officer or employee of the State of Illinois, a
18 unit of local government, or a school district, while
19 performing his or her official duties.

20 (7) A transit employee performing his or her official
21 duties, or a transit passenger.

22 (8) A taxi driver on duty.

23 (9) A merchant who detains the person for an alleged
24 commission of retail theft under Section 16-26 of this
25 Code and the person without legal justification by any
26 means causes bodily harm to the merchant.

1 (10) A person authorized to serve process under
2 Section 2-202 of the Code of Civil Procedure or a special
3 process server appointed by the circuit court while that
4 individual is in the performance of his or her duties as a
5 process server.

6 (11) A nurse while in the performance of his or her
7 duties as a nurse.

8 (12) A merchant: (i) while performing his or her
9 duties, including, but not limited to, relaying directions
10 for healthcare or safety from his or her supervisor or
11 employer or relaying health or safety guidelines,
12 recommendations, regulations, or rules from a federal,
13 State, or local public health agency; and (ii) during a
14 disaster declared by the Governor, or a state of emergency
15 declared by the mayor of the municipality in which the
16 merchant is located, due to a public health emergency and
17 for a period of 6 months after such declaration.

18 (e) Offense based on use of a firearm. A person commits
19 aggravated battery when, in committing a battery, he or she
20 knowingly does any of the following:

21 (1) Discharges a firearm, other than a machine gun or
22 a firearm equipped with a silencer, and causes any injury
23 to another person.

24 (2) Discharges a firearm, other than a machine gun or
25 a firearm equipped with a silencer, and causes any injury
26 to a person he or she knows to be a peace officer,

1 community policing volunteer, person summoned by a police
2 officer, fireman, private security officer, correctional
3 institution employee, or emergency management worker:

4 (i) performing his or her official duties;

5 (ii) battered to prevent performance of his or her
6 official duties; or

7 (iii) battered in retaliation for performing his
8 or her official duties.

9 (3) Discharges a firearm, other than a machine gun or
10 a firearm equipped with a silencer, and causes any injury
11 to a person he or she knows to be emergency medical
12 services personnel:

13 (i) performing his or her official duties;

14 (ii) battered to prevent performance of his or her
15 official duties; or

16 (iii) battered in retaliation for performing his
17 or her official duties.

18 (4) Discharges a firearm and causes any injury to a
19 person he or she knows to be a teacher, a student in a
20 school, or a school employee, and the teacher, student, or
21 employee is upon school grounds or grounds adjacent to a
22 school or in any part of a building used for school
23 purposes.

24 (5) Discharges a machine gun or a firearm equipped
25 with a silencer, and causes any injury to another person.

26 (6) Discharges a machine gun or a firearm equipped

1 with a silencer, and causes any injury to a person he or
2 she knows to be a peace officer, community policing
3 volunteer, person summoned by a police officer, fireman,
4 private security officer, correctional institution
5 employee or emergency management worker:

6 (i) performing his or her official duties;

7 (ii) battered to prevent performance of his or her
8 official duties; or

9 (iii) battered in retaliation for performing his
10 or her official duties.

11 (7) Discharges a machine gun or a firearm equipped
12 with a silencer, and causes any injury to a person he or
13 she knows to be emergency medical services personnel:

14 (i) performing his or her official duties;

15 (ii) battered to prevent performance of his or her
16 official duties; or

17 (iii) battered in retaliation for performing his
18 or her official duties.

19 (8) Discharges a machine gun or a firearm equipped
20 with a silencer, and causes any injury to a person he or
21 she knows to be a teacher, or a student in a school, or a
22 school employee, and the teacher, student, or employee is
23 upon school grounds or grounds adjacent to a school or in
24 any part of a building used for school purposes.

25 (f) Offense based on use of a weapon or device. A person
26 commits aggravated battery when, in committing a battery, he

1 or she does any of the following:

2 (1) Uses a deadly weapon other than by discharge of a
3 firearm, or uses an air rifle as defined in Section
4 24.8-0.1 of this Code.

5 (2) Wears a hood, robe, or mask to conceal his or her
6 identity.

7 (3) Knowingly and without lawful justification shines
8 or flashes a laser gunsight or other laser device attached
9 to a firearm, or used in concert with a firearm, so that
10 the laser beam strikes upon or against the person of
11 another.

12 (4) Knowingly video or audio records the offense with
13 the intent to disseminate the recording.

14 (g) Offense based on certain conduct. A person commits
15 aggravated battery when, other than by discharge of a firearm,
16 he or she does any of the following:

17 (1) Violates Section 401 of the Illinois Controlled
18 Substances Act by unlawfully delivering a controlled
19 substance to another and any user experiences great bodily
20 harm or permanent disability as a result of the injection,
21 inhalation, or ingestion of any amount of the controlled
22 substance.

23 (2) Knowingly administers to an individual or causes
24 him or her to take, without his or her consent or by threat
25 or deception, and for other than medical purposes, any
26 intoxicating, poisonous, stupefying, narcotic,

1 anesthetic, or controlled substance, or gives to another
2 person any food containing any substance or object
3 intended to cause physical injury if eaten.

4 (3) Knowingly causes or attempts to cause a
5 correctional institution employee or Department of Human
6 Services employee to come into contact with blood, seminal
7 fluid, urine, or feces by throwing, tossing, or expelling
8 the fluid or material, and the person is an inmate of a
9 penal institution or is a sexually dangerous person or
10 sexually violent person in the custody of the Department
11 of Human Services.

12 (h) Sentence. Unless otherwise provided, aggravated
13 battery is a Class 3 felony.

14 Aggravated battery as defined in subdivision (a)(4),
15 (d)(4), or (g)(3) is a Class 2 felony.

16 Aggravated battery as defined in subdivision (a)(3) or
17 (g)(1) is a Class 1 felony.

18 Aggravated battery as defined in subdivision (a)(1) is a
19 Class 1 felony when the aggravated battery was intentional and
20 involved the infliction of torture, as defined in paragraph
21 (10) of subsection (b-5) of Section 5-8-1 of the Unified Code
22 of Corrections, as the infliction of or subjection to extreme
23 physical pain, motivated by an intent to increase or prolong
24 the pain, suffering, or agony of the victim.

25 Aggravated battery as defined in subdivision (a)(1) is a
26 Class 2 felony when the person causes great bodily harm or

1 permanent disability to an individual whom the person knows to
2 be a member of a congregation engaged in prayer or other
3 religious activities at a church, synagogue, mosque, or other
4 building, structure, or place used for religious worship.

5 Aggravated battery under subdivision (a)(5) is a Class 1
6 felony if:

7 (A) the person used or attempted to use a dangerous
8 instrument while committing the offense;

9 (B) the person caused great bodily harm or permanent
10 disability or disfigurement to the other person while
11 committing the offense; or

12 (C) the person has been previously convicted of a
13 violation of subdivision (a)(5) under the laws of this
14 State or laws similar to subdivision (a)(5) of any other
15 state.

16 Aggravated battery as defined in subdivision (e)(1) is a
17 Class X felony.

18 Aggravated battery as defined in subdivision (a)(2) is a
19 Class X felony for which a person shall be sentenced to a term
20 of imprisonment of a minimum of 6 years and a maximum of 45
21 years.

22 Aggravated battery as defined in subdivision (e)(5) is a
23 Class X felony for which a person shall be sentenced to a term
24 of imprisonment of a minimum of 12 years and a maximum of 45
25 years.

26 Aggravated battery as defined in subdivision (e)(2),

1 (e) (3), or (e) (4) is a Class X felony for which a person shall
2 be sentenced to a term of imprisonment of a minimum of 15 years
3 and a maximum of 60 years.

4 Aggravated battery as defined in subdivision (e) (6),
5 (e) (7), or (e) (8) is a Class X felony for which a person shall
6 be sentenced to a term of imprisonment of a minimum of 20 years
7 and a maximum of 60 years.

8 Aggravated battery as defined in subdivision (b) (1) is a
9 Class X felony, except that:

10 (1) if the person committed the offense while armed
11 with a firearm, 15 years shall be added to the term of
12 imprisonment imposed by the court;

13 (2) if, during the commission of the offense, the
14 person personally discharged a firearm, 20 years shall be
15 added to the term of imprisonment imposed by the court;

16 (3) if, during the commission of the offense, the
17 person personally discharged a firearm that proximately
18 caused great bodily harm, permanent disability, permanent
19 disfigurement, or death to another person, 25 years or up
20 to a term of natural life shall be added to the term of
21 imprisonment imposed by the court.

22 (i) Definitions. In this Section:

23 "Building or other structure used to provide shelter" has
24 the meaning ascribed to "shelter" in Section 1 of the Domestic
25 Violence Shelters Act.

26 "Domestic violence" has the meaning ascribed to it in

1 Section 103 of the Illinois Domestic Violence Act of 1986.

2 "Domestic violence shelter" means any building or other
3 structure used to provide shelter or other services to victims
4 or to the dependent children of victims of domestic violence
5 pursuant to the Illinois Domestic Violence Act of 1986 or the
6 Domestic Violence Shelters Act, or any place within 500 feet
7 of such a building or other structure in the case of a person
8 who is going to or from such a building or other structure.

9 "Firearm" has the meaning provided under Section 2-7.5 of
10 this Code ~~1.1 of the Firearm Owners Identification Card Act,~~
11 and does not include an air rifle as defined by Section
12 24.8-0.1 of this Code.

13 "Machine gun" has the meaning ascribed to it in Section
14 24-1 of this Code.

15 "Merchant" has the meaning ascribed to it in Section
16 16-0.1 of this Code.

17 "Strangle" means intentionally impeding the normal
18 breathing or circulation of the blood of an individual by
19 applying pressure on the throat or neck of that individual or
20 by blocking the nose or mouth of that individual.

21 (Source: P.A. 103-51, eff. 1-1-24.)

22 (720 ILCS 5/16-0.1)

23 Sec. 16-0.1. Definitions. In this Article, unless the
24 context clearly requires otherwise, the following terms are
25 defined as indicated:

1 "Access" means to use, instruct, communicate with, store
2 data in, retrieve or intercept data from, or otherwise utilize
3 any services of a computer.

4 "Coin-operated machine" includes any automatic vending
5 machine or any part thereof, parking meter, coin telephone,
6 coin-operated transit turnstile, transit fare box, coin
7 laundry machine, coin dry cleaning machine, amusement machine,
8 music machine, vending machine dispensing goods or services,
9 or money changer.

10 "Communication device" means any type of instrument,
11 device, machine, or equipment which is capable of
12 transmitting, acquiring, decrypting, or receiving any
13 telephonic, electronic, data, Internet access, audio, video,
14 microwave, or radio transmissions, signals, communications, or
15 services, including the receipt, acquisition, transmission, or
16 decryption of all such communications, transmissions, signals,
17 or services provided by or through any cable television, fiber
18 optic, telephone, satellite, microwave, radio, Internet-based,
19 data transmission, or wireless distribution network, system or
20 facility; or any part, accessory, or component thereof,
21 including any computer circuit, security module, smart card,
22 software, computer chip, electronic mechanism or other
23 component, accessory or part of any communication device which
24 is capable of facilitating the transmission, decryption,
25 acquisition or reception of all such communications,
26 transmissions, signals, or services.

1 "Communication service" means any service lawfully
2 provided for a charge or compensation to facilitate the lawful
3 origination, transmission, emission, or reception of signs,
4 signals, data, writings, images, and sounds or intelligence of
5 any nature by telephone, including cellular telephones or a
6 wire, wireless, radio, electromagnetic, photo-electronic or
7 photo-optical system; and also any service lawfully provided
8 by any radio, telephone, cable television, fiber optic,
9 satellite, microwave, Internet-based or wireless distribution
10 network, system, facility or technology, including, but not
11 limited to, any and all electronic, data, video, audio,
12 Internet access, telephonic, microwave and radio
13 communications, transmissions, signals and services, and any
14 such communications, transmissions, signals and services
15 lawfully provided directly or indirectly by or through any of
16 those networks, systems, facilities or technologies.

17 "Communication service provider" means: (1) any person or
18 entity providing any communication service, whether directly
19 or indirectly, as a reseller, including, but not limited to, a
20 cellular, paging or other wireless communications company or
21 other person or entity which, for a fee, supplies the
22 facility, cell site, mobile telephone switching office or
23 other equipment or communication service; (2) any person or
24 entity owning or operating any cable television, fiber optic,
25 satellite, telephone, wireless, microwave, radio, data
26 transmission or Internet-based distribution network, system or

1 facility; and (3) any person or entity providing any
2 communication service directly or indirectly by or through any
3 such distribution system, network or facility.

4 "Computer" means a device that accepts, processes, stores,
5 retrieves or outputs data, and includes but is not limited to
6 auxiliary storage and telecommunications devices connected to
7 computers.

8 "Continuing course of conduct" means a series of acts, and
9 the accompanying mental state necessary for the crime in
10 question, irrespective of whether the series of acts are
11 continuous or intermittent.

12 "Delivery container" means any bakery basket of wire or
13 plastic used to transport or store bread or bakery products,
14 any dairy case of wire or plastic used to transport or store
15 dairy products, and any dolly or cart of 2 or 4 wheels used to
16 transport or store any bakery or dairy product.

17 "Document-making implement" means any implement,
18 impression, template, computer file, computer disc, electronic
19 device, computer hardware, computer software, instrument, or
20 device that is used to make a real or fictitious or fraudulent
21 personal identification document.

22 "Financial transaction device" means any of the following:

23 (1) An electronic funds transfer card.

24 (2) A credit card.

25 (3) A debit card.

26 (4) A point-of-sale card.

1 (5) Any instrument, device, card, plate, code, account
2 number, personal identification number, or a record or
3 copy of a code, account number, or personal identification
4 number or other means of access to a credit account or
5 deposit account, or a driver's license or State
6 identification card used to access a proprietary account,
7 other than access originated solely by a paper instrument,
8 that can be used alone or in conjunction with another
9 access device, for any of the following purposes:

10 (A) Obtaining money, cash refund or credit
11 account, credit, goods, services, or any other thing
12 of value.

13 (B) Certifying or guaranteeing to a person or
14 business the availability to the device holder of
15 funds on deposit to honor a draft or check payable to
16 the order of that person or business.

17 (C) Providing the device holder access to a
18 deposit account for the purpose of making deposits,
19 withdrawing funds, transferring funds between deposit
20 accounts, obtaining information pertaining to a
21 deposit account, or making an electronic funds
22 transfer.

23 "Full retail value" means the merchant's stated or
24 advertised price of the merchandise. "Full retail value"
25 includes the aggregate value of property obtained from retail
26 thefts committed by the same person as part of a continuing

1 course of conduct from one or more mercantile establishments
2 in a single transaction or in separate transactions over a
3 period of one year.

4 "Internet" means an interactive computer service or system
5 or an information service, system, or access software provider
6 that provides or enables computer access by multiple users to
7 a computer server, and includes, but is not limited to, an
8 information service, system, or access software provider that
9 provides access to a network system commonly known as the
10 Internet, or any comparable system or service and also
11 includes, but is not limited to, a World Wide Web page,
12 newsgroup, message board, mailing list, or chat area on any
13 interactive computer service or system or other online
14 service.

15 "Library card" means a card or plate issued by a library
16 facility for purposes of identifying the person to whom the
17 library card was issued as authorized to borrow library
18 material, subject to all limitations and conditions imposed on
19 the borrowing by the library facility issuing such card.

20 "Library facility" includes any public library or museum,
21 or any library or museum of an educational, historical or
22 eleemosynary institution, organization or society.

23 "Library material" includes any book, plate, picture,
24 photograph, engraving, painting, sculpture, statue, artifact,
25 drawing, map, newspaper, pamphlet, broadside, magazine,
26 manuscript, document, letter, microfilm, sound recording,

1 audiovisual material, magnetic or other tape, electronic data
2 processing record or other documentary, written or printed
3 material regardless of physical form or characteristics, or
4 any part thereof, belonging to, or on loan to or otherwise in
5 the custody of a library facility.

6 "Manufacture or assembly of an unlawful access device"
7 means to make, produce or assemble an unlawful access device
8 or to modify, alter, program or re-program any instrument,
9 device, machine, equipment or software so that it is capable
10 of defeating or circumventing any technology, device or
11 software used by the provider, owner or licensee of a
12 communication service or of any data, audio or video programs
13 or transmissions to protect any such communication, data,
14 audio or video services, programs or transmissions from
15 unauthorized access, acquisition, disclosure, receipt,
16 decryption, communication, transmission or re-transmission.

17 "Manufacture or assembly of an unlawful communication
18 device" means to make, produce or assemble an unlawful
19 communication or wireless device or to modify, alter, program
20 or reprogram a communication or wireless device to be capable
21 of acquiring, disrupting, receiving, transmitting, decrypting,
22 or facilitating the acquisition, disruption, receipt,
23 transmission or decryption of, a communication service without
24 the express consent or express authorization of the
25 communication service provider, or to knowingly assist others
26 in those activities.

1 "Master sound recording" means the original physical
2 object on which a given set of sounds were first recorded and
3 which the original object from which all subsequent sound
4 recordings embodying the same set of sounds are directly or
5 indirectly derived.

6 "Merchandise" means any item of tangible personal
7 property, including motor fuel.

8 "Merchant" means an owner or operator of any retail
9 mercantile establishment or any agent, employee, lessee,
10 consignee, officer, director, franchisee, or independent
11 contractor of the owner or operator. "Merchant" also means a
12 person who receives from an authorized user of a payment card,
13 or someone the person believes to be an authorized user, a
14 payment card or information from a payment card, or what the
15 person believes to be a payment card or information from a
16 payment card, as the instrument for obtaining, purchasing or
17 receiving goods, services, money, or anything else of value
18 from the person.

19 "Motor fuel" means a liquid, regardless of its properties,
20 used to propel a vehicle, including gasoline and diesel.

21 "Online" means the use of any electronic or wireless
22 device to access the Internet.

23 "Payment card" means a credit card, charge card, debit
24 card, or any other card that is issued to an authorized card
25 user and that allows the user to obtain, purchase, or receive
26 goods, services, money, or anything else of value from a

1 merchant.

2 "Person with a disability" means a person who suffers from
3 a physical or mental impairment resulting from disease,
4 injury, functional disorder or congenital condition that
5 impairs the individual's mental or physical ability to
6 independently manage his or her property or financial
7 resources, or both.

8 "Personal identification document" means a birth
9 certificate, a driver's license, a State identification card,
10 a public, government, or private employment identification
11 card, a social security card, a license issued under the
12 Firearm Concealed Carry Act ~~firearm owner's identification~~
13 ~~card~~, a credit card, a debit card, or a passport issued to or
14 on behalf of a person other than the offender, or any document
15 made or issued, or falsely purported to have been made or
16 issued, by or under the authority of the United States
17 Government, the State of Illinois, or any other state
18 political subdivision of any state, or any other governmental
19 or quasi-governmental organization that is of a type intended
20 for the purpose of identification of an individual, or any
21 such document made or altered in a manner that it falsely
22 purports to have been made on behalf of or issued to another
23 person or by the authority of one who did not give that
24 authority.

25 "Personal identifying information" means any of the
26 following information:

1 (1) A person's name.

2 (2) A person's address.

3 (3) A person's date of birth.

4 (4) A person's telephone number.

5 (5) A person's driver's license number or State of
6 Illinois identification card as assigned by the Secretary
7 of State of the State of Illinois or a similar agency of
8 another state.

9 (6) A person's social security number.

10 (7) A person's public, private, or government
11 employer, place of employment, or employment
12 identification number.

13 (8) The maiden name of a person's mother.

14 (9) The number assigned to a person's depository
15 account, savings account, or brokerage account.

16 (10) The number assigned to a person's credit or debit
17 card, commonly known as a "Visa Card", "MasterCard",
18 "American Express Card", "Discover Card", or other similar
19 cards whether issued by a financial institution,
20 corporation, or business entity.

21 (11) Personal identification numbers.

22 (12) Electronic identification numbers.

23 (13) Digital signals.

24 (14) User names, passwords, and any other word,
25 number, character or combination of the same usable in
26 whole or part to access information relating to a specific

1 individual, or to the actions taken, communications made
2 or received, or other activities or transactions of a
3 specific individual.

4 (15) Any other numbers or information which can be
5 used to access a person's financial resources, or to
6 identify a specific individual, or the actions taken,
7 communications made or received, or other activities or
8 transactions of a specific individual.

9 "Premises of a retail mercantile establishment" includes,
10 but is not limited to, the retail mercantile establishment;
11 any common use areas in shopping centers; and all parking
12 areas set aside by a merchant or on behalf of a merchant for
13 the parking of vehicles for the convenience of the patrons of
14 such retail mercantile establishment.

15 "Public water, gas, or power supply, or other public
16 services" mean any service subject to regulation by the
17 Illinois Commerce Commission; any service furnished by a
18 public utility that is owned and operated by any political
19 subdivision, public institution of higher education or
20 municipal corporation of this State; any service furnished by
21 any public utility that is owned by such political
22 subdivision, public institution of higher education, or
23 municipal corporation and operated by any of its lessees or
24 operating agents; any service furnished by an electric
25 cooperative as defined in Section 3.4 of the Electric Supplier
26 Act; or wireless service or other service regulated by the

1 Federal Communications Commission.

2 "Publish" means to communicate or disseminate information
3 to any one or more persons, either orally, in person, or by
4 telephone, radio or television or in writing of any kind,
5 including, without limitation, a letter or memorandum,
6 circular or handbill, newspaper or magazine article or book.

7 "Radio frequency identification device" means any
8 implement, computer file, computer disc, electronic device,
9 computer hardware, computer software, or instrument that is
10 used to activate, read, receive, or decode information stored
11 on a RFID tag or transponder attached to a personal
12 identification document.

13 "RFID tag or transponder" means a chip or device that
14 contains personal identifying information from which the
15 personal identifying information can be read or decoded by
16 another device emitting a radio frequency that activates or
17 powers a radio frequency emission response from the chip or
18 transponder.

19 "Reencoder" means an electronic device that places encoded
20 information from the magnetic strip or stripe of a payment
21 card onto the magnetic strip or stripe of a different payment
22 card.

23 "Retail mercantile establishment" means any place where
24 merchandise is displayed, held, stored or offered for sale to
25 the public.

26 "Scanning device" means a scanner, reader, or any other

1 electronic device that is used to access, read, scan, obtain,
2 memorize, or store, temporarily or permanently, information
3 encoded on the magnetic strip or stripe of a payment card.

4 "Shopping cart" means those push carts of the type or
5 types which are commonly provided by grocery stores, drug
6 stores or other retail mercantile establishments for the use
7 of the public in transporting commodities in stores and
8 markets and, incidentally, from the stores to a place outside
9 the store.

10 "Sound or audio visual recording" means any sound or audio
11 visual phonograph record, disc, pre-recorded tape, film, wire,
12 magnetic tape or other object, device or medium, now known or
13 hereafter invented, by which sounds or images may be
14 reproduced with or without the use of any additional machine,
15 equipment or device.

16 "Stored value card" means any card, gift card, instrument,
17 or device issued with or without fee for the use of the
18 cardholder to obtain money, goods, services, or anything else
19 of value. Stored value cards include, but are not limited to,
20 cards issued for use as a stored value card or gift card, and
21 an account identification number or symbol used to identify a
22 stored value card. "Stored value card" does not include a
23 prepaid card usable at multiple, unaffiliated merchants or at
24 automated teller machines, or both. "Stored value card" shall
25 only apply to Section 16-25.1 of this Act.

26 "Theft detection device remover" means any tool or device

1 specifically designed and intended to be used to remove any
2 theft detection device from any merchandise.

3 "Under-ring" means to cause the cash register or other
4 sales recording device to reflect less than the full retail
5 value of the merchandise.

6 "Unidentified sound or audio visual recording" means a
7 sound or audio visual recording without the actual name and
8 full and correct street address of the manufacturer, and the
9 name of the actual performers or groups prominently and
10 legibly printed on the outside cover or jacket and on the label
11 of such sound or audio visual recording.

12 "Unlawful access device" means any type of instrument,
13 device, machine, equipment, technology, or software which is
14 primarily possessed, used, designed, assembled, manufactured,
15 sold, distributed or offered, promoted or advertised for the
16 purpose of defeating or circumventing any technology, device
17 or software, or any component or part thereof, used by the
18 provider, owner or licensee of any communication service or of
19 any data, audio or video programs or transmissions to protect
20 any such communication, audio or video services, programs or
21 transmissions from unauthorized access, acquisition, receipt,
22 decryption, disclosure, communication, transmission or
23 re-transmission.

24 "Unlawful communication device" means any electronic
25 serial number, mobile identification number, personal
26 identification number or any communication or wireless device

1 that is capable of acquiring or facilitating the acquisition
2 of a communication service without the express consent or
3 express authorization of the communication service provider,
4 or that has been altered, modified, programmed or
5 reprogrammed, alone or in conjunction with another
6 communication or wireless device or other equipment, to so
7 acquire or facilitate the unauthorized acquisition of a
8 communication service. "Unlawful communication device" also
9 means:

10 (1) any phone altered to obtain service without the
11 express consent or express authorization of the
12 communication service provider, tumbler phone, counterfeit
13 or clone phone, tumbler microchip, counterfeit or clone
14 microchip, scanning receiver of wireless communication
15 service or other instrument capable of disguising its
16 identity or location or of gaining unauthorized access to
17 a communications or wireless system operated by a
18 communication service provider; and

19 (2) any communication or wireless device which is
20 capable of, or has been altered, designed, modified,
21 programmed or reprogrammed, alone or in conjunction with
22 another communication or wireless device or devices, so as
23 to be capable of, facilitating the disruption,
24 acquisition, receipt, transmission or decryption of a
25 communication service without the express consent or
26 express authorization of the communication service

1 provider, including, but not limited to, any device,
2 technology, product, service, equipment, computer software
3 or component or part thereof, primarily distributed, sold,
4 designed, assembled, manufactured, modified, programmed,
5 reprogrammed or used for the purpose of providing the
6 unauthorized receipt of, transmission of, disruption of,
7 decryption of, access to or acquisition of any
8 communication service provided by any communication
9 service provider.

10 "Vehicle" means a motor vehicle, motorcycle, or farm
11 implement that is self-propelled and that uses motor fuel for
12 propulsion.

13 "Wireless device" includes any type of instrument, device,
14 machine, or equipment that is capable of transmitting or
15 receiving telephonic, electronic or radio communications, or
16 any part of such instrument, device, machine, or equipment, or
17 any computer circuit, computer chip, electronic mechanism, or
18 other component that is capable of facilitating the
19 transmission or reception of telephonic, electronic, or radio
20 communications.

21 (Source: P.A. 102-757, eff. 5-13-22.)

22 (720 ILCS 5/17-30) (was 720 ILCS 5/16C-2)

23 Sec. 17-30. Defaced, altered, or removed manufacturer or
24 owner identification number.

25 (a) Unlawful sale of household appliances. A person

1 commits unlawful sale of household appliances when he or she
2 knowingly, with the intent to defraud or deceive another,
3 keeps for sale, within any commercial context, any household
4 appliance with a missing, defaced, obliterated, or otherwise
5 altered manufacturer's identification number.

6 (b) Construction equipment identification defacement. A
7 person commits construction equipment identification
8 defacement when he or she knowingly changes, alters, removes,
9 mutilates, or obliterates a permanently affixed serial number,
10 product identification number, part number, component
11 identification number, owner-applied identification, or other
12 mark of identification attached to or stamped, inscribed,
13 molded, or etched into a machine or other equipment, whether
14 stationary or mobile or self-propelled, or a part of such
15 machine or equipment, used in the construction, maintenance,
16 or demolition of buildings, structures, bridges, tunnels,
17 sewers, utility pipes or lines, ditches or open cuts, roads,
18 highways, dams, airports, or waterways or in material handling
19 for such projects.

20 The trier of fact may infer that the defendant has
21 knowingly changed, altered, removed, or obliterated the serial
22 number, product identification number, part number, component
23 identification number, owner-applied identification number, or
24 other mark of identification, if the defendant was in
25 possession of any machine or other equipment or a part of such
26 machine or equipment used in the construction, maintenance, or

1 demolition of buildings, structures, bridges, tunnels, sewers,
2 utility pipes or lines, ditches or open cuts, roads, highways,
3 dams, airports, or waterways or in material handling for such
4 projects upon which any such serial number, product
5 identification number, part number, component identification
6 number, owner-applied identification number, or other mark of
7 identification has been changed, altered, removed, or
8 obliterated.

9 (c) Defacement of manufacturer's serial number or
10 identification mark. A person commits defacement of a
11 manufacturer's serial number or identification mark when he or
12 she knowingly removes, alters, defaces, covers, or destroys
13 the manufacturer's serial number or any other manufacturer's
14 number or distinguishing identification mark upon any machine
15 or other article of merchandise, other than a motor vehicle as
16 defined in Section 1-146 of the Illinois Vehicle Code or a
17 firearm ~~as defined in the Firearm Owners Identification Card~~
18 ~~Act~~, with the intent of concealing or destroying the identity
19 of such machine or other article of merchandise.

20 (d) Sentence.

21 (1) A violation of subsection (a) of this Section is a
22 Class 4 felony if the value of the appliance or appliances
23 exceeds \$1,000 and a Class B misdemeanor if the value of
24 the appliance or appliances is \$1,000 or less.

25 (2) A violation of subsection (b) of this Section is a
26 Class A misdemeanor.

1 (3) A violation of subsection (c) of this Section is a
2 Class B misdemeanor.

3 (e) No liability shall be imposed upon any person for the
4 unintentional failure to comply with subsection (a).

5 (f) Definitions. In this Section:

6 "Commercial context" means a continuing business
7 enterprise conducted for profit by any person whose primary
8 business is the wholesale or retail marketing of household
9 appliances, or a significant portion of whose business or
10 inventory consists of household appliances kept or sold on a
11 wholesale or retail basis.

12 "Household appliance" means any gas or electric device or
13 machine marketed for use as home entertainment or for
14 facilitating or expediting household tasks or chores. The term
15 shall include but not necessarily be limited to refrigerators,
16 freezers, ranges, radios, television sets, vacuum cleaners,
17 toasters, dishwashers, and other similar household items.

18 "Manufacturer's identification number" means any serial
19 number or other similar numerical or alphabetical designation
20 imprinted upon or attached to or placed, stamped, or otherwise
21 imprinted upon or attached to a household appliance or item by
22 the manufacturer for purposes of identifying a particular
23 appliance or item individually or by lot number.

24 (Source: P.A. 96-1551, eff. 7-1-11.)

25 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

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

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

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

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

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

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

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

13 (ii) are not immediately accessible; or

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

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

23 (5) Sets a spring gun; or

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

1 (7) Sells, manufactures, purchases, possesses or
2 carries:

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

15 (ii) any rifle having one or more barrels less
16 than 16 inches in length or a shotgun having one or
17 more barrels less than 18 inches in length or any
18 weapon made from a rifle or shotgun, whether by
19 alteration, modification, or otherwise, if such a
20 weapon as modified has an overall length of less than
21 26 inches; or

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

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

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

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

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

1 permission, any pistol, revolver, stun gun, or taser or
2 other firearm, except that this subsection (a)(10) does
3 not apply to or affect transportation of weapons that meet
4 one of the following conditions:

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

6 (ii) are not immediately accessible; or

7 (iii) are unloaded and enclosed in a case, firearm
8 carrying box, shipping box, or other container by a
9 person eligible under State and federal law to possess
10 a firearm ~~who has been issued a currently valid~~
11 ~~Firearm Owner's Identification Card~~; or

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

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

1 to render him incapable of normal functioning; or

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

14 (12) (Blank); or

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

23 (14) Manufactures, possesses, sells, or offers to
24 sell, purchase, manufacture, import, transfer, or use any
25 device, part, kit, tool, accessory, or combination of
26 parts that is designed to and functions to increase the

1 rate of fire of a semiautomatic firearm above the standard
2 rate of fire for semiautomatic firearms that is not
3 equipped with that device, part, or combination of parts;
4 or

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

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

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

1 felony. A person convicted of a violation of subsection
2 24-1(a)(2.5) or 24-1(a)(14) commits a Class 2 felony. The
3 possession of each weapon or device in violation of this
4 Section constitutes a single and separate violation.

5 (c) Violations in specific places.

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

1 site or mixed-income development commits a Class 2 felony
2 and shall be sentenced to a term of imprisonment of not
3 less than 3 years and not more than 7 years.

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

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

26 (3) Paragraphs (1), (1.5), and (2) of this subsection

1 (c) shall not apply to law enforcement officers or
2 security officers of such school, college, or university
3 or to students carrying or possessing firearms for use in
4 training courses, parades, hunting, target shooting on
5 school ranges, or otherwise with the consent of school
6 authorities and which firearms are transported unloaded
7 enclosed in a suitable case, box, or transportation
8 package.

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

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

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

1 upon the person of one of the occupants therein; or (ii) if
2 such weapon, instrument or substance is found in an automobile
3 operated for hire by a duly licensed driver in the due, lawful
4 and proper pursuit of his or her trade, then such presumption
5 shall not apply to the driver.

6 (e) Exemptions.

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

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

23 (Source: P.A. 102-538, eff. 8-20-21; 102-1116, eff. 1-10-23;
24 103-822, eff. 1-1-25.)

25 (720 ILCS 5/24-1.1) (from Ch. 38, par. 24-1.1)

1 Sec. 24-1.1. Unlawful possession of weapons by felons or
2 persons in the custody of the Department of Corrections
3 facilities.

4 (a) It is unlawful for a person to knowingly possess on or
5 about his person or on his land or in his own abode or fixed
6 place of business any weapon prohibited under Section 24-1 of
7 this Act or any firearm or any firearm ammunition if the person
8 has been convicted of a felony under the laws of this State or
9 any other jurisdiction. This Section shall not apply if the
10 person has been granted relief under this subsection ~~by the~~
11 ~~Director of the Illinois State Police under Section 10 of the~~
12 ~~Firearm Owners Identification Card Act.~~ A person prohibited
13 from possessing a firearm under this subsection (a) may
14 petition the Director of the Illinois State Police for a
15 hearing and relief from the prohibition, unless the
16 prohibition was based upon a forcible felony, stalking,
17 aggravated stalking, domestic battery, any violation of the
18 Illinois Controlled Substances Act, the Methamphetamine
19 Control and Community Protection Act, or the Cannabis Control
20 Act that is classified as a Class 2 or greater felony, any
21 felony violation of Article 24 of the Criminal Code of 1961 or
22 the Criminal Code of 2012, or any adjudication as a delinquent
23 minor for the commission of an offense that if committed by an
24 adult would be a felony, in which case the person may petition
25 the circuit court in writing in the county of his or her
26 residence for a hearing and relief from the prohibition. The

1 Director or court may grant the relief if it is established by
2 the petitioner to the court's or Director's satisfaction that:

3 (1) when in the circuit court, the State's Attorney
4 has been served with a written copy of the petition at
5 least 30 days before any hearing in the circuit court and
6 at the hearing the State's Attorney was afforded an
7 opportunity to present evidence and object to the
8 petition;

9 (2) the petitioner has not been convicted of a
10 forcible felony under the laws of this State or any other
11 jurisdiction within 20 years of the filing of the
12 petition, or at least 20 years have passed since the end of
13 any period of imprisonment imposed in relation to that
14 conviction;

15 (3) the circumstances regarding a criminal conviction,
16 where applicable, the petitioner's criminal history and
17 his or her reputation are such that the petitioner will
18 not be likely to act in a manner dangerous to public
19 safety;

20 (4) granting relief would not be contrary to the
21 public interest; and

22 (5) granting relief would not be contrary to federal
23 law.

24 (b) It is unlawful for any person confined in a penal
25 institution, which is a facility of the Illinois Department of
26 Corrections, to possess any weapon prohibited under Section

1 24-1 of this Code or any firearm or firearm ammunition,
2 regardless of the intent with which he possesses it.

3 (c) It shall be an affirmative defense to a violation of
4 subsection (b), that such possession was specifically
5 authorized by rule, regulation, or directive of the Illinois
6 Department of Corrections or order issued pursuant thereto.

7 (d) The defense of necessity is not available to a person
8 who is charged with a violation of subsection (b) of this
9 Section.

10 (e) Sentence. Violation of this Section by a person not
11 confined in a penal institution shall be a Class 3 felony for
12 which the person shall be sentenced to no less than 2 years and
13 no more than 10 years. A second or subsequent violation of this
14 Section shall be a Class 2 felony for which the person shall be
15 sentenced to a term of imprisonment of not less than 3 years
16 and not more than 14 years, except as provided for in Section
17 5-4.5-110 of the Unified Code of Corrections. Violation of
18 this Section by a person not confined in a penal institution
19 who has been convicted of a forcible felony, a felony
20 violation of Article 24 of this Code ~~or of the Firearm Owners~~
21 ~~Identification Card Act~~, stalking or aggravated stalking, or a
22 Class 2 or greater felony under the Illinois Controlled
23 Substances Act, the Cannabis Control Act, or the
24 Methamphetamine Control and Community Protection Act is a
25 Class 2 felony for which the person shall be sentenced to not
26 less than 3 years and not more than 14 years, except as

1 provided for in Section 5-4.5-110 of the Unified Code of
2 Corrections. Violation of this Section by a person who is on
3 parole or mandatory supervised release is a Class 2 felony for
4 which the person shall be sentenced to not less than 3 years
5 and not more than 14 years, except as provided for in Section
6 5-4.5-110 of the Unified Code of Corrections. Violation of
7 this Section by a person not confined in a penal institution is
8 a Class X felony when the firearm possessed is a machine gun.
9 Any person who violates this Section while confined in a penal
10 institution, which is a facility of the Illinois Department of
11 Corrections, is guilty of a Class 1 felony, if he possesses any
12 weapon prohibited under Section 24-1 of this Code regardless
13 of the intent with which he possesses it, a Class X felony if
14 he possesses any firearm, firearm ammunition or explosive, and
15 a Class X felony for which the offender shall be sentenced to
16 not less than 12 years and not more than 50 years when the
17 firearm possessed is a machine gun. A violation of this
18 Section while wearing or in possession of body armor as
19 defined in Section 33F-1 is a Class X felony punishable by a
20 term of imprisonment of not less than 10 years and not more
21 than 40 years. The possession of each firearm or firearm
22 ammunition in violation of this Section constitutes a single
23 and separate violation.

24 (Source: P.A. 102-538, eff. 8-20-21; 103-822, eff. 1-1-25.)

1 Sec. 24-1.6. Aggravated unlawful possession of a weapon.

2 (a) A person commits the offense of aggravated unlawful
3 possession of a weapon when he or she knowingly:

4 (1) Carries on or about his or her person or in any
5 vehicle or concealed on or about his or her person except
6 when on his or her land or in his or her abode, legal
7 dwelling, or fixed place of business, or on the land or in
8 the legal dwelling of another person as an invitee with
9 that person's permission, any pistol, revolver, stun gun
10 or taser or other firearm; or

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

22 (3) One of the following factors is present:

23 (A) the firearm, other than a pistol, revolver, or
24 handgun, possessed was uncased, loaded, and
25 immediately accessible at the time of the offense; or

26 (A-5) the pistol, revolver, or handgun possessed

1 was uncased, loaded, and immediately accessible at the
2 time of the offense and the person possessing the
3 pistol, revolver, or handgun has not been issued a
4 currently valid license under the Firearm Concealed
5 Carry Act; or

6 (B) the firearm, other than a pistol, revolver, or
7 handgun, possessed was uncased, unloaded, and the
8 ammunition for the weapon was immediately accessible
9 at the time of the offense; or

10 (B-5) the pistol, revolver, or handgun possessed
11 was uncased, unloaded, and the ammunition for the
12 weapon was immediately accessible at the time of the
13 offense and the person possessing the pistol,
14 revolver, or handgun has not been issued a currently
15 valid license under the Firearm Concealed Carry Act;
16 or

17 (C) (blank); or ~~the person possessing the firearm~~
18 ~~has not been issued a currently valid Firearm Owner's~~
19 ~~Identification Card; or~~

20 (D) the person possessing the weapon was
21 previously adjudicated a delinquent minor under the
22 Juvenile Court Act of 1987 for an act that if committed
23 by an adult would be a felony; or

24 (E) the person possessing the weapon was engaged
25 in a misdemeanor violation of the Cannabis Control
26 Act, in a misdemeanor violation of the Illinois

1 Controlled Substances Act, or in a misdemeanor
2 violation of the Methamphetamine Control and Community
3 Protection Act; or

4 (F) (blank); or

5 (G) the person possessing the weapon had an order
6 of protection issued against him or her within the
7 previous 2 years; or

8 (H) the person possessing the weapon was engaged
9 in the commission or attempted commission of a
10 misdemeanor involving the use or threat of violence
11 against the person or property of another; or

12 (I) the person possessing the weapon was under 21
13 years of age and in possession of a handgun, unless the
14 person under 21 is engaged in lawful activities under
15 the Wildlife Code or described in subsection
16 24-2(b)(1), (b)(3), or 24-2(f).

17 (a-5) "Handgun" as used in this Section has the meaning
18 given to it in Section 5 of the Firearm Concealed Carry Act.

19 (b) "Stun gun or taser" as used in this Section has the
20 same definition given to it in Section 24-1 of this Code.

21 (c) This Section does not apply to or affect the
22 transportation or possession of weapons that:

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

24 (ii) are not immediately accessible; or

25 (iii) are unloaded and enclosed in a case, firearm
26 carrying box, shipping box, or other container by a person

1 is eligible under State and federal law to possess a
2 firearm ~~who has been issued a currently valid Firearm~~
3 ~~Owner's Identification Card.~~

4 (d) Sentence.

5 (1) Aggravated unlawful possession of a weapon is a
6 Class 4 felony; a second or subsequent offense is a Class 2
7 felony for which the person shall be sentenced to a term of
8 imprisonment of not less than 3 years and not more than 7
9 years, except as provided for in Section 5-4.5-110 of the
10 Unified Code of Corrections.

11 (2) (Blank). ~~Except as otherwise provided in~~
12 ~~paragraphs (3) and (4) of this subsection (d), a first~~
13 ~~offense of aggravated unlawful possession of a weapon~~
14 ~~committed with a firearm by a person 18 years of age or~~
15 ~~older where the factors listed in both items (A) and (C) or~~
16 ~~both items (A 5) and (C) of paragraph (3) of subsection~~
17 ~~(a) are present is a Class 4 felony, for which the person~~
18 ~~shall be sentenced to a term of imprisonment of not less~~
19 ~~than one year and not more than 3 years.~~

20 (3) Aggravated unlawful possession of a weapon by a
21 person who has been previously convicted of a felony in
22 this State or another jurisdiction is a Class 2 felony for
23 which the person shall be sentenced to a term of
24 imprisonment of not less than 3 years and not more than 7
25 years, except as provided for in Section 5-4.5-110 of the
26 Unified Code of Corrections.

1 (4) Aggravated unlawful possession of a weapon while
2 wearing or in possession of body armor as defined in
3 Section 33F-1 by a person who is prohibited under State or
4 federal law from possessing a firearm ~~has not been issued~~
5 ~~a valid Firearms Owner's Identification Card in accordance~~
6 ~~with Section 5 of the Firearm Owners Identification Card~~
7 ~~Act~~ is a Class X felony.

8 (e) The possession of each firearm in violation of this
9 Section constitutes a single and separate violation.

10 (Source: P.A. 103-822, eff. 1-1-25.)

11 (720 ILCS 5/24-1.8)

12 Sec. 24-1.8. Unlawful possession of a firearm by a street
13 gang member.

14 (a) A person commits unlawful possession of a firearm by a
15 street gang member when he or she knowingly:

16 (1) possesses, carries, or conceals on or about his or
17 her person a firearm and firearm ammunition while on any
18 street, road, alley, gangway, sidewalk, or any other
19 lands, except when inside his or her own abode or inside
20 his or her fixed place of business, ~~and has not been issued~~
21 ~~a currently valid Firearm Owner's Identification Card~~ and
22 is a member of a street gang; or

23 (2) possesses or carries in any vehicle a firearm and
24 firearm ammunition which are both immediately accessible
25 at the time of the offense while on any street, road,

1 alley, or any other lands, except when inside his or her
2 own abode or garage, ~~and has not been issued a currently~~
3 ~~valid Firearm Owner's Identification Card~~ and is a member
4 of a street gang.

5 (b) Unlawful possession of a firearm by a street gang
6 member is a Class 2 felony for which the person, if sentenced
7 to a term of imprisonment, shall be sentenced to no less than 3
8 years and no more than 10 years. A period of probation, a term
9 of periodic imprisonment or conditional discharge shall not be
10 imposed for the offense of unlawful possession of a firearm by
11 a street gang member when the firearm was loaded or contained
12 firearm ammunition and the court shall sentence the offender
13 to not less than the minimum term of imprisonment authorized
14 for the Class 2 felony.

15 (c) For purposes of this Section:

16 "Street gang" or "gang" has the meaning ascribed to it
17 in Section 10 of the Illinois Streetgang Terrorism Omnibus
18 Prevention Act.

19 "Street gang member" or "gang member" has the meaning
20 ascribed to it in Section 10 of the Illinois Streetgang
21 Terrorism Omnibus Prevention Act.

22 (Source: P.A. 96-829, eff. 12-3-09.)

23 (720 ILCS 5/24-1.9)

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

1 caliber cartridges.

2 (a) Definitions. In this Section:

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

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

9 (i) a pistol grip or thumbhole stock;

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

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

18 (iv) a flash suppressor;

19 (v) a grenade launcher;

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

25 (B) A semiautomatic rifle that has a fixed magazine
26 with the capacity to accept more than 10 rounds, except

1 for an attached tubular device designed to accept, and
2 capable of operating only with, .22 caliber rimfire
3 ammunition.

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

8 (i) a threaded barrel;

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

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

17 (iv) a flash suppressor;

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

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

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

26 (E) Any shotgun with a revolving cylinder.

1 (F) A semiautomatic shotgun that has one or more of
2 the following:

3 (i) a pistol grip or thumbhole stock;

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

7 (iii) a folding or thumbhole stock;

8 (iv) a grenade launcher;

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

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

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

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

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

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

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

25 (I) AK, AK47, AK47S, AK-74, AKM, AKS, ARM,
26 MAK90, MISR, NHM90, NHM91, SA85, SA93, Vector Arms

1 AK-47, VEPR, WASR-10, and WUM.

2 (II) IZHMAASH Saiga AK.

3 (III) MAADI AK47 and ARM.

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

5 (V) Poly Technologies AK47 and AKS.

6 (VI) SKS with a detachable magazine.

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

8 (I) AR-10.

9 (II) AR-15.

10 (III) Alexander Arms Overmatch Plus 16.

11 (IV) Armalite M15 22LR Carbine.

12 (V) Armalite M15-T.

13 (VI) Barrett REC7.

14 (VII) Beretta AR-70.

15 (VIII) Black Rain Ordnance Recon Scout.

16 (IX) Bushmaster ACR.

17 (X) Bushmaster Carbon 15.

18 (XI) Bushmaster MOE series.

19 (XII) Bushmaster XM15.

20 (XIII) Chiappa Firearms MFour rifles.

21 (XIV) Colt Match Target rifles.

22 (XV) CORE Rifle Systems CORE15 rifles.

23 (XVI) Daniel Defense M4A1 rifles.

24 (XVII) Devil Dog Arms 15 Series rifles.

25 (XVIII) Diamondback DB15 rifles.

26 (XIX) DoubleStar AR rifles.

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

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

1 (III) Thompson T150D.

2 (IV) Thompson T1B.

3 (V) Thompson T1B100D.

4 (VI) Thompson T1B50D.

5 (VII) Thompson T1BSB.

6 (VIII) Thompson T1-C.

7 (IX) Thompson T1D.

8 (X) Thompson T1SB.

9 (XI) Thompson T5.

10 (XII) Thompson T5100D.

11 (XIII) Thompson TM1.

12 (XIV) Thompson TM1C.

13 (xxi) UMAREX UZI rifle.

14 (xxii) UZI Mini Carbine, UZI Model A Carbine, and
15 UZI Model B Carbine.

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

17 (xxiv) Vector Arms UZI Type.

18 (xxv) Weaver Arms Nighthawk.

19 (xxvi) Wilkinson Arms Linda Carbine.

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

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

24 (I) Centurion 39 AK pistol.

25 (II) CZ Scorpion pistol.

26 (III) Draco AK-47 pistol.

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

1 (viii) IWI Galil Ace pistol, UZI PRO pistol.

2 (ix) Kel-Tec PLR 16 pistol.

3 (x) All MAC types, including the following:

4 (I) MAC-10.

5 (II) MAC-11.

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

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

10 (V) Velocity Arms VMAC.

11 (xi) Sig Sauer P556 pistol.

12 (xii) Sites Spectre.

13 (xiii) All Thompson types, including the
14 following:

15 (I) Thompson TA510D.

16 (II) Thompson TA5.

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

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

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

22 (ii) Doruk Lethal shotguns.

23 (iii) Franchi LAW-12 and SPAS 12.

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

26 (I) IZHMASH Saiga 12.

1 (II) IZHMASH Saiga 12S.

2 (III) IZHMASH Saiga 12S EXP-01.

3 (IV) IZHMASH Saiga 12K.

4 (V) IZHMASH Saiga 12K-030.

5 (VI) IZHMASH Saiga 12K-040 Taktika.

6 (v) Streetsweeper.

7 (vi) Striker 12.

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

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

11 (B) An antique firearm or a replica of an antique
12 firearm.

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

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

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

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

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

1 (5) ".50 caliber rifle" means a centerfire rifle capable
2 of firing a .50 caliber cartridge. The term does not include
3 any antique firearm, any shotgun including a shotgun that has
4 a rifle barrel, or any muzzle-loader which uses black powder
5 for hunting or historical reenactments.

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

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

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

1 .22 caliber rimfire ammunition.

2 (b) Except as provided in subsections (c), (d), and (e),
3 on or after January 10, 2023 (the effective date of Public Act
4 102-1116), it is unlawful for any person within this State to
5 knowingly manufacture, deliver, sell, import, or purchase or
6 cause to be manufactured, delivered, sold, imported, or
7 purchased by another, an assault weapon, assault weapon
8 attachment, .50 caliber rifle, or .50 caliber cartridge.

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

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

23 (1) (blank) ~~the affiant's Firearm Owner's~~
24 ~~Identification Card number;~~

25 (2) an affirmation that the affiant: (i) possessed an
26 assault weapon, assault weapon attachment, .50 caliber

1 rifle, or .50 caliber cartridge before January 10, 2023
2 (the effective date of Public Act 102-1116); or (ii)
3 inherited the assault weapon, assault weapon attachment,
4 .50 caliber rifle, or .50 caliber cartridge from a person
5 with an endorsement under this Section or from a person
6 authorized under subdivisions (1) through (5) of
7 subsection (e) to possess the assault weapon, assault
8 weapon attachment, .50 caliber rifle, or .50 caliber
9 cartridge; and

10 (3) the make, model, caliber, and serial number of the
11 .50 caliber rifle or assault weapon or assault weapons
12 listed in paragraphs (J), (K), and (L) of subdivision (1)
13 of subsection (a) of this Section possessed by the affiant
14 prior to January 10, 2023 (the effective date of Public
15 Act 102-1116) and any assault weapons identified and
16 published by the Illinois State Police pursuant to this
17 subdivision (3). No later than October 1, 2023, and every
18 October 1 thereafter, the Illinois State Police shall, via
19 rulemaking, identify, publish, and make available on its
20 website, the list of assault weapons subject to an
21 endorsement affidavit under this subsection (d). The list
22 shall identify, but is not limited to, the copies,
23 duplicates, variants, and altered facsimiles of the
24 assault weapons identified in paragraphs (J), (K), and (L)
25 of subdivision (1) of subsection (a) of this Section and
26 shall be consistent with the definition of "assault

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

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

13 In any administrative, civil, or criminal proceeding in
14 this State, a completed endorsement affidavit submitted to the
15 Illinois State Police by a person under this Section creates a
16 rebuttable presumption that the person is entitled to possess
17 and transport the assault weapon, assault weapon attachment,
18 .50 caliber rifle, or .50 caliber cartridge.

19 Beginning 90 days after January 10, 2023 (the effective
20 date of Public Act 102-1116), a person authorized under this
21 Section to possess an assault weapon, assault weapon
22 attachment, .50 caliber rifle, or .50 caliber cartridge shall
23 possess such items only:

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

26 (2) on private property that is not open to the public

1 with the express permission of the person who owns or
2 immediately controls such property;

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

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

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

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

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

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

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

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

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

1 Code.

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

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

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

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

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

1 official duties.

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

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

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

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

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

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

25 (i) Possession of any firearm if that firearm is
26 sanctioned by the International Olympic Committee and by

1 USA Shooting, the national governing body for
2 international shooting competition in the United States,
3 but only when the firearm is in the actual possession of an
4 Olympic target shooting competitor or target shooting
5 coach for the purpose of storage, transporting to and from
6 Olympic target shooting practice or events if the firearm
7 is broken down in a nonfunctioning state, is not
8 immediately accessible, or is unloaded and enclosed in a
9 firearm case, carrying box, shipping box, or other similar
10 portable container designed for the safe transportation of
11 firearms, and when the Olympic target shooting competitor
12 or target shooting coach is engaging in those practices or
13 events. For the purposes of this paragraph (8), "firearm"
14 has the meaning provided in Section 2-7.5 ~~1.1 of the~~
15 ~~Firearm Owners Identification Card Act.~~

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

1 container other than the glove compartment or console.

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

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

1 Administrative Procedure Act and this paragraph is deemed
2 to be necessary for the public interest, safety, and
3 welfare.

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

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

14 (f) Any sale or transfer with a background check initiated
15 to the Illinois State Police on or before January 10, 2023 (the
16 effective date of Public Act 102-1116) is allowed to be
17 completed after January 10, 2023 once an approval is issued by
18 the Illinois State Police and any applicable waiting period
19 under Section 24-3 has expired.

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

23 (h) The Illinois State Police shall also develop and
24 implement a public notice and public outreach campaign to
25 promote awareness about the provisions of Public Act 102-1116
26 and to increase compliance with this Section.

1 (Source: P.A. 102-1116, eff. 1-10-23; 103-605, eff. 7-1-24.)

2 (720 ILCS 5/24-1.10)

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

5 (a) In this Section:

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

8 "Long gun" means a rifle or shotgun.

9 "Large capacity ammunition feeding device" means:

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

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

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

24 (b) Except as provided in subsections (e) and (f), it is
25 unlawful for any person within this State to knowingly

1 manufacture, deliver, sell, purchase, or cause to be
2 manufactured, delivered, sold, or purchased a large capacity
3 ammunition feeding device.

4 (c) Except as provided in subsections (d), (e), and (f),
5 and beginning 90 days after January 10, 2023 (the effective
6 date of Public Act 102-1116), it is unlawful to knowingly
7 possess a large capacity ammunition feeding device.

8 (d) Subsection (c) does not apply to a person's possession
9 of a large capacity ammunition feeding device if the person
10 lawfully possessed that large capacity ammunition feeding
11 device before January 10, 2023 (the effective date of Public
12 Act 102-1116), provided that the person shall possess such
13 device only:

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

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

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

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

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

1 carrying box, shipping box, or other container.

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

20 ~~Except as provided in subsections (c) and (f) and~~
21 ~~beginning 90 days after January 10, 2023 (the effective date~~
22 ~~of Public Act 102-1116), any person who moves into this State~~
23 ~~in possession of a large capacity ammunition feeding device~~
24 ~~shall, within 60 days, apply for a Firearm Owners~~
25 ~~Identification Card.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (2) Sale or rental of large capacity ammunition

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

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

15 (h) The Illinois State Police shall also develop and
16 implement a public notice and public outreach campaign to
17 promote awareness about the provisions of Public Act 102-1116
18 and to increase compliance with this Section.

19 (Source: P.A. 102-1116, eff. 1-10-23; 103-605, eff. 7-1-24.)

20 (720 ILCS 5/24-2)

21 Sec. 24-2. Exemptions.

22 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
23 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
24 the following:

25 (1) Peace officers, and any person summoned by a peace

1 officer to assist in making arrests or preserving the
2 peace, while actually engaged in assisting such officer.

3 (2) Wardens, superintendents, and keepers of prisons,
4 penitentiaries, jails, and other institutions for the
5 detention of persons accused or convicted of an offense,
6 while in the performance of their official duty, or while
7 commuting between their homes and places of employment.

8 (3) Members of the Armed Services or Reserve Forces of
9 the United States or the Illinois National Guard or the
10 Reserve Officers Training Corps, while in the performance
11 of their official duty.

12 (4) Special agents employed by a railroad or a public
13 utility to perform police functions, and guards of armored
14 car companies, while actually engaged in the performance
15 of the duties of their employment or commuting between
16 their homes and places of employment; and watchmen while
17 actually engaged in the performance of the duties of their
18 employment.

19 (5) Persons licensed as private security contractors,
20 private detectives, or private alarm contractors, or
21 employed by a private security contractor, private
22 detective, or private alarm contractor agency licensed by
23 the Department of Financial and Professional Regulation,
24 if their duties include the carrying of a weapon under the
25 provisions of the Private Detective, Private Alarm,
26 Private Security, Fingerprint Vendor, and Locksmith Act of

1 2004, while actually engaged in the performance of the
2 duties of their employment or commuting between their
3 homes and places of employment. A person shall be
4 considered eligible for this exemption if he or she has
5 completed the required 20 hours of training for a private
6 security contractor, private detective, or private alarm
7 contractor, or employee of a licensed private security
8 contractor, private detective, or private alarm contractor
9 agency and 28 hours of required firearm training, and has
10 been issued a firearm control card by the Department of
11 Financial and Professional Regulation. Conditions for the
12 renewal of firearm control cards issued under the
13 provisions of this Section shall be the same as for those
14 cards issued under the provisions of the Private
15 Detective, Private Alarm, Private Security, Fingerprint
16 Vendor, and Locksmith Act of 2004. The firearm control
17 card shall be carried by the private security contractor,
18 private detective, or private alarm contractor, or
19 employee of the licensed private security contractor,
20 private detective, or private alarm contractor agency at
21 all times when he or she is in possession of a concealable
22 weapon permitted by his or her firearm control card.

23 (6) Any person regularly employed in a commercial or
24 industrial operation as a security guard for the
25 protection of persons employed and private property
26 related to such commercial or industrial operation, while

1 actually engaged in the performance of his or her duty or
2 traveling between sites or properties belonging to the
3 employer, and who, as a security guard, is a member of a
4 security force registered with the Department of Financial
5 and Professional Regulation; provided that such security
6 guard has successfully completed a course of study,
7 approved by and supervised by the Department of Financial
8 and Professional Regulation, consisting of not less than
9 48 hours of training that includes the theory of law
10 enforcement, liability for acts, and the handling of
11 weapons. A person shall be considered eligible for this
12 exemption if he or she has completed the required 20 hours
13 of training for a security officer and 28 hours of
14 required firearm training, and has been issued a firearm
15 control card by the Department of Financial and
16 Professional Regulation. Conditions for the renewal of
17 firearm control cards issued under the provisions of this
18 Section shall be the same as for those cards issued under
19 the provisions of the Private Detective, Private Alarm,
20 Private Security, Fingerprint Vendor, and Locksmith Act of
21 2004. The firearm control card shall be carried by the
22 security guard at all times when he or she is in possession
23 of a concealable weapon permitted by his or her firearm
24 control card.

25 (7) Agents and investigators of the Illinois
26 Legislative Investigating Commission authorized by the

1 Commission to carry the weapons specified in subsections
2 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
3 any investigation for the Commission.

4 (8) Persons employed by a financial institution as a
5 security guard for the protection of other employees and
6 property related to such financial institution, while
7 actually engaged in the performance of their duties,
8 commuting between their homes and places of employment, or
9 traveling between sites or properties owned or operated by
10 such financial institution, and who, as a security guard,
11 is a member of a security force registered with the
12 Department; provided that any person so employed has
13 successfully completed a course of study, approved by and
14 supervised by the Department of Financial and Professional
15 Regulation, consisting of not less than 48 hours of
16 training which includes theory of law enforcement,
17 liability for acts, and the handling of weapons. A person
18 shall be considered to be eligible for this exemption if
19 he or she has completed the required 20 hours of training
20 for a security officer and 28 hours of required firearm
21 training, and has been issued a firearm control card by
22 the Department of Financial and Professional Regulation.
23 Conditions for renewal of firearm control cards issued
24 under the provisions of this Section shall be the same as
25 for those issued under the provisions of the Private
26 Detective, Private Alarm, Private Security, Fingerprint

1 Vendor, and Locksmith Act of 2004. The firearm control
2 card shall be carried by the security guard at all times
3 when he or she is in possession of a concealable weapon
4 permitted by his or her firearm control card. For purposes
5 of this subsection, "financial institution" means a bank,
6 savings and loan association, credit union, or company
7 providing armored car services.

8 (9) Any person employed by an armored car company to
9 drive an armored car, while actually engaged in the
10 performance of his duties.

11 (10) Persons who have been classified as peace
12 officers pursuant to the Peace Officer Fire Investigation
13 Act.

14 (11) Investigators of the Office of the State's
15 Attorneys Appellate Prosecutor authorized by the board of
16 governors of the Office of the State's Attorneys Appellate
17 Prosecutor to carry weapons pursuant to Section 7.06 of
18 the State's Attorneys Appellate Prosecutor's Act.

19 (12) Special investigators appointed by a State's
20 Attorney under Section 3-9005 of the Counties Code.

21 (12.5) Probation officers while in the performance of
22 their duties, or while commuting between their homes,
23 places of employment or specific locations that are part
24 of their assigned duties, with the consent of the chief
25 judge of the circuit for which they are employed, if they
26 have received weapons training according to requirements

1 of the Peace Officer and Probation Officer Firearm
2 Training Act.

3 (13) Court security officers while in the performance
4 of their official duties, or while commuting between their
5 homes and places of employment, with the consent of the
6 sheriff.

7 (13.5) A person employed as an armed security guard at
8 a nuclear energy, storage, weapons, or development site or
9 facility regulated by the Nuclear Regulatory Commission
10 who has completed the background screening and training
11 mandated by the rules and regulations of the Nuclear
12 Regulatory Commission.

13 (14) Manufacture, transportation, or sale of weapons
14 to persons authorized under subdivisions (1) through
15 (13.5) of this subsection to possess those weapons.

16 (a-5) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply
17 to or affect any person carrying a concealed pistol, revolver,
18 or handgun and the person has been issued a currently valid
19 license under the Firearm Concealed Carry Act at the time of
20 the commission of the offense.

21 (a-6) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply
22 to or affect a qualified current or retired law enforcement
23 officer or a current or retired deputy, county correctional
24 officer, or correctional officer of the Department of
25 Corrections qualified under the laws of this State or under
26 the federal Law Enforcement Officers Safety Act.

1 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
2 24-1.6 do not apply to or affect any of the following:

3 (1) Members of any club or organization organized for
4 the purpose of practicing shooting at targets upon
5 established target ranges, whether public or private, and
6 patrons of such ranges, while such members or patrons are
7 using their firearms on those target ranges.

8 (2) Duly authorized military or civil organizations
9 while parading, with the special permission of the
10 Governor.

11 (3) Hunters, trappers, or fishermen while engaged in
12 lawful hunting, trapping, or fishing under the provisions
13 of the Wildlife Code or the Fish and Aquatic Life Code.

14 (4) Transportation of weapons that are broken down in
15 a non-functioning state or are not immediately accessible.

16 (5) Carrying or possessing any pistol, revolver, stun
17 gun or taser or other firearm on the land or in the legal
18 dwelling of another person as an invitee with that
19 person's permission.

20 (c) Subsection 24-1(a)(7) does not apply to or affect any
21 of the following:

22 (1) Peace officers while in performance of their
23 official duties.

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

1 (3) Members of the Armed Services or Reserve Forces of
2 the United States or the Illinois National Guard, while in
3 the performance of their official duty.

4 (4) Manufacture, transportation, or sale of machine
5 guns to persons authorized under subdivisions (1) through
6 (3) of this subsection to possess machine guns, if the
7 machine guns are broken down in a non-functioning state or
8 are not immediately accessible.

9 (5) Persons licensed under federal law to manufacture
10 any weapon from which 8 or more shots or bullets can be
11 discharged by a single function of the firing device, or
12 ammunition for such weapons, and actually engaged in the
13 business of manufacturing such weapons or ammunition, but
14 only with respect to activities which are within the
15 lawful scope of such business, such as the manufacture,
16 transportation, or testing of such weapons or ammunition.
17 This exemption does not authorize the general private
18 possession of any weapon from which 8 or more shots or
19 bullets can be discharged by a single function of the
20 firing device, but only such possession and activities as
21 are within the lawful scope of a licensed manufacturing
22 business described in this paragraph.

23 During transportation, such weapons shall be broken
24 down in a non-functioning state or not immediately
25 accessible.

26 (6) The manufacture, transport, testing, delivery,

1 transfer, or sale, and all lawful commercial or
2 experimental activities necessary thereto, of rifles,
3 shotguns, and weapons made from rifles or shotguns, or
4 ammunition for such rifles, shotguns, or weapons, where
5 engaged in by a person operating as a contractor or
6 subcontractor pursuant to a contract or subcontract for
7 the development and supply of such rifles, shotguns,
8 weapons, or ammunition to the United States government or
9 any branch of the Armed Forces of the United States, when
10 such activities are necessary and incident to fulfilling
11 the terms of such contract.

12 The exemption granted under this subdivision (c)(6)
13 shall also apply to any authorized agent of any such
14 contractor or subcontractor who is operating within the
15 scope of his employment, where such activities involving
16 such weapon, weapons, or ammunition are necessary and
17 incident to fulfilling the terms of such contract.

18 (7) A person possessing a rifle with a barrel or
19 barrels less than 16 inches in length if: (A) the person
20 has been issued a Curios and Relics license from the U.S.
21 Bureau of Alcohol, Tobacco, Firearms and Explosives; or
22 (B) the person is an active member of a bona fide,
23 nationally recognized military re-enacting group and the
24 modification is required and necessary to accurately
25 portray the weapon for historical re-enactment purposes;
26 the re-enactor is in possession of a valid and current

1 re-enacting group membership credential; and the overall
2 length of the weapon as modified is not less than 26
3 inches.

4 (d) Subsection 24-1(a)(1) does not apply to the purchase,
5 possession or carrying of a black-jack or slung-shot by a
6 peace officer.

7 (e) Subsection 24-1(a)(8) does not apply to any owner,
8 manager, or authorized employee of any place specified in that
9 subsection nor to any law enforcement officer.

10 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and
11 Section 24-1.6 do not apply to members of any club or
12 organization organized for the purpose of practicing shooting
13 at targets upon established target ranges, whether public or
14 private, while using their firearms on those target ranges.

15 (g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply
16 to:

17 (1) Members of the Armed Services or Reserve Forces of
18 the United States or the Illinois National Guard, while in
19 the performance of their official duty.

20 (2) Bonafide collectors of antique or surplus military
21 ordnance.

22 (3) Laboratories having a department of forensic
23 ballistics or specializing in the development of
24 ammunition or explosive ordnance.

25 (4) Commerce, preparation, assembly, or possession of
26 explosive bullets by manufacturers of ammunition licensed

1 by the federal government, in connection with the supply
2 of those organizations and persons exempted by subdivision
3 (g)(1) of this Section, or like organizations and persons
4 outside this State, or the transportation of explosive
5 bullets to any organization or person exempted in this
6 Section by a common carrier or by a vehicle owned or leased
7 by an exempted manufacturer.

8 (g-5) Subsection 24-1(a)(6) does not apply to or affect
9 persons licensed under federal law to manufacture any device
10 or attachment of any kind designed, used, or intended for use
11 in silencing the report of any firearm, firearms, or
12 ammunition for those firearms equipped with those devices, and
13 actually engaged in the business of manufacturing those
14 devices, firearms, or ammunition, but only with respect to
15 activities that are within the lawful scope of that business,
16 such as the manufacture, transportation, or testing of those
17 devices, firearms, or ammunition. This exemption does not
18 authorize the general private possession of any device or
19 attachment of any kind designed, used, or intended for use in
20 silencing the report of any firearm, but only such possession
21 and activities as are within the lawful scope of a licensed
22 manufacturing business described in this subsection (g-5).
23 During transportation, these devices shall be detached from
24 any weapon or not immediately accessible.

25 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
26 24-1.6 do not apply to or affect any parole agent or parole

1 supervisor who meets the qualifications and conditions
2 prescribed in Section 3-14-1.5 of the Unified Code of
3 Corrections.

4 (g-7) Subsection 24-1(a)(6) does not apply to a peace
5 officer while serving as a member of a tactical response team
6 or special operations team. A peace officer may not personally
7 own or apply for ownership of a device or attachment of any
8 kind designed, used, or intended for use in silencing the
9 report of any firearm. These devices shall be owned and
10 maintained by lawfully recognized units of government whose
11 duties include the investigation of criminal acts.

12 (g-10) (Blank).

13 (h) An information or indictment based upon a violation of
14 any subsection of this Article need not negate any exemptions
15 contained in this Article. The defendant shall have the burden
16 of proving such an exemption.

17 (i) Nothing in this Article shall prohibit, apply to, or
18 affect the transportation, carrying, or possession of any
19 pistol or revolver, stun gun, taser, or other firearm
20 consigned to a common carrier operating under license of the
21 State of Illinois or the federal government, where such
22 transportation, carrying, or possession is incident to the
23 lawful transportation in which such common carrier is engaged;
24 and nothing in this Article shall prohibit, apply to, or
25 affect the transportation, carrying, or possession of any
26 pistol, revolver, stun gun, taser, or other firearm, not the

1 subject of and regulated by subsection 24-1(a)(7) or
2 subsection 24-2(c) of this Article, which is unloaded and
3 enclosed in a case, firearm carrying box, shipping box, or
4 other container, by a person eligible under State and federal
5 law to possess a firearm ~~the possessor of a valid Firearm~~
6 ~~Owners Identification Card.~~

7 (Source: P.A. 103-154, eff. 6-30-23; 104-417, eff. 8-15-25.)

8 (720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

9 Sec. 24-3. Unlawful sale or delivery of firearms.

10 (A) A person commits the offense of unlawful sale or
11 delivery of firearms when he or she knowingly does any of the
12 following:

13 (a) Sells or gives any firearm of a size which may be
14 concealed upon the person to any person under 18 years of
15 age.

16 (b) Sells or gives any firearm to a person under 21
17 years of age who has been convicted of a misdemeanor other
18 than a traffic offense or adjudged delinquent.

19 (c) Sells or gives any firearm to any narcotic addict.

20 (d) Sells or gives any firearm to any person who has
21 been convicted of a felony under the laws of this or any
22 other jurisdiction.

23 (e) Sells or gives any firearm to any person who has
24 been a patient in a mental institution within the past 5
25 years. In this subsection (e):

1 "Mental institution" means any hospital,
2 institution, clinic, evaluation facility, mental
3 health center, or part thereof, which is used
4 primarily for the care or treatment of persons with
5 mental illness.

6 "Patient in a mental institution" means the person
7 was admitted, either voluntarily or involuntarily, to
8 a mental institution for mental health treatment,
9 unless the treatment was voluntary and solely for an
10 alcohol abuse disorder and no other secondary
11 substance abuse disorder or mental illness.

12 (f) Sells or gives any firearms to any person who is a
13 person with an intellectual disability.

14 (g) Delivers any firearm, incidental to a sale,
15 without withholding delivery of the firearm for at least
16 72 hours after application for its purchase has been made,
17 or delivers a stun gun or taser, incidental to a sale,
18 without withholding delivery of the stun gun or taser for
19 at least 24 hours after application for its purchase has
20 been made. However, this paragraph (g) does not apply to:

21 (1) the sale of a firearm to a law enforcement officer if
22 the seller of the firearm knows that the person to whom he
23 or she is selling the firearm is a law enforcement officer
24 or the sale of a firearm to a person who desires to
25 purchase a firearm for use in promoting the public
26 interest incident to his or her employment as a bank

1 guard, armed truck guard, or other similar employment; (2)
2 a mail order sale of a firearm from a federally licensed
3 firearms dealer to a nonresident of Illinois under which
4 the firearm is mailed to a federally licensed firearms
5 dealer outside the boundaries of Illinois; (3) (blank);
6 (4) the sale of a firearm to a dealer licensed as a federal
7 firearms dealer under Section 923 of the federal Gun
8 Control Act of 1968 (18 U.S.C. 923); or (5) the transfer or
9 sale of any rifle, shotgun, or other long gun to a resident
10 registered competitor or attendee or non-resident
11 registered competitor or attendee by any dealer licensed
12 as a federal firearms dealer under Section 923 of the
13 federal Gun Control Act of 1968 at competitive shooting
14 events held at the World Shooting Complex sanctioned by a
15 national governing body. For purposes of transfers or
16 sales under subparagraph (5) of this paragraph (g), the
17 Department of Natural Resources shall give notice to the
18 Illinois State Police at least 30 calendar days prior to
19 any competitive shooting events at the World Shooting
20 Complex sanctioned by a national governing body. The
21 notification shall be made on a form prescribed by the
22 Illinois State Police. The sanctioning body shall provide
23 a list of all registered competitors and attendees at
24 least 24 hours before the events to the Illinois State
25 Police. Any changes to the list of registered competitors
26 and attendees shall be forwarded to the Illinois State

1 Police as soon as practicable. The Illinois State Police
2 must destroy the list of registered competitors and
3 attendees no later than 30 days after the date of the
4 event. Nothing in this paragraph (g) relieves a federally
5 licensed firearm dealer from the requirements of
6 conducting a NICS background check through the Illinois
7 Point of Contact under 18 U.S.C. 922(t). For purposes of
8 this paragraph (g), "application" means when the buyer and
9 seller reach an agreement to purchase a firearm. For
10 purposes of this paragraph (g), "national governing body"
11 means a group of persons who adopt rules and formulate
12 policy on behalf of a national firearm sporting
13 organization.

14 (h) While holding any license as a dealer, importer,
15 manufacturer or pawnbroker under the federal Gun Control
16 Act of 1968, manufactures, sells or delivers to any
17 unlicensed person a handgun having a barrel, slide, frame
18 or receiver which is a die casting of zinc alloy or any
19 other nonhomogeneous metal which will melt or deform at a
20 temperature of less than 800 degrees Fahrenheit. For
21 purposes of this paragraph, (1) "firearm" has the meaning
22 provided in Section 2-7.5 of the Criminal Code of 2012 ~~is~~
23 ~~defined as in the Firearm Owners Identification Card Act;~~
24 and (2) "handgun" is defined as a firearm designed to be
25 held and fired by the use of a single hand, and includes a
26 combination of parts from which such a firearm can be

1 assembled.

2 (i) Sells or gives a firearm of any size to any person
3 under 18 years of age who is not eligible under State or
4 federal law to possess a firearm ~~does not possess a valid~~
5 ~~Firearm Owner's Identification Card.~~

6 (j) Sells or gives a firearm while engaged in the
7 business of selling firearms at wholesale or retail
8 without being licensed as a federal firearms dealer under
9 Section 923 of the federal Gun Control Act of 1968 (18
10 U.S.C. 923). In this paragraph (j):

11 A person "engaged in the business" means a person who
12 devotes time, attention, and labor to engaging in the
13 activity as a regular course of trade or business with the
14 principal objective of livelihood and profit, but does not
15 include a person who makes occasional repairs of firearms
16 or who occasionally fits special barrels, stocks, or
17 trigger mechanisms to firearms.

18 "With the principal objective of livelihood and
19 profit" means that the intent underlying the sale or
20 disposition of firearms is predominantly one of obtaining
21 livelihood and pecuniary gain, as opposed to other
22 intents, such as improving or liquidating a personal
23 firearms collection; however, proof of profit shall not be
24 required as to a person who engages in the regular and
25 repetitive purchase and disposition of firearms for
26 criminal purposes or terrorism.

1 (k) (Blank). ~~Sells or transfers ownership of a firearm~~
2 ~~to a person who does not display to the seller or~~
3 ~~transferor of the firearm either: (1) a currently valid~~
4 ~~Firearm Owner's Identification Card that has previously~~
5 ~~been issued in the transferee's name by the Illinois State~~
6 ~~Police under the provisions of the Firearm Owners~~
7 ~~Identification Card Act; or (2) a currently valid license~~
8 ~~to carry a concealed firearm that has previously been~~
9 ~~issued in the transferee's name by the Illinois State~~
10 ~~Police under the Firearm Concealed Carry Act. This~~
11 ~~paragraph (k) does not apply to the transfer of a firearm~~
12 ~~to a person who is exempt from the requirement of~~
13 ~~possessing a Firearm Owner's Identification Card under~~
14 ~~Section 2 of the Firearm Owners Identification Card Act.~~
15 ~~For the purposes of this Section, a currently valid~~
16 ~~Firearm Owner's Identification Card or license to carry a~~
17 ~~concealed firearm means receipt of an approval number~~
18 ~~issued in accordance with subsection (a 10) of Section 3~~
19 ~~or Section 3.1 of the Firearm Owners Identification Card~~
20 ~~Act.~~

21 (1) (Blank). ~~In addition to the other requirements~~
22 ~~of this paragraph (k), all persons who are not~~
23 ~~federally licensed firearms dealers must also have~~
24 ~~complied with subsection (a 10) of Section 3 of the~~
25 ~~Firearm Owners Identification Card Act by determining~~
26 ~~the validity of a purchaser's Firearm Owner's~~

1 ~~Identification Card.~~

2 (2) (Blank). ~~All sellers or transferors who have~~
3 ~~complied with the requirements of subparagraph (1) of~~
4 ~~this paragraph (k) shall not be liable for damages in~~
5 ~~any civil action arising from the use or misuse by the~~
6 ~~transferee of the firearm transferred, except for~~
7 ~~willful or wanton misconduct on the part of the seller~~
8 ~~or transferor.~~

9 (1) Not being entitled to the possession of a firearm,
10 delivers the firearm, knowing it to have been stolen or
11 converted. It may be inferred that a person who possesses
12 a firearm with knowledge that its serial number has been
13 removed or altered has knowledge that the firearm is
14 stolen or converted.

15 (B) Paragraph (h) of subsection (A) does not include
16 firearms sold within 6 months after enactment of Public Act
17 78-355 (approved August 21, 1973, effective October 1, 1973),
18 nor is any firearm legally owned or possessed by any citizen or
19 purchased by any citizen within 6 months after the enactment
20 of Public Act 78-355 subject to confiscation or seizure under
21 the provisions of that Public Act. Nothing in Public Act
22 78-355 shall be construed to prohibit the gift or trade of any
23 firearm if that firearm was legally held or acquired within 6
24 months after the enactment of that Public Act.

25 (C) Sentence.

26 (1) Any person convicted of unlawful sale or delivery

1 of firearms in violation of paragraph (c), (e), (f), (g),
2 or (h) of subsection (A) commits a Class 4 felony.

3 (2) Any person convicted of unlawful sale or delivery
4 of firearms in violation of paragraph (b) or (i) of
5 subsection (A) commits a Class 3 felony.

6 (3) Any person convicted of unlawful sale or delivery
7 of firearms in violation of paragraph (a) of subsection
8 (A) commits a Class 2 felony.

9 (4) Any person convicted of unlawful sale or delivery
10 of firearms in violation of paragraph (a), (b), or (i) of
11 subsection (A) in any school, on the real property
12 comprising a school, within 1,000 feet of the real
13 property comprising a school, at a school related
14 activity, or on or within 1,000 feet of any conveyance
15 owned, leased, or contracted by a school or school
16 district to transport students to or from school or a
17 school related activity, regardless of the time of day or
18 time of year at which the offense was committed, commits a
19 Class 1 felony. Any person convicted of a second or
20 subsequent violation of unlawful sale or delivery of
21 firearms in violation of paragraph (a), (b), or (i) of
22 subsection (A) in any school, on the real property
23 comprising a school, within 1,000 feet of the real
24 property comprising a school, at a school related
25 activity, or on or within 1,000 feet of any conveyance
26 owned, leased, or contracted by a school or school

1 district to transport students to or from school or a
2 school related activity, regardless of the time of day or
3 time of year at which the offense was committed, commits a
4 Class 1 felony for which the sentence shall be a term of
5 imprisonment of no less than 5 years and no more than 15
6 years.

7 (5) Any person convicted of unlawful sale or delivery
8 of firearms in violation of paragraph (a) or (i) of
9 subsection (A) in residential property owned, operated, or
10 managed by a public housing agency or leased by a public
11 housing agency as part of a scattered site or mixed-income
12 development, in a public park, in a courthouse, on
13 residential property owned, operated, or managed by a
14 public housing agency or leased by a public housing agency
15 as part of a scattered site or mixed-income development,
16 on the real property comprising any public park, on the
17 real property comprising any courthouse, or on any public
18 way within 1,000 feet of the real property comprising any
19 public park, courthouse, or residential property owned,
20 operated, or managed by a public housing agency or leased
21 by a public housing agency as part of a scattered site or
22 mixed-income development commits a Class 2 felony.

23 (6) Any person convicted of unlawful sale or delivery
24 of firearms in violation of paragraph (j) of subsection
25 (A) commits a Class A misdemeanor. A second or subsequent
26 violation is a Class 4 felony.

1 (7) (Blank). ~~Any person convicted of unlawful sale or~~
2 ~~delivery of firearms in violation of paragraph (k) of~~
3 ~~subsection (A) commits a Class 4 felony, except that a~~
4 ~~violation of subparagraph (1) of paragraph (k) of~~
5 ~~subsection (A) shall not be punishable as a crime or petty~~
6 ~~offense. A third or subsequent conviction for a violation~~
7 ~~of paragraph (k) of subsection (A) is a Class 1 felony.~~

8 (8) A person 18 years of age or older convicted of
9 unlawful sale or delivery of firearms in violation of
10 paragraph (a) or (i) of subsection (A), when the firearm
11 that was sold or given to another person under 18 years of
12 age was used in the commission of or attempt to commit a
13 forcible felony, shall be fined or imprisoned, or both,
14 not to exceed the maximum provided for the most serious
15 forcible felony so committed or attempted by the person
16 under 18 years of age who was sold or given the firearm.

17 (9) Any person convicted of unlawful sale or delivery
18 of firearms in violation of paragraph (d) of subsection
19 (A) commits a Class 3 felony.

20 (10) Any person convicted of unlawful sale or delivery
21 of firearms in violation of paragraph (l) of subsection
22 (A) commits a Class 2 felony if the delivery is of one
23 firearm. Any person convicted of unlawful sale or delivery
24 of firearms in violation of paragraph (l) of subsection
25 (A) commits a Class 1 felony if the delivery is of not less
26 than 2 and not more than 5 firearms at the same time or

1 within a one-year period. Any person convicted of unlawful
2 sale or delivery of firearms in violation of paragraph (1)
3 of subsection (A) commits a Class X felony for which he or
4 she shall be sentenced to a term of imprisonment of not
5 less than 6 years and not more than 30 years if the
6 delivery is of not less than 6 and not more than 10
7 firearms at the same time or within a 2-year period. Any
8 person convicted of unlawful sale or delivery of firearms
9 in violation of paragraph (1) of subsection (A) commits a
10 Class X felony for which he or she shall be sentenced to a
11 term of imprisonment of not less than 6 years and not more
12 than 40 years if the delivery is of not less than 11 and
13 not more than 20 firearms at the same time or within a
14 3-year period. Any person convicted of unlawful sale or
15 delivery of firearms in violation of paragraph (1) of
16 subsection (A) commits a Class X felony for which he or she
17 shall be sentenced to a term of imprisonment of not less
18 than 6 years and not more than 50 years if the delivery is
19 of not less than 21 and not more than 30 firearms at the
20 same time or within a 4-year period. Any person convicted
21 of unlawful sale or delivery of firearms in violation of
22 paragraph (1) of subsection (A) commits a Class X felony
23 for which he or she shall be sentenced to a term of
24 imprisonment of not less than 6 years and not more than 60
25 years if the delivery is of 31 or more firearms at the same
26 time or within a 5-year period.

1 (D) For purposes of this Section:

2 "School" means a public or private elementary or secondary
3 school, community college, college, or university.

4 "School related activity" means any sporting, social,
5 academic, or other activity for which students' attendance or
6 participation is sponsored, organized, or funded in whole or
7 in part by a school or school district.

8 (E) (Blank). ~~A prosecution for a violation of paragraph~~
9 ~~(k) of subsection (A) of this Section may be commenced within 6~~
10 ~~years after the commission of the offense. A prosecution for a~~
11 ~~violation of this Section other than paragraph (g) of~~
12 ~~subsection (A) of this Section may be commenced within 5 years~~
13 ~~after the commission of the offense defined in the particular~~
14 ~~paragraph.~~

15 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
16 102-813, eff. 5-13-22.)

17 (720 ILCS 5/24-3.1) (from Ch. 38, par. 24-3.1)

18 Sec. 24-3.1. Unlawful possession of firearms and firearm
19 ammunition.

20 (a) A person commits the offense of unlawful possession of
21 firearms or firearm ammunition when:

22 (1) He is under 18 years of age and has in his
23 possession any firearm of a size which may be concealed
24 upon the person; or

25 (2) He is under 21 years of age, has been convicted of

1 a misdemeanor other than a traffic offense or adjudged
2 delinquent and has any firearms or firearm ammunition in
3 his possession; or

4 (3) He is a narcotic addict and has any firearms or
5 firearm ammunition in his possession; or

6 (4) He has been a patient in a mental institution
7 within the past 5 years and has any firearms or firearm
8 ammunition in his possession. For purposes of this
9 paragraph (4):

10 "Mental institution" means any hospital,
11 institution, clinic, evaluation facility, mental
12 health center, or part thereof, which is used
13 primarily for the care or treatment of persons with
14 mental illness.

15 "Patient in a mental institution" means the person
16 was admitted, either voluntarily or involuntarily, to
17 a mental institution for mental health treatment,
18 unless the treatment was voluntary and solely for an
19 alcohol abuse disorder and no other secondary
20 substance abuse disorder or mental illness; or

21 (5) He is a person with an intellectual disability and
22 has any firearms or firearm ammunition in his possession;
23 or

24 (6) He has in his possession any explosive bullet.

25 For purposes of this paragraph "explosive bullet" means
26 the projectile portion of an ammunition cartridge which

1 contains or carries an explosive charge which will explode
2 upon contact with the flesh of a human or an animal.
3 "Cartridge" means a tubular metal case having a projectile
4 affixed at the front thereof and a cap or primer at the rear
5 end thereof, with the propellant contained in such tube
6 between the projectile and the cap.

7 (a-5) A person prohibited from possessing a firearm under
8 this Section may petition the Director of the Illinois State
9 Police for a hearing and relief from the prohibition, unless
10 the prohibition was based upon a forcible felony, stalking,
11 aggravated stalking, domestic battery, any violation of the
12 Illinois Controlled Substances Act, the Methamphetamine
13 Control and Community Protection Act, or the Cannabis Control
14 Act that is classified as a Class 2 or greater felony, any
15 felony violation of Article 24 of the Criminal Code of 1961 or
16 the Criminal Code of 2012, or any adjudication as a delinquent
17 minor for the commission of an offense that if committed by an
18 adult would be a felony, in which case the person may petition
19 the circuit court in writing in the county of his or her
20 residence for a hearing and relief from the prohibition. The
21 Director or court may grant the relief if it is established by
22 the petitioner to the court's or Director's satisfaction that:

23 (1) when in the circuit court, the State's Attorney
24 has been served with a written copy of the petition at
25 least 30 days before any hearing in the circuit court and
26 at the hearing the State's Attorney was afforded an

1 opportunity to present evidence and object to the
2 petition;

3 (2) the petitioner has not been convicted of a
4 forcible felony under the laws of this State or any other
5 jurisdiction within 20 years of the filing of the
6 petition, or at least 20 years have passed since the end of
7 any period of imprisonment imposed in relation to that
8 conviction;

9 (3) the circumstances regarding a criminal conviction,
10 where applicable, the petitioner's criminal history and
11 his reputation are such that the petitioner will not be
12 likely to act in a manner dangerous to public safety;

13 (4) granting relief would not be contrary to the
14 public interest; and

15 (5) granting relief would not be contrary to federal
16 law.

17 (b) Sentence.

18 Unlawful possession of firearms, other than handguns, and
19 firearm ammunition is a Class A misdemeanor. Unlawful
20 possession of handguns is a Class 4 felony. The possession of
21 each firearm or firearm ammunition in violation of this
22 Section constitutes a single and separate violation.

23 (c) Nothing in paragraph (1) of subsection (a) of this
24 Section prohibits a person under 18 years of age from
25 participating in any lawful recreational activity with a
26 firearm such as, but not limited to, practice shooting at

1 targets upon established public or private target ranges or
2 hunting, trapping, or fishing in accordance with the Wildlife
3 Code or the Fish and Aquatic Life Code.

4 (Source: P.A. 99-143, eff. 7-27-15.)

5 (720 ILCS 5/24-3.2) (from Ch. 38, par. 24-3.2)

6 Sec. 24-3.2. Unlawful discharge of firearm projectiles.

7 (a) A person commits the offense of unlawful discharge of
8 firearm projectiles when he or she knowingly or recklessly
9 uses an armor piercing bullet, dragon's breath shotgun shell,
10 bolo shell, or flechette shell in violation of this Section.

11 For purposes of this Section:

12 "Armor piercing bullet" means any handgun bullet or
13 handgun ammunition with projectiles or projectile cores
14 constructed entirely (excluding the presence of traces of
15 other substances) from tungsten alloys, steel, iron, brass,
16 bronze, beryllium copper or depleted uranium, or fully
17 jacketed bullets larger than 22 caliber whose jacket has a
18 weight of more than 25% of the total weight of the projectile,
19 and excluding those handgun projectiles whose cores are
20 composed of soft materials such as lead or lead alloys, zinc or
21 zinc alloys, frangible projectiles designed primarily for
22 sporting purposes, and any other projectiles or projectile
23 cores that the U. S. Secretary of the Treasury finds to be
24 primarily intended to be used for sporting purposes or
25 industrial purposes or that otherwise does not constitute

1 "armor piercing ammunition" as that term is defined by federal
2 law.

3 "Dragon's breath shotgun shell" means any shotgun shell
4 that contains exothermic pyrophoric mesh metal as the
5 projectile and is designed for the purpose of throwing or
6 spewing a flame or fireball to simulate a flame-thrower.

7 "Bolo shell" means any shell that can be fired in a firearm
8 and expels as projectiles 2 or more metal balls connected by
9 solid metal wire.

10 "Flechette shell" means any shell that can be fired in a
11 firearm and expels 2 or more pieces of fin-stabilized solid
12 metal wire or 2 or more solid dart-type projectiles.

13 (b) A person commits a Class X felony when he or she,
14 knowing that a firearm, ~~as defined in Section 1.1 of the~~
15 ~~Firearm Owners Identification Card Act,~~ is loaded with an
16 armor piercing bullet, dragon's breath shotgun shell, bolo
17 shell, or flechette shell, intentionally or recklessly
18 discharges such firearm and such bullet or shell strikes any
19 other person.

20 (c) Any person who possesses, concealed on or about his or
21 her person, an armor piercing bullet, dragon's breath shotgun
22 shell, bolo shell, or flechette shell and a firearm suitable
23 for the discharge thereof is guilty of a Class 2 felony.

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

26 (1) Peace officers;

1 (2) Wardens, superintendents and keepers of prisons,
2 penitentiaries, jails and other institutions for the
3 detention of persons accused or convicted of an offense;

4 (3) Members of the Armed Services or Reserve Forces of
5 the United States or the Illinois National Guard while in
6 the performance of their official duties;

7 (4) Federal officials required to carry firearms,
8 while engaged in the performance of their official duties;

9 (5) United States Marshals, while engaged in the
10 performance of their official duties.

11 (Source: P.A. 92-423, eff. 1-1-02.)

12 (720 ILCS 5/24-3.4) (from Ch. 38, par. 24-3.4)

13 Sec. 24-3.4. Unlawful sale of firearms by liquor licensee.

14 (a) It shall be unlawful for any person who holds a license
15 to sell at retail any alcoholic liquor issued by the Illinois
16 Liquor Control Commission or local liquor control commissioner
17 under the Liquor Control Act of 1934 or an agent or employee of
18 the licensee to sell or deliver to any other person a firearm
19 in or on the real property of the establishment where the
20 licensee is licensed to sell alcoholic liquors unless the sale
21 or delivery of the firearm is otherwise lawful under this
22 Article ~~and under the Firearm Owners Identification Card Act.~~

23 (b) Sentence. A violation of subsection (a) of this
24 Section is a Class 4 felony.

25 (Source: P.A. 87-591.)

1 (720 ILCS 5/24-3.5)

2 Sec. 24-3.5. Unlawful purchase of a firearm.

3 (a) For purposes of this Section, "firearms transaction
4 record form" means a form:

5 (1) executed by a transferee of a firearm stating: (i)
6 the transferee's name and address (including county or
7 similar political subdivision); (ii) whether the
8 transferee is a citizen of the United States; (iii) the
9 transferee's State of residence; and (iv) the date and
10 place of birth, height, weight, and race of the
11 transferee; and

12 (2) on which the transferee certifies that he or she
13 is not prohibited by federal law from transporting or
14 shipping a firearm in interstate or foreign commerce or
15 receiving a firearm that has been shipped or transported
16 in interstate or foreign commerce or possessing a firearm
17 in or affecting commerce.

18 (b) A person commits the offense of unlawful purchase of a
19 firearm who knowingly purchases or attempts to purchase a
20 firearm with the intent to deliver that firearm to another
21 person who is prohibited by federal or State law from
22 possessing a firearm.

23 (c) A person commits the offense of unlawful purchase of a
24 firearm when he or she, in purchasing or attempting to
25 purchase a firearm, intentionally provides false or misleading

1 information on a United States Department of the Treasury,
2 Bureau of Alcohol, Tobacco and Firearms firearms transaction
3 record form.

4 (d) Exemption. It is not a violation of subsection (b) of
5 this Section for a person to make a gift or loan of a firearm
6 to a person who is not prohibited by federal or State law from
7 possessing a firearm ~~if the transfer of the firearm is made in~~
8 ~~accordance with Section 3 of the Firearm Owners Identification~~
9 ~~Card Act.~~

10 (e) Sentence.

11 (1) A person who commits the offense of unlawful
12 purchase of a firearm:

13 (A) is guilty of a Class 2 felony for purchasing or
14 attempting to purchase one firearm;

15 (B) is guilty of a Class 1 felony for purchasing or
16 attempting to purchase not less than 2 firearms and
17 not more than 5 firearms at the same time or within a
18 one year period;

19 (C) is guilty of a Class X felony for which the
20 offender shall be sentenced to a term of imprisonment
21 of not less than 9 years and not more than 40 years for
22 purchasing or attempting to purchase not less than 6
23 firearms at the same time or within a 2 year period.

24 (2) In addition to any other penalty that may be
25 imposed for a violation of this Section, the court may
26 sentence a person convicted of a violation of subsection

1 (c) of this Section to a fine not to exceed \$250,000 for
2 each violation.

3 (f) A prosecution for unlawful purchase of a firearm may
4 be commenced within 6 years after the commission of the
5 offense.

6 (Source: P.A. 95-882, eff. 1-1-09.)

7 (720 ILCS 5/24-3B)

8 Sec. 24-3B. Firearms trafficking.

9 (a) A person commits firearms trafficking when he or she
10 is prohibited under federal or State law from possessing a
11 firearm ~~has not been issued a currently valid Firearm Owner's~~
12 ~~Identification Card~~ and knowingly:

13 (1) brings, or causes to be brought, into this State,
14 a firearm or firearm ammunition for the purpose of sale,
15 delivery, or transfer to any other person or with the
16 intent to sell, deliver, or transfer the firearm or
17 firearm ammunition to any other person;

18 (2) brings, or causes to be brought, into this State,
19 a firearm and firearm ammunition for the purpose of sale,
20 delivery, or transfer to any other person or with the
21 intent to sell, deliver, or transfer the firearm and
22 firearm ammunition to any other person; or

23 (3) brings, or causes to be brought, into this State,
24 in a vehicle on an expressway in this State, more than one
25 firearm prohibited from possession by Section 24-1.9, per

occupants of the vehicle.

(a-5) (Blank). ~~This Section does not apply to:~~

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

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

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

~~(b) Sentence.~~

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

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

(Source: P.A. 104-31, eff. 1-1-26.)

(720 ILCS 5/24-4.1)

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

1 (a) If a person ~~who possesses a valid Firearm Owner's~~
2 ~~Identification Card and~~ who possesses or acquires a firearm
3 thereafter loses the firearm, or if the firearm is stolen from
4 the person, the person must report the loss or theft of any
5 such firearm to the local law enforcement agency within 48
6 hours after obtaining knowledge of the loss or theft. The
7 report shall include:

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

9 (2) the exact location where the firearm was lost or
10 stolen or, if the exact location is not known, the last
11 known location of the firearm;

12 (3) the caliber, make, model, and serial number of the
13 firearm;

14 (4) a description of the circumstances under which the
15 firearm was lost or stolen; and

16 (5) (blank) ~~the Firearm Owner's Identification Card~~
17 ~~number of the person making the report, if applicable.~~

18 (b) A law enforcement agency having jurisdiction shall
19 take a written report and shall, as soon as practical, and in
20 no event later than 48 hours after receiving the report, enter
21 the information and the firearm's serial number as stolen into
22 the Law Enforcement Agencies Data System (LEADS).

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

24 (1) the failure to report is due to an act of God, act
25 of war, or inability of a law enforcement agency to
26 receive the report;

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

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

6 (d) Sentence. A person who violates this Section is guilty
7 of a petty offense for a first violation. A second or
8 subsequent violation of this Section is a Class A misdemeanor.

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

13 (Source: P.A. 104-31, eff. 1-1-26.)

14 (720 ILCS 5/24-4.5 new)

15 Sec. 24-4.5. Dial up system.

16 (a) The Illinois State Police shall provide a dial up
17 telephone system or utilize other existing technology which
18 shall be used by any federally licensed firearm dealer, gun
19 show promoter, or gun show vendor who is to transfer a firearm,
20 stun gun, or taser under the provisions of this Code. The
21 Illinois State Police may utilize existing technology which
22 allows the caller to be charged a fee not to exceed \$2. Fees
23 collected by the Illinois State Police shall be deposited in
24 the State Police Services Fund and used to provide the
25 service.

1 (b) Upon receiving a request from a federally licensed
2 firearm dealer, gun show promoter, or gun show vendor, the
3 Illinois State Police shall immediately approve, or within the
4 time period established by Section 24-3 of this Code regarding
5 the delivery of firearms, stun guns, and tasers notify the
6 inquiring dealer, gun show promoter, or gun show vendor of any
7 objection that would disqualify the transferee from acquiring
8 or possessing a firearm, stun gun, or taser. In conducting the
9 inquiry, the Illinois State Police shall initiate and complete
10 an automated search of its criminal history record information
11 files and those of the Federal Bureau of Investigation,
12 including the National Instant Criminal Background Check
13 System, and of the files of the Department of Human Services
14 relating to mental health and developmental disabilities to
15 obtain any felony conviction or patient hospitalization
16 information which would disqualify a person from obtaining a
17 firearm.

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

20 (1) assign a unique identification number to the
21 transfer; and

22 (2) provide the licensee, gun show promoter, or gun
23 show vendor with the number.

24 (d) Approvals issued by the Illinois State Police for the
25 purchase of a firearm are valid for 30 days from the date of
26 issue.

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

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

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

17 (720 ILCS 5/24-5.1)

18 Sec. 24-5.1. Serialization of unfinished frames or
19 receivers; prohibition on unserialized firearms; exceptions;
20 penalties.

21 (a) In this Section:

22 "Bona fide supplier" means an established business entity
23 engaged in the development and sale of firearms parts to one or
24 more federal firearms manufacturers or federal firearms
25 importers.

1 "Federal firearms dealer" means a licensed manufacturer
2 pursuant to 18 U.S.C. 921(a)(11).

3 "Federal firearms importer" means a licensed importer
4 pursuant to 18 U.S.C. 921(a)(9).

5 "Federal firearms manufacturer" means a licensed
6 manufacturer pursuant to 18 U.S.C. 921(a)(10).

7 "Frame or receiver" means a part of a firearm that, when
8 the complete weapon is assembled, is visible from the exterior
9 and provides housing or a structure designed to hold or
10 integrate one or more fire control components, even if pins or
11 other attachments are required to connect those components to
12 the housing or structure. For models of firearms in which
13 multiple parts provide such housing or structure, the part or
14 parts that the Director of the federal Bureau of Alcohol,
15 Tobacco, Firearms and Explosives has determined are a frame or
16 receiver constitute the frame or receiver. For purposes of
17 this definition, "fire control component" means a component
18 necessary for the firearm to initiate, complete, or continue
19 the firing sequence, including any of the following: hammer,
20 bolt, bolt carrier, breechblock, cylinder, trigger mechanism,
21 firing pin, striker, or slide rails.

22 "Security exemplar" means an object to be fabricated at
23 the direction of the United States Attorney General that is
24 (1) constructed of 3.7 ounces of material type 17-4 PH
25 stainless steel in a shape resembling a handgun and (2)
26 suitable for testing and calibrating metal detectors.

1 "Three-dimensional printer" means a computer or
2 computer-drive machine capable of producing a
3 three-dimensional object from a digital model.

4 "Undetectable firearm" means (1) a firearm constructed
5 entirely of non-metal substances; (2) a firearm that, after
6 removal of all parts but the major components of the firearm,
7 is not detectable by walk-through metal detectors calibrated
8 and operated to detect the security exemplar; or (3) a firearm
9 that includes a major component of a firearm, which, if
10 subject to the types of detection devices commonly used at
11 airports for security screening, would not generate an image
12 that accurately depicts the shape of the component.
13 "Undetectable firearm" does not include a firearm subject to
14 the provisions of 18 U.S.C. 922(p) (3) through (6).

15 "Unfinished frame or receiver" means any forging, casting,
16 printing, extrusion, machined body, or similar article that:

17 (1) has reached a stage in manufacture where it may
18 readily be completed, assembled, or converted to be a
19 functional firearm; or

20 (2) is marketed or sold to the public to become or be
21 used as the frame or receiver of a functional firearm once
22 completed, assembled, or converted.

23 "Unserialized" means lacking a serial number imprinted by:

24 (1) a federal firearms manufacturer, federal firearms
25 importer, federal firearms dealer, or other federal
26 licensee authorized to provide marking services, pursuant

1 to a requirement under federal law; or

2 (2) a federal firearms dealer or other federal
3 licensee authorized to provide marking services pursuant
4 to subsection (f) of this Section.

5 (b) It is unlawful for any person to knowingly sell, offer
6 to sell, or transfer an unserialized unfinished frame or
7 receiver or unserialized firearm, including those produced
8 using a three-dimensional printer, unless the party purchasing
9 or receiving the unfinished frame or receiver or unserialized
10 firearm is a federal firearms importer, federal firearms
11 manufacturer, or federal firearms dealer.

12 (c) Beginning 180 days after May 18, 2022 (the effective
13 date of Public Act 102-889), it is unlawful for any person to
14 knowingly possess, transport, or receive an unfinished frame
15 or receiver, unless:

16 (1) the party possessing or receiving the unfinished
17 frame or receiver is a federal firearms importer or
18 federal firearms manufacturer;

19 (2) the unfinished frame or receiver is possessed or
20 transported by a person for transfer to a federal firearms
21 importer or federal firearms manufacturer; or

22 (3) the unfinished frame or receiver has been
23 imprinted with a serial number issued by a federal
24 firearms importer or federal firearms manufacturer in
25 compliance with subsection (f) of this Section.

26 (d) Beginning 180 days after May 18, 2022 (the effective

1 date of Public Act 102-889), unless the party receiving the
2 firearm is a federal firearms importer or federal firearms
3 manufacturer, it is unlawful for any person to knowingly
4 possess, purchase, transport, or receive a firearm that is not
5 imprinted with a serial number by (1) a federal firearms
6 importer or federal firearms manufacturer in compliance with
7 all federal laws and regulations regulating the manufacture
8 and import of firearms or (2) a federal firearms manufacturer,
9 federal firearms dealer, or other federal licensee authorized
10 to provide marking services in compliance with the
11 unserialized firearm serialization process under subsection
12 (f) of this Section.

13 (e) Any firearm or unfinished frame or receiver
14 manufactured using a three-dimensional printer must also be
15 serialized in accordance with the requirements of subsection
16 (f) within 30 days after May 18, 2022 (the effective date of
17 Public Act 102-889), or prior to reaching a stage of
18 manufacture where it may be readily completed, assembled, or
19 converted to be a functional firearm.

20 (f) Unserialized unfinished frames or receivers and
21 unserialized firearms serialized pursuant to this Section
22 shall be serialized in compliance with all of the following:

23 (1) An unserialized unfinished frame or receiver and
24 unserialized firearm shall be serialized by a federally
25 licensed firearms dealer or other federal licensee
26 authorized to provide marking services with the licensee's

1 abbreviated federal firearms license number as a prefix
2 (which is the first 3 and last 5 digits) followed by a
3 hyphen, and then followed by a number as a suffix, such as
4 12345678-(number). The serial number or numbers must be
5 placed in a manner that accords with the requirements
6 under federal law for affixing serial numbers to firearms,
7 including the requirements that the serial number or
8 numbers be at the minimum size and depth, and not
9 susceptible to being readily obliterated, altered, or
10 removed, and the licensee must retain records that accord
11 with the requirements under federal law in the case of the
12 sale of a firearm. The imprinting of any serial number
13 upon an undetectable firearm must be done on a steel
14 plaque in compliance with 18 U.S.C. 922(p).

15 (2) Every federally licensed firearms dealer or other
16 federal licensee that engraves, casts, stamps, or
17 otherwise conspicuously and permanently places a unique
18 serial number pursuant to this Section shall maintain a
19 record of such indefinitely. Licensees subject to the
20 Firearm Dealer License Certification Act shall make all
21 records accessible for inspection upon the request of the
22 Illinois State Police or a law enforcement agency in
23 accordance with Section 5-35 of the Firearm Dealer License
24 Certification Act.

25 (3) Every federally licensed firearms dealer or other
26 federal licensee that engraves, casts, stamps, or

1 otherwise conspicuously and permanently places a unique
2 serial number pursuant to this Section shall record it at
3 the time of every transaction involving the transfer of a
4 firearm, rifle, shotgun, finished frame or receiver, or
5 unfinished frame or receiver that has been so marked in
6 compliance with the federal guidelines set forth in 27 CFR
7 478.124.

8 (4) (Blank). ~~Every federally licensed firearms dealer~~
9 ~~or other federal licensee that engraves, casts, stamps, or~~
10 ~~otherwise conspicuously and permanently places a unique~~
11 ~~serial number pursuant to this Section shall review and~~
12 ~~confirm the validity of the owner's Firearm Owner's~~
13 ~~Identification Card issued under the Firearm Owners~~
14 ~~Identification Card Act prior to returning the firearm to~~
15 ~~the owner.~~

16 (g) Within 30 days after May 18, 2022 (the effective date
17 of Public Act 102-889), the Director of the Illinois State
18 Police shall issue a public notice regarding the provisions of
19 this Section. The notice shall include posting on the Illinois
20 State Police website and may include written notification or
21 any other means of communication statewide to all
22 Illinois-based federal firearms manufacturers, federal
23 firearms dealers, or other federal licensees authorized to
24 provide marking services in compliance with the serialization
25 process in subsection (f) in order to educate the public.

26 (h) Exceptions. This Section does not apply to an

1 unserialized unfinished frame or receiver or an unserialized
2 firearm that:

3 (1) has been rendered permanently inoperable;

4 (2) is an antique firearm, as defined in 18 U.S.C.
5 921(a)(16);

6 (3) was manufactured prior to October 22, 1968;

7 (4) is an unfinished frame or receiver and is
8 possessed by a bona fide supplier exclusively for transfer
9 to a federal firearms manufacturer or federal firearms
10 importer, or is possessed by a federal firearms
11 manufacturer or federal firearms importer in compliance
12 with all federal laws and regulations regulating the
13 manufacture and import of firearms; except this exemption
14 does not apply if an unfinished frame or receiver is
15 possessed for transfer or is transferred to a person other
16 than a federal firearms manufacturer or federal firearms
17 importer; or

18 (5) is possessed by a person who received the
19 unserialized unfinished frame or receiver or unserialized
20 firearm through inheritance, and is not otherwise
21 prohibited from possessing the unserialized unfinished
22 frame or receiver or unserialized firearm, for a period
23 not exceeding 30 days after inheriting the unserialized
24 unfinished frame or receiver or unserialized firearm.

25 (i) Penalties.

26 (1) A person who violates subsection (c) or (d) is

1 guilty of a Class A misdemeanor for a first violation and
2 is guilty of a Class 3 felony for a second or subsequent
3 violation.

4 (2) A person who violates subsection (b) is guilty of
5 a Class 4 felony for a first violation and is guilty of a
6 Class 2 felony for a second or subsequent violation.

7 (Source: P.A. 102-889, eff. 5-18-22; 103-605, eff. 7-1-24.)

8 (720 ILCS 5/24-9)

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

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

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

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

23 (b) Sentence. A person who violates this Section is guilty
24 of a Class C misdemeanor and shall be fined not less than
25 \$1,000. A second or subsequent violation of this Section is a

1 Class A misdemeanor.

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

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

6 (2) to any firearm obtained by a minor under the age of
7 18 because of an unlawful entry of the premises by the
8 minor or another person.

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

12 (Source: P.A. 104-31, eff. 1-1-26.)

13 Section 80. The Methamphetamine Control and Community
14 Protection Act is amended by changing Section 10 as follows:

15 (720 ILCS 646/10)

16 Sec. 10. Definitions. As used in this Act:

17 "Anhydrous ammonia" has the meaning provided in subsection
18 (d) of Section 3 of the Illinois Fertilizer Act of 1961.

19 "Anhydrous ammonia equipment" means all items used to
20 store, hold, contain, handle, transfer, transport, or apply
21 anhydrous ammonia for lawful purposes.

22 "Booby trap" means any device designed to cause physical
23 injury when triggered by an act of a person approaching,
24 entering, or moving through a structure, a vehicle, or any

1 location where methamphetamine has been manufactured, is being
2 manufactured, or is intended to be manufactured.

3 "Deliver" or "delivery" has the meaning provided in
4 subsection (h) of Section 102 of the Illinois Controlled
5 Substances Act.

6 "Director" means the Director of the Illinois State Police
7 or the Director's designated agents.

8 "Dispose" or "disposal" means to abandon, discharge,
9 release, deposit, inject, dump, spill, leak, or place
10 methamphetamine waste onto or into any land, water, or well of
11 any type so that the waste has the potential to enter the
12 environment, be emitted into the air, or be discharged into
13 the soil or any waters, including groundwater.

14 "Emergency response" means the act of collecting evidence
15 from or securing a methamphetamine laboratory site,
16 methamphetamine waste site or other methamphetamine-related
17 site and cleaning up the site, whether these actions are
18 performed by public entities or private contractors paid by
19 public entities.

20 "Emergency service provider" means a local, State, or
21 federal peace officer, firefighter, emergency medical
22 technician-ambulance, emergency medical
23 technician-intermediate, emergency medical
24 technician-paramedic, ambulance driver, or other medical or
25 first aid personnel rendering aid, or any agent or designee of
26 the foregoing.

1 "Finished methamphetamine" means methamphetamine in a form
2 commonly used for personal consumption.

3 "Firearm" has the meaning provided in Section 2-7.5 of the
4 Criminal Code of 2012 ~~1.1 of the Firearm Owners Identification~~
5 ~~Card Act.~~

6 "Manufacture" means to produce, prepare, compound,
7 convert, process, synthesize, concentrate, purify, separate,
8 extract, or package any methamphetamine, methamphetamine
9 precursor, methamphetamine manufacturing catalyst,
10 methamphetamine manufacturing reagent, methamphetamine
11 manufacturing solvent, or any substance containing any of the
12 foregoing.

13 "Methamphetamine" means the chemical methamphetamine (a
14 Schedule II controlled substance under the Illinois Controlled
15 Substances Act) or any salt, optical isomer, salt of optical
16 isomer, or analog thereof, with the exception of
17 3,4-Methylenedioxymethamphetamine (MDMA) or any other
18 scheduled substance with a separate listing under the Illinois
19 Controlled Substances Act.

20 "Methamphetamine manufacturing catalyst" means any
21 substance that has been used, is being used, or is intended to
22 be used to activate, accelerate, extend, or improve a chemical
23 reaction involved in the manufacture of methamphetamine.

24 "Methamphetamine manufacturing environment" means a
25 structure or vehicle in which:

26 (1) methamphetamine is being or has been manufactured;

1 (2) chemicals that are being used, have been used, or
2 are intended to be used to manufacture methamphetamine are
3 stored;

4 (3) methamphetamine manufacturing materials that have
5 been used to manufacture methamphetamine are stored; or

6 (4) methamphetamine manufacturing waste is stored.

7 "Methamphetamine manufacturing material" means any
8 methamphetamine precursor, substance containing any
9 methamphetamine precursor, methamphetamine manufacturing
10 catalyst, substance containing any methamphetamine
11 manufacturing catalyst, methamphetamine manufacturing
12 reagent, substance containing any methamphetamine
13 manufacturing reagent, methamphetamine manufacturing solvent,
14 substance containing any methamphetamine manufacturing
15 solvent, or any other chemical, substance, ingredient,
16 equipment, apparatus, or item that is being used, has been
17 used, or is intended to be used in the manufacture of
18 methamphetamine.

19 "Methamphetamine manufacturing reagent" means any
20 substance other than a methamphetamine manufacturing catalyst
21 that has been used, is being used, or is intended to be used to
22 react with and chemically alter any methamphetamine precursor.

23 "Methamphetamine manufacturing solvent" means any
24 substance that has been used, is being used, or is intended to
25 be used as a medium in which any methamphetamine precursor,
26 methamphetamine manufacturing catalyst, methamphetamine

1 manufacturing reagent, or any substance containing any of the
2 foregoing is dissolved, diluted, or washed during any part of
3 the methamphetamine manufacturing process.

4 "Methamphetamine manufacturing waste" means any chemical,
5 substance, ingredient, equipment, apparatus, or item that is
6 left over from, results from, or is produced by the process of
7 manufacturing methamphetamine, other than finished
8 methamphetamine.

9 "Methamphetamine precursor" means ephedrine,
10 pseudoephedrine, benzyl methyl ketone, methyl benzyl ketone,
11 phenylacetone, phenyl-2-propanone, P2P, or any salt, optical
12 isomer, or salt of an optical isomer of any of these chemicals.

13 "Multi-unit dwelling" means a unified structure used or
14 intended for use as a habitation, home, or residence that
15 contains 2 or more condominiums, apartments, hotel rooms,
16 motel rooms, or other living units.

17 "Package" means an item marked for retail sale that is not
18 designed to be further broken down or subdivided for the
19 purpose of retail sale.

20 "Participate" or "participation" in the manufacture of
21 methamphetamine means to produce, prepare, compound, convert,
22 process, synthesize, concentrate, purify, separate, extract,
23 or package any methamphetamine, methamphetamine precursor,
24 methamphetamine manufacturing catalyst, methamphetamine
25 manufacturing reagent, methamphetamine manufacturing solvent,
26 or any substance containing any of the foregoing, or to assist

1 in any of these actions, or to attempt to take any of these
2 actions, regardless of whether this action or these actions
3 result in the production of finished methamphetamine.

4 "Person with a disability" means a person who suffers from
5 a permanent physical or mental impairment resulting from
6 disease, injury, functional disorder, or congenital condition
7 which renders the person incapable of adequately providing for
8 his or her own health and personal care.

9 "Procure" means to purchase, steal, gather, or otherwise
10 obtain, by legal or illegal means, or to cause another to take
11 such action.

12 "Second or subsequent offense" means an offense under this
13 Act committed by an offender who previously committed an
14 offense under this Act, the Illinois Controlled Substances
15 Act, the Cannabis Control Act, or another Act of this State,
16 another state, or the United States relating to
17 methamphetamine, cannabis, or any other controlled substance.

18 "Standard dosage form", as used in relation to any
19 methamphetamine precursor, means that the methamphetamine
20 precursor is contained in a pill, tablet, capsule, caplet, gel
21 cap, or liquid cap that has been manufactured by a lawful
22 entity and contains a standard quantity of methamphetamine
23 precursor.

24 "Unauthorized container", as used in relation to anhydrous
25 ammonia, means any container that is not designed for the
26 specific and sole purpose of holding, storing, transporting,

1 or applying anhydrous ammonia. "Unauthorized container"
2 includes, but is not limited to, any propane tank, fire
3 extinguisher, oxygen cylinder, gasoline can, food or beverage
4 cooler, or compressed gas cylinder used in dispensing fountain
5 drinks. "Unauthorized container" does not encompass anhydrous
6 ammonia manufacturing plants, refrigeration systems where
7 anhydrous ammonia is used solely as a refrigerant, anhydrous
8 ammonia transportation pipelines, anhydrous ammonia tankers,
9 or anhydrous ammonia barges.

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

11 Section 85. The Code of Criminal Procedure of 1963 is
12 amended by changing Sections 102-7.1, 110-10, 112A-5.5,
13 112A-11.1, 112A-11.2, 112A-14, 112A-14.7, and 112A-17.5 as
14 follows:

15 (725 ILCS 5/102-7.1)

16 Sec. 102-7.1. "Category A offense". "Category A offense"
17 means a Class 1 felony, Class 2 felony, Class X felony, first
18 degree murder, a violation of Section 11-204 of the Illinois
19 Vehicle Code, a second or subsequent violation of Section
20 11-501 of the Illinois Vehicle Code, a violation of subsection
21 (d) of Section 11-501 of the Illinois Vehicle Code, a
22 violation of Section 11-401 of the Illinois Vehicle Code if
23 the crash results in injury and the person failed to report the
24 crash within 30 minutes, a violation of Section 9-3, 9-3.4,

1 10-3, 10-3.1, 10-5, 11-6, 11-9.2, 11-20.1, 11-23.5, 11-25,
2 12-2, 12-3, 12-3.05, 12-3.2, 12-3.4, 12-4.4a, 12-5, 12-6,
3 12-7.1, 12-7.3, 12-7.4, 12-7.5, 12C-5, 24-1.1, 24-1.5, 24-3,
4 25-1, 26.5-2, or 48-1 of the Criminal Code of 2012, a second or
5 subsequent violation of 12-3.2 or 12-3.4 of the Criminal Code
6 of 2012, a violation of paragraph (5) or (6) of subsection (b)
7 of Section 10-9 of the Criminal Code of 2012, a violation of
8 subsection (b) or (c) or paragraph (1) or (2) of subsection (a)
9 of Section 11-1.50 of the Criminal Code of 2012, a violation of
10 Section 12-7 of the Criminal Code of 2012 if the defendant
11 inflicts bodily harm on the victim to obtain a confession,
12 statement, or information, a violation of Section 12-7.5 of
13 the Criminal Code of 2012 if the action results in bodily harm,
14 a violation of paragraph (3) of subsection (b) of Section 17-2
15 of the Criminal Code of 2012, a violation of subdivision
16 (a)(7)(ii) of Section 24-1 of the Criminal Code of 2012, a
17 violation of paragraph (6) of subsection (a) of Section 24-1
18 of the Criminal Code of 2012, a first violation of Section
19 24-1.6 of the Criminal Code of 2012 by a person 18 years of age
20 or older where the factors listed in both items (A) and (C) or
21 both items (A-5) and (C) of paragraph (3) of subsection (a) of
22 Section 24-1.6 of the Criminal Code of 2012 are present, a
23 Class 3 felony violation of paragraph (1) of subsection (a) of
24 Section 2 of the Firearm Owners Identification Card Act
25 committed before the effective date of this amendatory Act of
26 the 104th General Assembly, or a violation of Section 10 of the

1 Sex Offender Registration Act.

2 (Source: P.A. 102-982, eff. 7-1-23.)

3 (725 ILCS 5/110-10) (from Ch. 38, par. 110-10)

4 Sec. 110-10. Conditions of pretrial release.

5 (a) If a person is released prior to conviction, the
6 conditions of pretrial release shall be that he or she will:

7 (1) Appear to answer the charge in the court having
8 jurisdiction on a day certain and thereafter as ordered by
9 the court until discharged or final order of the court;

10 (2) Submit himself or herself to the orders and
11 process of the court;

12 (3) (Blank);

13 (4) Not violate any criminal statute of any
14 jurisdiction;

15 (5) At a time and place designated by the court,
16 surrender all firearms in his or her possession to a law
17 enforcement officer designated by the court to take
18 custody of and impound the firearms ~~and physically~~
19 ~~surrender his or her Firearm Owner's Identification Card~~
20 to the clerk of the circuit court when the offense the
21 person has been charged with is a forcible felony,
22 stalking, aggravated stalking, domestic battery, any
23 violation of the Illinois Controlled Substances Act, the
24 Methamphetamine Control and Community Protection Act, or
25 the Cannabis Control Act that is classified as a Class 2 or

1 greater felony, or any felony violation of Article 24 of
2 the Criminal Code of 1961 or the Criminal Code of 2012; the
3 court may, however, forgo the imposition of this condition
4 when the circumstances of the case clearly do not warrant
5 it or when its imposition would be impractical; ~~if the~~
6 ~~Firearm Owner's Identification Card is confiscated, the~~
7 ~~clerk of the circuit court shall mail the confiscated card~~
8 ~~to the Illinois State Police;~~ all legally possessed
9 firearms shall be returned to the person upon the charges
10 being dismissed, or if the person is found not guilty,
11 unless the finding of not guilty is by reason of insanity;
12 and

13 (6) At a time and place designated by the court,
14 submit to a psychological evaluation when the person has
15 been charged with a violation of item (4) of subsection
16 (a) of Section 24-1 of the Criminal Code of 1961 or the
17 Criminal Code of 2012 and that violation occurred in a
18 school or in any conveyance owned, leased, or contracted
19 by a school to transport students to or from school or a
20 school-related activity, or on any public way within 1,000
21 feet of real property comprising any school.

22 Psychological evaluations ordered pursuant to this Section
23 shall be completed promptly and made available to the State,
24 the defendant, and the court. As a further condition of
25 pretrial release under these circumstances, the court shall
26 order the defendant to refrain from entering upon the property

1 of the school, including any conveyance owned, leased, or
2 contracted by a school to transport students to or from school
3 or a school-related activity, or on any public way within
4 1,000 feet of real property comprising any school. Upon
5 receipt of the psychological evaluation, either the State or
6 the defendant may request a change in the conditions of
7 pretrial release, pursuant to Section 110-6 of this Code. The
8 court may change the conditions of pretrial release to include
9 a requirement that the defendant follow the recommendations of
10 the psychological evaluation, including undergoing psychiatric
11 treatment. The conclusions of the psychological evaluation and
12 any statements elicited from the defendant during its
13 administration are not admissible as evidence of guilt during
14 the course of any trial on the charged offense, unless the
15 defendant places his or her mental competency in issue.

16 (b) Additional conditions of release shall be set only
17 when it is determined that they are necessary to ensure the
18 defendant's appearance in court, ensure the defendant does not
19 commit any criminal offense, ensure the defendant complies
20 with all conditions of pretrial release, prevent the
21 defendant's unlawful interference with the orderly
22 administration of justice, or ensure compliance with the rules
23 and procedures of problem solving courts. However, conditions
24 shall include the least restrictive means and be
25 individualized. Conditions shall not mandate rehabilitative
26 services unless directly tied to the risk of pretrial

1 misconduct. Conditions of supervision shall not include
2 punitive measures such as community service work or
3 restitution. Conditions may include the following:

4 (0.05) Not depart this State without leave of the
5 court;

6 (1) Report to or appear in person before such person
7 or agency as the court may direct;

8 (2) Refrain from possessing a firearm or other
9 dangerous weapon;

10 (3) Refrain from approaching or communicating with
11 particular persons or classes of persons;

12 (4) Refrain from going to certain described geographic
13 areas or premises;

14 (5) Be placed under direct supervision of the Pretrial
15 Services Agency, Probation Department or Court Services
16 Department in a pretrial home supervision capacity with or
17 without the use of an approved electronic monitoring
18 device subject to Article 8A of Chapter V of the Unified
19 Code of Corrections;

20 (6) For persons charged with violating Section 11-501
21 of the Illinois Vehicle Code, refrain from operating a
22 motor vehicle not equipped with an ignition interlock
23 device, as defined in Section 1-129.1 of the Illinois
24 Vehicle Code, pursuant to the rules promulgated by the
25 Secretary of State for the installation of ignition
26 interlock devices. Under this condition the court may

1 allow a defendant who is not self-employed to operate a
2 vehicle owned by the defendant's employer that is not
3 equipped with an ignition interlock device in the course
4 and scope of the defendant's employment;

5 (7) Comply with the terms and conditions of an order
6 of protection issued by the court under the Illinois
7 Domestic Violence Act of 1986 or an order of protection
8 issued by the court of another state, tribe, or United
9 States territory;

10 (8) Sign a written admonishment requiring that he or
11 she comply with the provisions of Section 110-12 regarding
12 any change in his or her address. The defendant's address
13 shall at all times remain a matter of record with the clerk
14 of the court; and

15 (9) Such other reasonable conditions as the court may
16 impose, so long as these conditions are the least
17 restrictive means to achieve the goals listed in
18 subsection (b), are individualized, and are in accordance
19 with national best practices as detailed in the Pretrial
20 Supervision Standards of the Supreme Court.

21 The defendant shall receive verbal and written
22 notification of conditions of pretrial release and future
23 court dates, including the date, time, and location of court.

24 (c) When a person is charged with an offense under Section
25 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14,
26 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 or the

1 Criminal Code of 2012, involving a victim who is a minor under
2 18 years of age living in the same household with the defendant
3 at the time of the offense, in releasing the defendant, the
4 judge shall impose conditions to restrict the defendant's
5 access to the victim which may include, but are not limited to
6 conditions that he will:

7 1. Vacate the household.

8 2. Make payment of temporary support to his
9 dependents.

10 3. Refrain from contact or communication with the
11 child victim, except as ordered by the court.

12 (d) When a person is charged with a criminal offense and
13 the victim is a family or household member as defined in
14 Article 112A, conditions shall be imposed at the time of the
15 defendant's release that restrict the defendant's access to
16 the victim. Unless provided otherwise by the court, the
17 restrictions shall include requirements that the defendant do
18 the following:

19 (1) refrain from contact or communication with the
20 victim for a minimum period of 72 hours following the
21 defendant's release; and

22 (2) refrain from entering or remaining at the victim's
23 residence for a minimum period of 72 hours following the
24 defendant's release.

25 (e) Local law enforcement agencies shall develop
26 standardized pretrial release forms for use in cases involving

1 family or household members as defined in Article 112A,
2 including specific conditions of pretrial release as provided
3 in subsection (d). Failure of any law enforcement department
4 to develop or use those forms shall in no way limit the
5 applicability and enforcement of subsections (d) and (f).

6 (f) If the defendant is released after conviction
7 following appeal or other post-conviction proceeding, the
8 conditions of the pretrial release shall be that he will, in
9 addition to the conditions set forth in subsections (a) and
10 (b) hereof:

11 (1) Duly prosecute his appeal;

12 (2) Appear at such time and place as the court may
13 direct;

14 (3) Not depart this State without leave of the court;

15 (4) Comply with such other reasonable conditions as
16 the court may impose; and

17 (5) If the judgment is affirmed or the cause reversed
18 and remanded for a new trial, forthwith surrender to the
19 officer from whose custody he was released.

20 (g) Upon a finding of guilty for any felony offense, the
21 defendant shall physically surrender, at a time and place
22 designated by the court, any and all firearms in his or her
23 possession ~~and his or her Firearm Owner's Identification Card~~
24 as a condition of being released pending sentencing.

25 (Source: P.A. 101-138, eff. 1-1-20; 101-652, eff. 1-1-23;
26 102-1104, eff. 1-1-23.)

1 (725 ILCS 5/112A-5.5)

2 Sec. 112A-5.5. Time for filing petition; service on
3 respondent, hearing on petition, and default orders.

4 (a) A petition for a protective order may be filed at any
5 time, in person or online, after a criminal charge or
6 delinquency petition is filed and before the charge or
7 delinquency petition is dismissed, the defendant or juvenile
8 is acquitted, or the defendant or juvenile completes service
9 of his or her sentence.

10 (b) The request for an ex parte protective order may be
11 considered without notice to the respondent under Section
12 112A-17.5 of this Code.

13 (c) A summons shall be issued and served for a protective
14 order. The summons may be served by delivery to the respondent
15 personally in open court in the criminal or juvenile
16 delinquency proceeding, in the form prescribed by subsection

17 (d) of Supreme Court Rule 101, except that it shall require the
18 respondent to answer or appear within 7 days. Attachments to
19 the summons shall include the petition for protective order,
20 supporting affidavits, if any, and any ex parte protective
21 order that has been issued.

22 (d) The summons shall be served by the sheriff or other law
23 enforcement officer at the earliest time available and shall
24 take precedence over any other summons, except those of a
25 similar emergency nature. Attachments to the summons shall

1 include the petition for protective order, supporting
2 affidavits, if any, and any ex parte protective order that has
3 been issued. Special process servers may be appointed at any
4 time and their designation shall not affect the
5 responsibilities and authority of the sheriff or other
6 official process servers. In a county with a population over
7 3,000,000, a special process server may not be appointed if
8 the protective order grants the surrender of a child,~~the~~
9 ~~surrender of a firearm or Firearm Owner's Identification Card,~~
10 or the exclusive possession of a shared residence.

11 (e) If the respondent is not served within 30 days of the
12 filing of the petition, the court shall schedule a court
13 proceeding on the issue of service. Either the petitioner, the
14 petitioner's counsel, or the State's Attorney shall appear and
15 the court shall either order continued attempts at personal
16 service or shall order service by publication, in accordance
17 with Sections 2-203, 2-206, and 2-207 of the Code of Civil
18 Procedure.

19 (f) The request for a final protective order can be
20 considered at any court proceeding in the delinquency or
21 criminal case after service of the petition. If the petitioner
22 has not been provided notice of the court proceeding at least
23 10 days in advance of the proceeding, the court shall schedule
24 a hearing on the petition and provide notice to the
25 petitioner.

26 (f-5) A court in a county with a population above 250,000

1 shall offer the option of a remote hearing to a petitioner for
2 a protective order. The court has the discretion to grant or
3 deny the request for a remote hearing. Each court shall
4 determine the procedure for a remote hearing. The petitioner
5 and respondent may appear remotely or in person.

6 The court shall issue and publish a court order, standing
7 order, or local rule detailing information about the process
8 for requesting and participating in a remote court appearance.
9 The court order, standing order, or local rule shall be
10 published on the court's website and posted on signs
11 throughout the courthouse, including in the clerk's office.
12 The sign shall be written in plain language and include
13 information about the availability of remote court appearances
14 and the process for requesting a remote hearing.

15 (g) Default orders.

16 (1) A final domestic violence order of protection may
17 be entered by default:

18 (A) for any of the remedies sought in the
19 petition, if the respondent has been served with
20 documents under subsection (b) or (c) of this Section
21 and if the respondent fails to appear on the specified
22 return date or any subsequent hearing date agreed to
23 by the petitioner and respondent or set by the court;
24 or

25 (B) for any of the remedies provided under
26 paragraph (1), (2), (3), (5), (6), (7), (8), (9),

1 (10), (11), (14), (15), (17), or (18) of subsection
2 (b) of Section 112A-14 of this Code, or if the
3 respondent fails to answer or appear in accordance
4 with the date set in the publication notice or the
5 return date indicated on the service of a household
6 member.

7 (2) A final civil no contact order may be entered by
8 default for any of the remedies provided in Section
9 112A-14.5 of this Code, if the respondent has been served
10 with documents under subsection (b) or (c) of this
11 Section, and if the respondent fails to answer or appear
12 in accordance with the date set in the publication notice
13 or the return date indicated on the service of a household
14 member.

15 (3) A final stalking no contact order may be entered
16 by default for any of the remedies provided by Section
17 112A-14.7 of this Code, if the respondent has been served
18 with documents under subsection (b) or (c) of this Section
19 and if the respondent fails to answer or appear in
20 accordance with the date set in the publication notice or
21 the return date indicated on the service of a household
22 member.

23 (Source: P.A. 102-853, eff. 1-1-23; 103-154, eff. 6-30-23.)

24 (725 ILCS 5/112A-11.1)

25 Sec. 112A-11.1. Procedure for determining whether certain

1 misdemeanor crimes are crimes of domestic violence for
2 purposes of federal law.

3 (a) When a defendant has been charged with a violation of
4 Section 12-1, 12-2, 12-3, 12-3.2, 12-3.4, or 12-3.5 of the
5 Criminal Code of 1961 or the Criminal Code of 2012, the State
6 may, at arraignment or no later than 45 days after
7 arraignment, for the purpose of notification to the Illinois
8 State Police ~~Firearm Owner's Identification Card Office~~, serve
9 on the defendant and file with the court a notice alleging that
10 conviction of the offense would subject the defendant to the
11 prohibitions of 18 U.S.C. 922(g)(9) because of the
12 relationship between the defendant and the alleged victim and
13 the nature of the alleged offense.

14 (b) The notice shall include the name of the person
15 alleged to be the victim of the crime and shall specify the
16 nature of the alleged relationship as set forth in 18 U.S.C.
17 921(a)(33)(A)(ii). It shall also specify the element of the
18 charged offense which requires the use or attempted use of
19 physical force, or the threatened use of a deadly weapon, as
20 set forth 18 U.S.C. 921(a)(33)(A)(ii). It shall also include
21 notice that the defendant is entitled to a hearing on the
22 allegation contained in the notice and that if the allegation
23 is sustained, that determination and conviction shall be
24 reported to the Illinois State Police ~~Firearm Owner's~~
25 ~~Identification Card Office~~.

26 (c) After having been notified as provided in subsection

1 (b) of this Section, the defendant may stipulate or admit,
2 orally on the record or in writing, that conviction of the
3 offense would subject the defendant to the prohibitions of 18
4 U.S.C. 922(g)(9). In that case, the applicability of 18 U.S.C.
5 922(g)(9) shall be deemed established for purposes of Section
6 112A-11.2. If the defendant denies the applicability of 18
7 U.S.C. 922(g)(9) as alleged in the notice served by the State,
8 or stands mute with respect to that allegation, then the State
9 shall bear the burden to prove beyond a reasonable doubt that
10 the offense is one to which the prohibitions of 18 U.S.C.
11 922(g)(9) apply. The court may consider reliable hearsay
12 evidence submitted by either party provided that it is
13 relevant to the determination of the allegation. Facts
14 previously proven at trial or elicited at the time of entry of
15 a plea of guilty shall be deemed established beyond a
16 reasonable doubt and shall not be relitigated. At the
17 conclusion of the hearing, or upon a stipulation or admission,
18 as applicable, the court shall make a specific written
19 determination with respect to the allegation.

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

21 (725 ILCS 5/112A-11.2)

22 Sec. 112A-11.2. Notification to the Illinois State Police
23 ~~Firearm Owner's Identification Card Office~~ of determinations
24 in certain misdemeanor cases. Upon judgment of conviction of a
25 violation of Section 12-1, 12-2, 12-3, 12-3.2, 12-3.4, or

1 12-3.5 of the Criminal Code of 1961 or the Criminal Code of
2 2012 when the defendant has been determined, under Section
3 112A-11.1, to be subject to the prohibitions of 18 U.S.C.
4 922(g)(9), the circuit court clerk shall include notification
5 and a copy of the written determination in a report of the
6 conviction to the Illinois State Police ~~Firearm Owner's~~
7 ~~Identification Card Office~~ to enable the office to report that
8 determination to the Federal Bureau of Investigation and
9 assist the Bureau in identifying persons prohibited from
10 purchasing and possessing a firearm pursuant to the provisions
11 of 18 U.S.C. 922.

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

13 (725 ILCS 5/112A-14) (from Ch. 38, par. 112A-14)

14 Sec. 112A-14. Domestic violence order of protection;
15 remedies.

16 (a) (Blank).

17 (b) The court may order any of the remedies listed in this
18 subsection (b). The remedies listed in this subsection (b)
19 shall be in addition to other civil or criminal remedies
20 available to petitioner.

21 (1) Prohibition of abuse. Prohibit respondent's
22 harassment, interference with personal liberty,
23 intimidation of a dependent, physical abuse, or willful
24 deprivation, as defined in this Article, if such abuse has
25 occurred or otherwise appears likely to occur if not

1 prohibited.

2 (2) Grant of exclusive possession of residence.
3 Prohibit respondent from entering or remaining in any
4 residence, household, or premises of the petitioner,
5 including one owned or leased by respondent, if petitioner
6 has a right to occupancy thereof. The grant of exclusive
7 possession of the residence, household, or premises shall
8 not affect title to real property, nor shall the court be
9 limited by the standard set forth in subsection (c-2) of
10 Section 501 of the Illinois Marriage and Dissolution of
11 Marriage Act.

12 (A) Right to occupancy. A party has a right to
13 occupancy of a residence or household if it is solely
14 or jointly owned or leased by that party, that party's
15 spouse, a person with a legal duty to support that
16 party or a minor child in that party's care, or by any
17 person or entity other than the opposing party that
18 authorizes that party's occupancy (e.g., a domestic
19 violence shelter). Standards set forth in subparagraph
20 (B) shall not preclude equitable relief.

21 (B) Presumption of hardships. If petitioner and
22 respondent each has the right to occupancy of a
23 residence or household, the court shall balance (i)
24 the hardships to respondent and any minor child or
25 dependent adult in respondent's care resulting from
26 entry of this remedy with (ii) the hardships to

1 petitioner and any minor child or dependent adult in
2 petitioner's care resulting from continued exposure to
3 the risk of abuse (should petitioner remain at the
4 residence or household) or from loss of possession of
5 the residence or household (should petitioner leave to
6 avoid the risk of abuse). When determining the balance
7 of hardships, the court shall also take into account
8 the accessibility of the residence or household.
9 Hardships need not be balanced if respondent does not
10 have a right to occupancy.

11 The balance of hardships is presumed to favor
12 possession by petitioner unless the presumption is
13 rebutted by a preponderance of the evidence, showing
14 that the hardships to respondent substantially
15 outweigh the hardships to petitioner and any minor
16 child or dependent adult in petitioner's care. The
17 court, on the request of petitioner or on its own
18 motion, may order respondent to provide suitable,
19 accessible, alternate housing for petitioner instead
20 of excluding respondent from a mutual residence or
21 household.

22 (3) Stay away order and additional prohibitions. Order
23 respondent to stay away from petitioner or any other
24 person protected by the domestic violence order of
25 protection, or prohibit respondent from entering or
26 remaining present at petitioner's school, place of

1 employment, or other specified places at times when
2 petitioner is present, or both, if reasonable, given the
3 balance of hardships. Hardships need not be balanced for
4 the court to enter a stay away order or prohibit entry if
5 respondent has no right to enter the premises.

6 (A) If a domestic violence order of protection
7 grants petitioner exclusive possession of the
8 residence, prohibits respondent from entering the
9 residence, or orders respondent to stay away from
10 petitioner or other protected persons, then the court
11 may allow respondent access to the residence to remove
12 items of clothing and personal adornment used
13 exclusively by respondent, medications, and other
14 items as the court directs. The right to access shall
15 be exercised on only one occasion as the court directs
16 and in the presence of an agreed-upon adult third
17 party or law enforcement officer.

18 (B) When the petitioner and the respondent attend
19 the same public, private, or non-public elementary,
20 middle, or high school, the court when issuing a
21 domestic violence order of protection and providing
22 relief shall consider the severity of the act, any
23 continuing physical danger or emotional distress to
24 the petitioner, the educational rights guaranteed to
25 the petitioner and respondent under federal and State
26 law, the availability of a transfer of the respondent

1 to another school, a change of placement or a change of
2 program of the respondent, the expense, difficulty,
3 and educational disruption that would be caused by a
4 transfer of the respondent to another school, and any
5 other relevant facts of the case. The court may order
6 that the respondent not attend the public, private, or
7 non-public elementary, middle, or high school attended
8 by the petitioner, order that the respondent accept a
9 change of placement or change of program, as
10 determined by the school district or private or
11 non-public school, or place restrictions on the
12 respondent's movements within the school attended by
13 the petitioner. The respondent bears the burden of
14 proving by a preponderance of the evidence that a
15 transfer, change of placement, or change of program of
16 the respondent is not available. The respondent also
17 bears the burden of production with respect to the
18 expense, difficulty, and educational disruption that
19 would be caused by a transfer of the respondent to
20 another school. A transfer, change of placement, or
21 change of program is not unavailable to the respondent
22 solely on the ground that the respondent does not
23 agree with the school district's or private or
24 non-public school's transfer, change of placement, or
25 change of program or solely on the ground that the
26 respondent fails or refuses to consent or otherwise

1 does not take an action required to effectuate a
2 transfer, change of placement, or change of program.
3 When a court orders a respondent to stay away from the
4 public, private, or non-public school attended by the
5 petitioner and the respondent requests a transfer to
6 another attendance center within the respondent's
7 school district or private or non-public school, the
8 school district or private or non-public school shall
9 have sole discretion to determine the attendance
10 center to which the respondent is transferred. If the
11 court order results in a transfer of the minor
12 respondent to another attendance center, a change in
13 the respondent's placement, or a change of the
14 respondent's program, the parents, guardian, or legal
15 custodian of the respondent is responsible for
16 transportation and other costs associated with the
17 transfer or change.

18 (C) The court may order the parents, guardian, or
19 legal custodian of a minor respondent to take certain
20 actions or to refrain from taking certain actions to
21 ensure that the respondent complies with the order. If
22 the court orders a transfer of the respondent to
23 another school, the parents, guardian, or legal
24 custodian of the respondent is responsible for
25 transportation and other costs associated with the
26 change of school by the respondent.

1 (4) Counseling. Require or recommend the respondent to
2 undergo counseling for a specified duration with a social
3 worker, psychologist, clinical psychologist,
4 psychiatrist, family service agency, alcohol or substance
5 abuse program, mental health center guidance counselor,
6 agency providing services to elders, program designed for
7 domestic violence abusers, or any other guidance service
8 the court deems appropriate. The court may order the
9 respondent in any intimate partner relationship to report
10 to an Illinois Department of Human Services protocol
11 approved partner abuse intervention program for an
12 assessment and to follow all recommended treatment.

13 (5) Physical care and possession of the minor child.
14 In order to protect the minor child from abuse, neglect,
15 or unwarranted separation from the person who has been the
16 minor child's primary caretaker, or to otherwise protect
17 the well-being of the minor child, the court may do either
18 or both of the following: (i) grant petitioner physical
19 care or possession of the minor child, or both, or (ii)
20 order respondent to return a minor child to, or not remove
21 a minor child from, the physical care of a parent or person
22 in loco parentis.

23 If the respondent is charged with abuse (as defined in
24 Section 112A-3 of this Code) of a minor child, there shall
25 be a rebuttable presumption that awarding physical care to
26 respondent would not be in the minor child's best

1 interest.

2 (6) Temporary allocation of parental responsibilities
3 and significant decision-making responsibilities. Award
4 temporary significant decision-making responsibility to
5 petitioner in accordance with this Section, the Illinois
6 Marriage and Dissolution of Marriage Act, the Illinois
7 Parentage Act of 2015, and this State's Uniform
8 Child-Custody Jurisdiction and Enforcement Act.

9 If the respondent is charged with abuse (as defined in
10 Section 112A-3 of this Code) of a minor child, there shall
11 be a rebuttable presumption that awarding temporary
12 significant decision-making responsibility to respondent
13 would not be in the child's best interest.

14 (7) Parenting time. Determine the parenting time, if
15 any, of respondent in any case in which the court awards
16 physical care or temporary significant decision-making
17 responsibility of a minor child to petitioner. The court
18 shall restrict or deny respondent's parenting time with a
19 minor child if the court finds that respondent has done or
20 is likely to do any of the following:

21 (i) abuse or endanger the minor child during
22 parenting time;

23 (ii) use the parenting time as an opportunity to
24 abuse or harass petitioner or petitioner's family or
25 household members;

26 (iii) improperly conceal or detain the minor

1 child; or

2 (iv) otherwise act in a manner that is not in the
3 best interests of the minor child.

4 The court shall not be limited by the standards set
5 forth in Section 603.10 of the Illinois Marriage and
6 Dissolution of Marriage Act. If the court grants parenting
7 time, the order shall specify dates and times for the
8 parenting time to take place or other specific parameters
9 or conditions that are appropriate. No order for parenting
10 time shall refer merely to the term "reasonable parenting
11 time". Petitioner may deny respondent access to the minor
12 child if, when respondent arrives for parenting time,
13 respondent is under the influence of drugs or alcohol and
14 constitutes a threat to the safety and well-being of
15 petitioner or petitioner's minor children or is behaving
16 in a violent or abusive manner. If necessary to protect
17 any member of petitioner's family or household from future
18 abuse, respondent shall be prohibited from coming to
19 petitioner's residence to meet the minor child for
20 parenting time, and the petitioner and respondent shall
21 submit to the court their recommendations for reasonable
22 alternative arrangements for parenting time. A person may
23 be approved to supervise parenting time only after filing
24 an affidavit accepting that responsibility and
25 acknowledging accountability to the court.

26 (8) Removal or concealment of minor child. Prohibit

1 respondent from removing a minor child from the State or
2 concealing the child within the State.

3 (9) Order to appear. Order the respondent to appear in
4 court, alone or with a minor child, to prevent abuse,
5 neglect, removal or concealment of the child, to return
6 the child to the custody or care of the petitioner, or to
7 permit any court-ordered interview or examination of the
8 child or the respondent.

9 (10) Possession of personal property. Grant petitioner
10 exclusive possession of personal property and, if
11 respondent has possession or control, direct respondent to
12 promptly make it available to petitioner, if:

13 (i) petitioner, but not respondent, owns the
14 property; or

15 (ii) the petitioner and respondent own the
16 property jointly; sharing it would risk abuse of
17 petitioner by respondent or is impracticable; and the
18 balance of hardships favors temporary possession by
19 petitioner.

20 If petitioner's sole claim to ownership of the
21 property is that it is marital property, the court may
22 award petitioner temporary possession thereof under the
23 standards of subparagraph (ii) of this paragraph only if a
24 proper proceeding has been filed under the Illinois
25 Marriage and Dissolution of Marriage Act, as now or
26 hereafter amended.

1 No order under this provision shall affect title to
2 property.

3 (11) Protection of property. Forbid the respondent
4 from taking, transferring, encumbering, concealing,
5 damaging, or otherwise disposing of any real or personal
6 property, except as explicitly authorized by the court,
7 if:

8 (i) petitioner, but not respondent, owns the
9 property; or

10 (ii) the petitioner and respondent own the
11 property jointly, and the balance of hardships favors
12 granting this remedy.

13 If petitioner's sole claim to ownership of the
14 property is that it is marital property, the court may
15 grant petitioner relief under subparagraph (ii) of this
16 paragraph only if a proper proceeding has been filed under
17 the Illinois Marriage and Dissolution of Marriage Act, as
18 now or hereafter amended.

19 The court may further prohibit respondent from
20 improperly using the financial or other resources of an
21 aged member of the family or household for the profit or
22 advantage of respondent or of any other person.

23 (11.5) Protection of animals. Grant the petitioner the
24 exclusive care, custody, or control of any animal owned,
25 possessed, leased, kept, or held by either the petitioner
26 or the respondent or a minor child residing in the

1 residence or household of either the petitioner or the
2 respondent and order the respondent to stay away from the
3 animal and forbid the respondent from taking,
4 transferring, encumbering, concealing, harming, or
5 otherwise disposing of the animal.

6 (12) Order for payment of support. Order respondent to
7 pay temporary support for the petitioner or any child in
8 the petitioner's care or over whom the petitioner has been
9 allocated parental responsibility, when the respondent has
10 a legal obligation to support that person, in accordance
11 with the Illinois Marriage and Dissolution of Marriage
12 Act, which shall govern, among other matters, the amount
13 of support, payment through the clerk and withholding of
14 income to secure payment. An order for child support may
15 be granted to a petitioner with lawful physical care of a
16 child, or an order or agreement for physical care of a
17 child, prior to entry of an order allocating significant
18 decision-making responsibility. Such a support order shall
19 expire upon entry of a valid order allocating parental
20 responsibility differently and vacating petitioner's
21 significant decision-making responsibility unless
22 otherwise provided in the order.

23 (13) Order for payment of losses. Order respondent to
24 pay petitioner for losses suffered as a direct result of
25 the abuse. Such losses shall include, but not be limited
26 to, medical expenses, lost earnings or other support,

1 repair or replacement of property damaged or taken,
2 reasonable attorney's fees, court costs, and moving or
3 other travel expenses, including additional reasonable
4 expenses for temporary shelter and restaurant meals.

5 (i) Losses affecting family needs. If a party is
6 entitled to seek maintenance, child support, or
7 property distribution from the other party under the
8 Illinois Marriage and Dissolution of Marriage Act, as
9 now or hereafter amended, the court may order
10 respondent to reimburse petitioner's actual losses, to
11 the extent that such reimbursement would be
12 "appropriate temporary relief", as authorized by
13 subsection (a) (3) of Section 501 of that Act.

14 (ii) Recovery of expenses. In the case of an
15 improper concealment or removal of a minor child, the
16 court may order respondent to pay the reasonable
17 expenses incurred or to be incurred in the search for
18 and recovery of the minor child, including, but not
19 limited to, legal fees, court costs, private
20 investigator fees, and travel costs.

21 (14) Prohibition of entry. Prohibit the respondent
22 from entering or remaining in the residence or household
23 while the respondent is under the influence of alcohol or
24 drugs and constitutes a threat to the safety and
25 well-being of the petitioner or the petitioner's children.

26 (14.5) Prohibition of possession of firearms and

1 firearm parts; search and seizure of firearms and firearm
2 parts.

3 (A) Subject to the provisions of subparagraph
4 (B-2), if applicable, a person who is subject to an
5 existing domestic violence order of protection issued
6 under this Code may not lawfully possess firearms,
7 stun guns, or tasers ~~or firearm parts that could be~~
8 ~~assembled to make an operable firearm or a Firearm~~
9 ~~Owner's Identification Card under Section 8.2 of the~~
10 ~~Firearm Owners Identification Card Act.~~

11 (B) Any firearms in the possession of the
12 respondent, except as provided in subparagraph (C) of
13 this paragraph (14.5) and subject to the provisions of
14 subparagraph (B-2), if applicable, shall be ordered by
15 the court to be surrendered to law enforcement for
16 safekeeping. Any firearms or firearm parts on the
17 respondent's person or at the place of service shall
18 be immediately surrendered to the serving officers at
19 the time of service of the order of protection, and any
20 other firearms or firearm parts shall be surrendered
21 to local law enforcement within 24 hours of service of
22 the order of protection. Any ~~Firearm Owner's~~
23 ~~Identification Card or~~ Concealed Carry License in the
24 possession of the respondent, except as provided in
25 subparagraph (C), shall also be ordered by the court
26 to be turned over to serving officers at the time of

1 service of the order of protection or, if not on the
2 respondent's person or at the location where the
3 respondent is served at the time of service, to local
4 law enforcement within 24 hours of service of the
5 order. The law enforcement agency shall immediately
6 mail ~~the card, as well as~~ any license, to the Illinois
7 State Police ~~Firearm Owner's Identification Card~~
8 ~~Office~~ for safekeeping.

9 (B-1) Upon request of the petitioner or the
10 State's Attorney on behalf of the petitioner, a law
11 enforcement officer may seek a search warrant based on
12 the allegations in the petition for the Order of
13 Protection.

14 (i) If requested by law enforcement, the court
15 shall issue a search warrant for the seizure of
16 any firearms or firearm parts that could be
17 assembled to make an operable firearm belonging to
18 the respondent at or after entry of an order of
19 protection if the court, based upon sworn
20 testimony and governed by Sections 108-3 and
21 108-4, finds probable cause exists that:

22 (aa) the respondent poses an immediate and
23 present credible threat to the physical safety
24 of the petitioner protected by the order of
25 protection;

26 (bb) the respondent possesses firearms or

1 firearm parts that could be assembled to make
2 an operable firearm; and

3 (cc) the firearms or firearm parts that
4 could be assembled to make an operable firearm
5 are located at the residence, vehicle, or
6 other property of the respondent to be
7 searched.

8 (ii) The search warrant shall specify with
9 particularity the scope of the search, including
10 the property to be searched, and shall direct the
11 law enforcement agency to seize the respondent's
12 firearms and firearm parts that could be assembled
13 to make an operable firearm. Law enforcement shall
14 also be directed to seize into their possession
15 any ~~Firearm Owner's Identification Card and any~~
16 Concealed Carry License belonging to the
17 respondent.

18 (iii) The law enforcement agency to which the
19 court has directed the warrant shall execute the
20 warrant no later than 96 hours after issuance. The
21 law enforcement agency to which the court has
22 directed the warrant may coordinate with other law
23 enforcement agencies to execute the warrant. A
24 return of the warrant shall be filed by the law
25 enforcement agency within 24 hours of execution,
26 setting forth the time, date, and location where

1 the warrant was executed and what items, if any,
2 were seized. If the court is not in session, the
3 return information shall be returned on the next
4 date the court is in session. Subject to the
5 provisions of this Section, peace officers shall
6 have the same authority to execute a warrant
7 issued under this subsection as a warrant issued
8 under Article 108.

9 (iv) If the property to be searched is in
10 another county, the petitioner or the State's
11 Attorney may seek a search warrant in that county
12 with the law enforcement agency with primary
13 responsibility for responding to service calls at
14 the property to be searched. Regardless of whether
15 the petitioner is working with the State's
16 Attorney under subsection (d) of Section 112A-4.5,
17 the petitioner may request the State's Attorney's
18 assistance to request that the law enforcement
19 agency in the county where the property is located
20 seek a search warrant.

21 (v) Service of an order of protection shall,
22 to the extent possible, be concurrent with any
23 warrant issued under this paragraph.

24 (B-2) Ex parte relief may be granted under this
25 paragraph (14.5) only if the court finds that personal
26 injury to the petitioner is likely to occur if the

1 respondent received prior notice and if the petitioner
2 has otherwise satisfied the requirements of Section
3 112A-17.5 of this Article.

4 (C) If the respondent is a peace officer as
5 defined in Section 2-13 of the Criminal Code of 2012,
6 the court shall order that any firearms used by the
7 respondent in the performance of his or her duties as a
8 peace officer be surrendered to the chief law
9 enforcement executive of the agency in which the
10 respondent is employed, who shall retain the firearms
11 for safekeeping for the duration of the domestic
12 violence order of protection.

13 (D) (i) Any firearms or firearm parts that could be
14 assembled to make an operable firearm that have been
15 seized or surrendered shall be kept by the law
16 enforcement agency that took possession of the items
17 for safekeeping, except as provided in subparagraph
18 (C), (E), or (F). The period of safekeeping shall be
19 for the duration of the order of protection. Except as
20 provided in subparagraph (F), the respondent is
21 prohibited from transferring firearms or firearm parts
22 to another individual in lieu of surrender to law
23 enforcement. The law enforcement agency shall provide
24 an itemized statement of receipt to the respondent and
25 the court describing any seized or surrendered
26 firearms or firearm parts and informing the respondent

1 that the respondent may seek the return of the
2 respondent's items at the end of the order of
3 protection. The law enforcement agency may enter
4 arrangements, as needed, with federally licensed
5 firearm dealers or other law enforcement agencies for
6 the storage of any firearms seized or surrendered
7 under this subsection.

8 (ii) It is the respondent's responsibility to
9 request the return or reinstatement of any ~~Firearm~~
10 ~~Owner's Identification Card or~~ Concealed Carry License
11 and to notify the Illinois State Police ~~Firearm~~
12 ~~Owner's Identification Card Office~~ at the end of the
13 Order of Protection.

14 (iii) At the end of the order of protection, a
15 respondent may request the return of any seized or
16 surrendered firearms or firearm parts that could be
17 assembled to make an operable firearm. Seized or
18 surrendered firearms or firearm parts shall be
19 returned within 14 days of the request to the
20 respondent, if the respondent is lawfully eligible to
21 possess firearms, or to a designated third party who
22 is lawfully eligible to possess firearms. If the
23 firearms or firearm parts cannot be returned to
24 respondent because (1) the respondent has not
25 requested the return or transfer of the firearms or
26 firearm parts as set forth in this subparagraph and

1 (2) the respondent cannot be located or fails to
2 respond to more than 3 requests to retrieve the
3 firearms, upon petition from the appropriate law
4 enforcement agency and notice to the respondent at the
5 respondent's last known address, the court may order
6 the law enforcement agency to destroy the firearms or
7 firearm parts; use the firearms or firearm parts for
8 training purposes, or for any other application as
9 deemed appropriate by the law enforcement agency; or
10 turn over the firearms or firearm parts to a third
11 party who is lawfully eligible to possess firearms,
12 and who does not reside with respondent.

13 (E)(i) If a person other than the respondent
14 claims title to any firearms or firearm parts that
15 could be assembled to make an operable firearm seized
16 or surrendered under this subsection, the person may
17 petition the court to have the firearm and firearm
18 parts that could be assembled to make an operable
19 firearm returned to him or her with proper notice to
20 the petitioner and respondent. If, at a hearing on the
21 petition, the court determines the person to be the
22 lawful owner of the firearm and firearm parts that
23 could be assembled to make an operable firearm, the
24 firearm and firearm parts that could be assembled to
25 make an operable firearm shall be returned to the
26 person, provided that:

1 (aa) the firearm and firearm parts that could
2 be assembled to make an operable firearm are
3 removed from the respondent's custody, control, or
4 possession, and the lawful owner agrees to store
5 the firearm and firearm parts that could be
6 assembled to make an operable firearm in a manner
7 such that the respondent does not have access to
8 or control of the firearm and firearm parts that
9 could be assembled to make an operable firearm;
10 and

11 (bb) the firearm and firearm parts that could
12 be assembled to make an operable firearm are not
13 otherwise unlawfully possessed by the owner.

14 (ii) The person petitioning for the return of his
15 or her firearm and firearm parts that could be
16 assembled to make an operable firearm must swear or
17 affirm by affidavit that he or she:

18 (aa) is the lawful owner of the firearm and
19 firearm parts that could be assembled to make an
20 operable firearm;

21 (bb) shall not transfer the firearm and
22 firearm parts that could be assembled to make an
23 operable firearm to the respondent; and

24 (cc) will store the firearm and firearm parts
25 that could be assembled to make an operable
26 firearm in a manner that the respondent does not

1 have access to or control of the firearm and
2 firearm parts that could be assembled to make an
3 operable firearm.

4 (F) (i) The respondent may file a motion to
5 transfer, at the next scheduled hearing, any seized or
6 surrendered firearms or firearm parts to a third
7 party. Notice of the motion shall be provided to the
8 petitioner and the third party must appear at the
9 hearing.

10 (ii) The court may order transfer of the seized or
11 surrendered firearm or firearm parts only if:

12 (aa) the third party transferee affirms by
13 affidavit to the open court that:

14 (I) the third party transferee does not
15 reside with the respondent;

16 (II) the respondent does not have access
17 to the location in which the third party
18 transferee intends to keep the firearms or
19 firearm parts;

20 (III) the third party transferee will not
21 transfer the firearm or firearm parts to the
22 respondent or anyone who resides with the
23 respondent;

24 (IV) the third party transferee will
25 maintain control and possession of the firearm
26 or firearm parts until otherwise ordered by

1 the court; and

2 (V) the third party transferee will be
3 subject to criminal penalties for transferring
4 the firearms or firearm parts to the
5 respondent; and

6 (bb) the court finds that:

7 (I) (blank) ~~the respondent holds a valid~~
8 ~~Firearm Owner's Identification;~~ and

9 (II) the transfer of firearms or firearm
10 parts to the third party transferee does not
11 place the petitioner or any other protected
12 parties at any additional threat or risk of
13 harm.

14 (15) Prohibition of access to records. If a domestic
15 violence order of protection prohibits respondent from
16 having contact with the minor child, or if petitioner's
17 address is omitted under subsection (b) of Section 112A-5
18 of this Code, or if necessary to prevent abuse or wrongful
19 removal or concealment of a minor child, the order shall
20 deny respondent access to, and prohibit respondent from
21 inspecting, obtaining, or attempting to inspect or obtain,
22 school or any other records of the minor child who is in
23 the care of petitioner.

24 (16) Order for payment of shelter services. Order
25 respondent to reimburse a shelter providing temporary
26 housing and counseling services to the petitioner for the

1 cost of the services, as certified by the shelter and
2 deemed reasonable by the court.

3 (17) Order for injunctive relief. Enter injunctive
4 relief necessary or appropriate to prevent further abuse
5 of a family or household member or to effectuate one of the
6 granted remedies, if supported by the balance of
7 hardships. If the harm to be prevented by the injunction
8 is abuse or any other harm that one of the remedies listed
9 in paragraphs (1) through (16) of this subsection is
10 designed to prevent, no further evidence is necessary to
11 establish that the harm is an irreparable injury.

12 (18) Telephone services.

13 (A) Unless a condition described in subparagraph
14 (B) of this paragraph exists, the court may, upon
15 request by the petitioner, order a wireless telephone
16 service provider to transfer to the petitioner the
17 right to continue to use a telephone number or numbers
18 indicated by the petitioner and the financial
19 responsibility associated with the number or numbers,
20 as set forth in subparagraph (C) of this paragraph. In
21 this paragraph (18), the term "wireless telephone
22 service provider" means a provider of commercial
23 mobile service as defined in 47 U.S.C. 332. The
24 petitioner may request the transfer of each telephone
25 number that the petitioner, or a minor child in his or
26 her custody, uses. The clerk of the court shall serve

1 the order on the wireless telephone service provider's
2 agent for service of process provided to the Illinois
3 Commerce Commission. The order shall contain all of
4 the following:

5 (i) The name and billing telephone number of
6 the account holder including the name of the
7 wireless telephone service provider that serves
8 the account.

9 (ii) Each telephone number that will be
10 transferred.

11 (iii) A statement that the provider transfers
12 to the petitioner all financial responsibility for
13 and right to the use of any telephone number
14 transferred under this paragraph.

15 (B) A wireless telephone service provider shall
16 terminate the respondent's use of, and shall transfer
17 to the petitioner use of, the telephone number or
18 numbers indicated in subparagraph (A) of this
19 paragraph unless it notifies the petitioner, within 72
20 hours after it receives the order, that one of the
21 following applies:

22 (i) The account holder named in the order has
23 terminated the account.

24 (ii) A difference in network technology would
25 prevent or impair the functionality of a device on
26 a network if the transfer occurs.

1 (iii) The transfer would cause a geographic or
2 other limitation on network or service provision
3 to the petitioner.

4 (iv) Another technological or operational
5 issue would prevent or impair the use of the
6 telephone number if the transfer occurs.

7 (C) The petitioner assumes all financial
8 responsibility for and right to the use of any
9 telephone number transferred under this paragraph. In
10 this paragraph, "financial responsibility" includes
11 monthly service costs and costs associated with any
12 mobile device associated with the number.

13 (D) A wireless telephone service provider may
14 apply to the petitioner its routine and customary
15 requirements for establishing an account or
16 transferring a number, including requiring the
17 petitioner to provide proof of identification,
18 financial information, and customer preferences.

19 (E) Except for willful or wanton misconduct, a
20 wireless telephone service provider is immune from
21 civil liability for its actions taken in compliance
22 with a court order issued under this paragraph.

23 (F) All wireless service providers that provide
24 services to residential customers shall provide to the
25 Illinois Commerce Commission the name and address of
26 an agent for service of orders entered under this

1 paragraph (18). Any change in status of the registered
2 agent must be reported to the Illinois Commerce
3 Commission within 30 days of such change.

4 (G) The Illinois Commerce Commission shall
5 maintain the list of registered agents for service for
6 each wireless telephone service provider on the
7 Commission's website. The Commission may consult with
8 wireless telephone service providers and the Circuit
9 Court Clerks on the manner in which this information
10 is provided and displayed.

11 (c) Relevant factors; findings.

12 (1) In determining whether to grant a specific remedy,
13 other than payment of support, the court shall consider
14 relevant factors, including, but not limited to, the
15 following:

16 (i) the nature, frequency, severity, pattern, and
17 consequences of the respondent's past abuse of the
18 petitioner or any family or household member,
19 including the concealment of his or her location in
20 order to evade service of process or notice, and the
21 likelihood of danger of future abuse to petitioner or
22 any member of petitioner's or respondent's family or
23 household; and

24 (ii) the danger that any minor child will be
25 abused or neglected or improperly relocated from the
26 jurisdiction, improperly concealed within the State,

1 or improperly separated from the child's primary
2 caretaker.

3 (2) In comparing relative hardships resulting to the
4 parties from loss of possession of the family home, the
5 court shall consider relevant factors, including, but not
6 limited to, the following:

7 (i) availability, accessibility, cost, safety,
8 adequacy, location, and other characteristics of
9 alternate housing for each party and any minor child
10 or dependent adult in the party's care;

11 (ii) the effect on the party's employment; and

12 (iii) the effect on the relationship of the party,
13 and any minor child or dependent adult in the party's
14 care, to family, school, church, and community.

15 (3) Subject to the exceptions set forth in paragraph
16 (4) of this subsection (c), the court shall make its
17 findings in an official record or in writing, and shall at
18 a minimum set forth the following:

19 (i) That the court has considered the applicable
20 relevant factors described in paragraphs (1) and (2)
21 of this subsection (c).

22 (ii) Whether the conduct or actions of respondent,
23 unless prohibited, will likely cause irreparable harm
24 or continued abuse.

25 (iii) Whether it is necessary to grant the
26 requested relief in order to protect petitioner or

1 other alleged abused persons.

2 (4) (Blank).

3 (5) Never married parties. No rights or
4 responsibilities for a minor child born outside of
5 marriage attach to a putative father until a father and
6 child relationship has been established under the Illinois
7 Parentage Act of 1984, the Illinois Parentage Act of 2015,
8 the Illinois Public Aid Code, Section 12 of the Vital
9 Records Act, the Juvenile Court Act of 1987, the Probate
10 Act of 1975, the Uniform Interstate Family Support Act,
11 the Expedited Child Support Act of 1990, any judicial,
12 administrative, or other act of another state or
13 territory, any other statute of this State, or by any
14 foreign nation establishing the father and child
15 relationship, any other proceeding substantially in
16 conformity with the federal Personal Responsibility and
17 Work Opportunity Reconciliation Act of 1996, or when both
18 parties appeared in open court or at an administrative
19 hearing acknowledging under oath or admitting by
20 affirmation the existence of a father and child
21 relationship. Absent such an adjudication, no putative
22 father shall be granted temporary allocation of parental
23 responsibilities, including parenting time with the minor
24 child, or physical care and possession of the minor child,
25 nor shall an order of payment for support of the minor
26 child be entered.

1 (d) Balance of hardships; findings. If the court finds
2 that the balance of hardships does not support the granting of
3 a remedy governed by paragraph (2), (3), (10), (11), or (16) of
4 subsection (b) of this Section, which may require such
5 balancing, the court's findings shall so indicate and shall
6 include a finding as to whether granting the remedy will
7 result in hardship to respondent that would substantially
8 outweigh the hardship to petitioner from denial of the remedy.
9 The findings shall be an official record or in writing.

10 (e) Denial of remedies. Denial of any remedy shall not be
11 based, in whole or in part, on evidence that:

12 (1) respondent has cause for any use of force, unless
13 that cause satisfies the standards for justifiable use of
14 force provided by Article 7 of the Criminal Code of 2012;

15 (2) respondent was voluntarily intoxicated;

16 (3) petitioner acted in self-defense or defense of
17 another, provided that, if petitioner utilized force, such
18 force was justifiable under Article 7 of the Criminal Code
19 of 2012;

20 (4) petitioner did not act in self-defense or defense
21 of another;

22 (5) petitioner left the residence or household to
23 avoid further abuse by respondent;

24 (6) petitioner did not leave the residence or
25 household to avoid further abuse by respondent; or

26 (7) conduct by any family or household member excused

1 the abuse by respondent, unless that same conduct would
2 have excused such abuse if the parties had not been family
3 or household members.
4 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
5 102-813, eff. 5-13-22; 103-1065, eff. 5-11-25.)

6 (725 ILCS 5/112A-14.7)

7 Sec. 112A-14.7. Stalking no contact order; remedies.

8 (a) The court may order any of the remedies listed in this
9 Section. The remedies listed in this Section shall be in
10 addition to other civil or criminal remedies available to
11 petitioner. A stalking no contact order shall order one or
12 more of the following:

13 (1) prohibit the respondent from threatening to commit
14 or committing stalking;

15 (2) order the respondent not to have any contact with
16 the petitioner or a third person specifically named by the
17 court;

18 (3) prohibit the respondent from knowingly coming
19 within, or knowingly remaining within a specified distance
20 of the petitioner or the petitioner's residence, school,
21 daycare, or place of employment, or any specified place
22 frequented by the petitioner; however, the court may order
23 the respondent to stay away from the respondent's own
24 residence, school, or place of employment only if the
25 respondent has been provided actual notice of the

1 opportunity to appear and be heard on the petition;

2 (4) prohibit the respondent from ~~possessing a Firearm~~
3 ~~Owners Identification Card, or~~ possessing or buying
4 firearms; and

5 (5) order other injunctive relief the court determines
6 to be necessary to protect the petitioner or third party
7 specifically named by the court.

8 (b) When the petitioner and the respondent attend the same
9 public, private, or non-public elementary, middle, or high
10 school, the court when issuing a stalking no contact order and
11 providing relief shall consider the severity of the act, any
12 continuing physical danger or emotional distress to the
13 petitioner, the educational rights guaranteed to the
14 petitioner and respondent under federal and State law, the
15 availability of a transfer of the respondent to another
16 school, a change of placement or a change of program of the
17 respondent, the expense, difficulty, and educational
18 disruption that would be caused by a transfer of the
19 respondent to another school, and any other relevant facts of
20 the case. The court may order that the respondent not attend
21 the public, private, or non-public elementary, middle, or high
22 school attended by the petitioner, order that the respondent
23 accept a change of placement or program, as determined by the
24 school district or private or non-public school, or place
25 restrictions on the respondent's movements within the school
26 attended by the petitioner. The respondent bears the burden of

1 proving by a preponderance of the evidence that a transfer,
2 change of placement, or change of program of the respondent is
3 not available. The respondent also bears the burden of
4 production with respect to the expense, difficulty, and
5 educational disruption that would be caused by a transfer of
6 the respondent to another school. A transfer, change of
7 placement, or change of program is not unavailable to the
8 respondent solely on the ground that the respondent does not
9 agree with the school district's or private or non-public
10 school's transfer, change of placement, or change of program
11 or solely on the ground that the respondent fails or refuses to
12 consent to or otherwise does not take an action required to
13 effectuate a transfer, change of placement, or change of
14 program. When a court orders a respondent to stay away from the
15 public, private, or non-public school attended by the
16 petitioner and the respondent requests a transfer to another
17 attendance center within the respondent's school district or
18 private or non-public school, the school district or private
19 or non-public school shall have sole discretion to determine
20 the attendance center to which the respondent is transferred.
21 If the court order results in a transfer of the minor
22 respondent to another attendance center, a change in the
23 respondent's placement, or a change of the respondent's
24 program, the parents, guardian, or legal custodian of the
25 respondent is responsible for transportation and other costs
26 associated with the transfer or change.

1 (c) The court may order the parents, guardian, or legal
2 custodian of a minor respondent to take certain actions or to
3 refrain from taking certain actions to ensure that the
4 respondent complies with the order. If the court orders a
5 transfer of the respondent to another school, the parents,
6 guardian, or legal custodian of the respondent are responsible
7 for transportation and other costs associated with the change
8 of school by the respondent.

9 (d) The court shall not hold a school district or private
10 or non-public school or any of its employees in civil or
11 criminal contempt unless the school district or private or
12 non-public school has been allowed to intervene.

13 (e) The court may hold the parents, guardian, or legal
14 custodian of a minor respondent in civil or criminal contempt
15 for a violation of any provision of any order entered under
16 this Article for conduct of the minor respondent in violation
17 of this Article if the parents, guardian, or legal custodian
18 directed, encouraged, or assisted the respondent minor in the
19 conduct.

20 (f) Monetary damages are not recoverable as a remedy.

21 (g) If the stalking no contact order prohibits the
22 respondent from ~~possessing a Firearm Owner's Identification~~
23 ~~Card, or~~ possessing or buying firearms; the court shall
24 confiscate the respondent's firearms and firearm ammunition
25 ~~Firearm Owner's Identification Card and immediately return the~~
26 ~~card to the Illinois State Police Firearm Owner's~~

~~Identification Card Office.~~

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

(725 ILCS 5/112A-17.5)

Sec. 112A-17.5. Ex parte protective orders.

(a) The petitioner may request expedited consideration of the petition for an ex parte protective order. The court shall consider the request on an expedited basis without requiring the respondent's presence or requiring notice to the respondent.

(b) Issuance of ex parte protective orders in cases involving domestic violence. An ex parte domestic violence order of protection shall be issued if petitioner satisfies the requirements of this subsection (b) for one or more of the requested remedies. For each remedy requested, petitioner shall establish that:

(1) the court has jurisdiction under Section 112A-9 of this Code;

(2) the requirements of subsection (a) of Section 112A-11.5 of this Code are satisfied; and

(3) there is good cause to grant the remedy, regardless of prior service of process or notice upon the respondent, because:

(A) for the remedy of prohibition of abuse described in paragraph (1) of subsection (b) of Section 112A-14 of this Code; stay away order and

1 additional prohibitions described in paragraph (3) of
2 subsection (b) of Section 112A-14 of this Code;
3 removal or concealment of minor child described in
4 paragraph (8) of subsection (b) of Section 112A-14 of
5 this Code; order to appear described in paragraph (9)
6 of subsection (b) of Section 112A-14 of this Code;
7 physical care and possession of the minor child
8 described in paragraph (5) of subsection (b) of
9 Section 112A-14 of this Code; protection of property
10 described in paragraph (11) of subsection (b) of
11 Section 112A-14 of this Code; prohibition of entry
12 described in paragraph (14) of subsection (b) of
13 Section 112A-14 of this Code; prohibition of firearm
14 possession described in paragraph (14.5) of subsection
15 (b) of Section 112A-14 of this Code; prohibition of
16 access to records described in paragraph (15) of
17 subsection (b) of Section 112A-14 of this Code;
18 injunctive relief described in paragraph (16) of
19 subsection (b) of Section 112A-14 of this Code; and
20 telephone services described in paragraph (18) of
21 subsection (b) of Section 112A-14 of this Code, the
22 harm which that remedy is intended to prevent would be
23 likely to occur if the respondent were given any prior
24 notice, or greater notice than was actually given, of
25 the petitioner's efforts to obtain judicial relief;

26 (B) for the remedy of grant of exclusive

1 possession of residence described in paragraph (2) of
2 subsection (b) of Section 112A-14 of this Code; the
3 immediate danger of further abuse of the petitioner by
4 the respondent, if the petitioner chooses or had
5 chosen to remain in the residence or household while
6 the respondent was given any prior notice or greater
7 notice than was actually given of the petitioner's
8 efforts to obtain judicial relief outweighs the
9 hardships to the respondent of an emergency order
10 granting the petitioner exclusive possession of the
11 residence or household; and the remedy shall not be
12 denied because the petitioner has or could obtain
13 temporary shelter elsewhere while prior notice is
14 given to the respondent, unless the hardship to the
15 respondent from exclusion from the home substantially
16 outweigh the hardship to the petitioner; or

17 (C) for the remedy of possession of personal
18 property described in paragraph (10) of subsection (b)
19 of Section 112A-14 of this Code; improper disposition
20 of the personal property would be likely to occur if
21 the respondent were given any prior notice, or greater
22 notice than was actually given, of the petitioner's
23 efforts to obtain judicial relief or the petitioner
24 has an immediate and pressing need for the possession
25 of that property.

26 An ex parte domestic violence order of protection may not

1 include the counseling, custody, or payment of support or
2 monetary compensation remedies provided by paragraphs (4),
3 (12), (13), and (16) of subsection (b) of Section 112A-14 of
4 this Code.

5 (c) Issuance of ex parte civil no contact order in cases
6 involving sexual offenses. An ex parte civil no contact order
7 shall be issued if the petitioner establishes that:

8 (1) the court has jurisdiction under Section 112A-9 of
9 this Code;

10 (2) the requirements of subsection (a) of Section
11 112A-11.5 of this Code are satisfied; and

12 (3) there is good cause to grant the remedy,
13 regardless of prior service of process or of notice upon
14 the respondent, because the harm which that remedy is
15 intended to prevent would be likely to occur if the
16 respondent were given any prior notice, or greater notice
17 than was actually given, of the petitioner's efforts to
18 obtain judicial relief.

19 The court may order any of the remedies under Section
20 112A-14.5 of this Code.

21 (d) Issuance of ex parte stalking no contact order in
22 cases involving stalking offenses. An ex parte stalking no
23 contact order shall be issued if the petitioner establishes
24 that:

25 (1) the court has jurisdiction under Section 112A-9 of
26 this Code;

1 (2) the requirements of subsection (a) of Section
2 112A-11.5 of this Code are satisfied; and

3 (3) there is good cause to grant the remedy,
4 regardless of prior service of process or of notice upon
5 the respondent, because the harm which that remedy is
6 intended to prevent would be likely to occur if the
7 respondent were given any prior notice, or greater notice
8 than was actually given, of the petitioner's efforts to
9 obtain judicial relief.

10 The court may order any of the remedies under Section
11 112A-14.7 of this Code.

12 (e) Issuance of ex parte protective orders on court
13 holidays and evenings.

14 When the court is unavailable at the close of business,
15 the petitioner may file a petition for an ex parte protective
16 order before any available circuit judge or associate judge
17 who may grant relief under this Article. If the judge finds
18 that petitioner has satisfied the prerequisites in subsection
19 (b), (c), or (d) of this Section, the judge shall issue an ex
20 parte protective order.

21 The chief judge of the circuit court may designate for
22 each county in the circuit at least one judge to be reasonably
23 available to issue orally, by telephone, by facsimile, or
24 otherwise, an ex parte protective order at all times, whether
25 or not the court is in session.

26 The judge who issued the order under this Section shall

1 promptly communicate or convey the order to the sheriff to
2 facilitate the entry of the order into the Law Enforcement
3 Agencies Data System by the Illinois State Police under
4 Section 112A-28 of this Code. Any order issued under this
5 Section and any documentation in support of it shall be
6 certified on the next court day to the appropriate court. The
7 clerk of that court shall immediately assign a case number,
8 file the petition, order, and other documents with the court
9 and enter the order of record and file it with the sheriff for
10 service under subsection (f) of this Section. Failure to
11 comply with the requirements of this subsection (e) shall not
12 affect the validity of the order.

13 (f) Service of ex parte protective order on respondent.

14 (1) If an ex parte protective order is entered at the
15 time a summons or arrest warrant is issued for the
16 criminal charge, the petition for the protective order,
17 any supporting affidavits, if any, and the ex parte
18 protective order that has been issued shall be served with
19 the summons or arrest warrant. The enforcement of a
20 protective order under Section 112A-23 of this Code shall
21 not be affected by the lack of service or delivery,
22 provided the requirements of subsection (a) of Section
23 112A-23 of this Code are otherwise met.

24 (2) If an ex parte protective order is entered after a
25 summons or arrest warrant is issued and before the
26 respondent makes an initial appearance in the criminal

1 case, the summons shall be in the form prescribed by
2 subsection (d) of Supreme Court Rule 101, except that it
3 shall require respondent to answer or appear within 7 days
4 and shall be accompanied by the petition for the
5 protective order, any supporting affidavits, if any, and
6 the ex parte protective order that has been issued.

7 (3) If an ex parte protective order is entered after
8 the respondent has been served notice of a petition for a
9 final protective order and the respondent has requested a
10 continuance to respond to the petition, the ex parte
11 protective order shall be served: (A) in open court if the
12 respondent is present at the proceeding at which the order
13 was entered; or (B) by summons in the form prescribed by
14 subsection (d) of Supreme Court Rule 101.

15 (4) No fee shall be charged for service of summons.

16 (5) The summons shall be served by the sheriff or
17 other law enforcement officer at the earliest time and
18 shall take precedence over other summonses except those of
19 a similar emergency nature. Special process servers may be
20 appointed at any time, and their designation shall not
21 affect the responsibilities and authority of the sheriff
22 or other official process servers. In a county with a
23 population over 3,000,000, a special process server may
24 not be appointed if an ex parte protective order grants
25 the surrender of a child, ~~the surrender of a firearm or~~
26 ~~Firearm Owner's Identification Card,~~ or the exclusive

1 possession of a shared residence. Process may be served in
2 court.

3 (g) Upon 7 days' notice to the petitioner, or a shorter
4 notice period as the court may prescribe, a respondent subject
5 to an ex parte protective order may appear and petition the
6 court to re-hear the petition. Any petition to re-hear shall
7 be verified and shall allege the following:

8 (1) that respondent did not receive prior notice of
9 the initial hearing in which the ex parte protective order
10 was entered under Section 112A-17.5 of this Code; and

11 (2) that respondent had a meritorious defense to the
12 order or any of its remedies or that the order or any of
13 its remedies was not authorized under this Article.

14 The verified petition and affidavit shall set forth the
15 evidence of the meritorious defense that will be presented at
16 a hearing. If the court finds that the evidence presented at
17 the hearing on the petition establishes a meritorious defense
18 by a preponderance of the evidence, the court may decide to
19 vacate the protective order or modify the remedies.

20 (h) If the ex parte protective order granted petitioner
21 exclusive possession of the residence and the petition of
22 respondent seeks to re-open or vacate that grant, the court
23 shall set a date for hearing within 14 days on all issues
24 relating to exclusive possession. Under no circumstances shall
25 a court continue a hearing concerning exclusive possession
26 beyond the 14th day except by agreement of the petitioner and

1 the respondent. Other issues raised by the pleadings may be
2 consolidated for the hearing if the petitioner, the
3 respondent, and the court do not object.

4 (i) Duration of ex parte protective order. An ex parte
5 order shall remain in effect until the court considers the
6 request for a final protective order after notice has been
7 served on the respondent or a default final protective order
8 is entered, whichever occurs first. If a court date is
9 scheduled for the issuance of a default protective order and
10 the petitioner fails to personally appear or appear through
11 counsel or the prosecuting attorney, the petition shall be
12 dismissed and the ex parte order terminated.

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

14 Section 90. The Unified Code of Corrections is amended by
15 changing Sections 3-2-10.5, 5-5-3, 5-5-3.2, and 5-6-3 as
16 follows:

17 (730 ILCS 5/3-2-10.5)

18 Sec. 3-2-10.5. Retiring security employees and parole
19 agents; purchase of service firearm and badge. The Director
20 shall establish a program to allow a security employee or
21 parole agent of the Department who is honorably retiring in
22 good standing to purchase either one or both of the following:
23 (1) any badge previously issued to the security employee or
24 parole agent by the Department; or (2) ~~if the security~~

1 ~~employee or parole agent has a currently valid Firearm Owner's~~
2 ~~Identification Card,~~ the service firearm issued or previously
3 issued to the security employee or parole agent by the
4 Department. The badge must be permanently and conspicuously
5 marked in such a manner that the individual who possesses the
6 badge is not mistaken for an actively serving law enforcement
7 officer. The cost of the firearm shall be the replacement
8 value of the firearm and not the firearm's fair market value.
9 (Source: P.A. 102-719, eff. 5-6-22.)

10 (730 ILCS 5/5-5-3)

11 Sec. 5-5-3. Disposition.

12 (a) (Blank).

13 (b) (Blank).

14 (c) (1) (Blank).

15 (2) A period of probation, a term of periodic imprisonment
16 or conditional discharge shall not be imposed for the
17 following offenses. The court shall sentence the offender to
18 not less than the minimum term of imprisonment set forth in
19 this Code for the following offenses, and may order a fine or
20 restitution or both in conjunction with such term of
21 imprisonment:

22 (A) First degree murder.

23 (B) Attempted first degree murder.

24 (C) A Class X felony.

25 (D) A violation of Section 401.1 or 407 of the

1 Illinois Controlled Substances Act, or a violation of
2 subdivision (c)(1.5) of Section 401 of that Act which
3 relates to more than 5 grams of a substance containing
4 fentanyl or an analog thereof.

5 (D-5) A violation of subdivision (c)(1) of Section 401
6 of the Illinois Controlled Substances Act which relates to
7 3 or more grams of a substance containing heroin or an
8 analog thereof.

9 (E) (Blank).

10 (F) A Class 1 or greater felony if the offender had
11 been convicted of a Class 1 or greater felony, including
12 any state or federal conviction for an offense that
13 contained, at the time it was committed, the same elements
14 as an offense now (the date of the offense committed after
15 the prior Class 1 or greater felony) classified as a Class
16 1 or greater felony, within 10 years of the date on which
17 the offender committed the offense for which he or she is
18 being sentenced, except as otherwise provided in Section
19 40-10 of the Substance Use Disorder Act.

20 (F-3) A Class 2 or greater felony sex offense or
21 felony firearm offense if the offender had been convicted
22 of a Class 2 or greater felony, including any state or
23 federal conviction for an offense that contained, at the
24 time it was committed, the same elements as an offense now
25 (the date of the offense committed after the prior Class 2
26 or greater felony) classified as a Class 2 or greater

1 felony, within 10 years of the date on which the offender
2 committed the offense for which he or she is being
3 sentenced, except as otherwise provided in Section 40-10
4 of the Substance Use Disorder Act.

5 (F-5) A violation of Section 24-1, 24-1.1, or 24-1.6
6 of the Criminal Code of 1961 or the Criminal Code of 2012
7 for which imprisonment is prescribed in those Sections.

8 (G) Residential burglary, except as otherwise provided
9 in Section 40-10 of the Substance Use Disorder Act.

10 (H) Criminal sexual assault.

11 (I) Aggravated battery of a senior citizen as
12 described in Section 12-4.6 or subdivision (a)(4) of
13 Section 12-3.05 of the Criminal Code of 1961 or the
14 Criminal Code of 2012.

15 (J) A forcible felony if the offense was related to
16 the activities of an organized gang.

17 Before July 1, 1994, for the purposes of this
18 paragraph, "organized gang" means an association of 5 or
19 more persons, with an established hierarchy, that
20 encourages members of the association to perpetrate crimes
21 or provides support to the members of the association who
22 do commit crimes.

23 Beginning July 1, 1994, for the purposes of this
24 paragraph, "organized gang" has the meaning ascribed to it
25 in Section 10 of the Illinois Streetgang Terrorism Omnibus
26 Prevention Act.

1 (K) Vehicular hijacking.

2 (L) A second or subsequent conviction for the offense
3 of hate crime when the underlying offense upon which the
4 hate crime is based is felony aggravated assault or felony
5 mob action.

6 (M) A second or subsequent conviction for the offense
7 of institutional vandalism if the damage to the property
8 exceeds \$300.

9 (N) A Class 3 felony violation of paragraph (1) of
10 subsection (a) of Section 2 of the Firearm Owners
11 Identification Card Act committed before the effective
12 date of this amendatory Act of the 104th General Assembly.

13 (O) A violation of Section 12-6.1 or 12-6.5 of the
14 Criminal Code of 1961 or the Criminal Code of 2012.

15 (P) A violation of paragraph (1), (2), (3), (4), (5),
16 or (7) of subsection (a) of Section 11-20.1 of the
17 Criminal Code of 1961 or the Criminal Code of 2012.

18 (P-5) A violation of paragraph (6) of subsection (a)
19 of Section 11-20.1 of the Criminal Code of 1961 or the
20 Criminal Code of 2012 if the victim is a household or
21 family member of the defendant.

22 (P-6) A violation of paragraph (2) of subsection (b)
23 of Section 11-20.4 of the Criminal Code of 2012.

24 (Q) A violation of subsection (b) or (b-5) of Section
25 20-1, Section 20-1.2, or Section 20-1.3 of the Criminal
26 Code of 1961 or the Criminal Code of 2012.

1 (R) A violation of Section 24-3A of the Criminal Code
2 of 1961 or the Criminal Code of 2012.

3 (S) (Blank).

4 (T) (Blank).

5 (U) A second or subsequent violation of Section 6-303
6 of the Illinois Vehicle Code committed while his or her
7 driver's license, permit, or privilege was revoked because
8 of a violation of Section 9-3 of the Criminal Code of 1961
9 or the Criminal Code of 2012, relating to the offense of
10 reckless homicide, or a similar provision of a law of
11 another state.

12 (V) A violation of paragraph (4) of subsection (c) of
13 Section 11-20.1B or paragraph (4) of subsection (c) of
14 Section 11-20.3 of the Criminal Code of 1961, or paragraph
15 (6) of subsection (a) of Section 11-20.1 of the Criminal
16 Code of 2012 when the victim is under 13 years of age and
17 the defendant has previously been convicted under the laws
18 of this State or any other state of the offense of child
19 sexual abuse material or child pornography, aggravated
20 child pornography, aggravated criminal sexual abuse,
21 aggravated criminal sexual assault, predatory criminal
22 sexual assault of a child, or any of the offenses formerly
23 known as rape, deviate sexual assault, indecent liberties
24 with a child, or aggravated indecent liberties with a
25 child where the victim was under the age of 18 years or an
26 offense that is substantially equivalent to those

1 offenses.

2 (V-5) A violation of paragraph (1) of subsection (b)
3 of Section 11-20.4 of the Criminal Code of 2012 when the
4 purported child depicted is indistinguishable from an
5 actual child under 13 years of age and the defendant has
6 previously been convicted under the laws of this State or
7 any other state of the offense of child pornography,
8 aggravated child pornography, aggravated criminal sexual
9 abuse, aggravated criminal sexual assault, predatory
10 criminal sexual assault of a child, or any of the offenses
11 formerly known as rape, deviate sexual assault, indecent
12 liberties with a child, or aggravated indecent liberties
13 with a child if the victim was under the age of 18 years or
14 an offense that is substantially equivalent to those
15 offenses.

16 (W) A violation of Section 24-3.5 of the Criminal Code
17 of 1961 or the Criminal Code of 2012.

18 (X) A violation of subsection (a) of Section 31-1a of
19 the Criminal Code of 1961 or the Criminal Code of 2012.

20 (Y) A conviction for unlawful possession of a firearm
21 by a street gang member when the firearm was loaded or
22 contained firearm ammunition.

23 (Z) A Class 1 felony committed while he or she was
24 serving a term of probation or conditional discharge for a
25 felony.

26 (AA) Theft of property exceeding \$500,000 and not

1 exceeding \$1,000,000 in value.

2 (BB) Laundering of criminally derived property of a
3 value exceeding \$500,000.

4 (CC) Knowingly selling, offering for sale, holding for
5 sale, or using 2,000 or more counterfeit items or
6 counterfeit items having a retail value in the aggregate
7 of \$500,000 or more.

8 (DD) A conviction for aggravated assault under
9 paragraph (6) of subsection (c) of Section 12-2 of the
10 Criminal Code of 1961 or the Criminal Code of 2012 if the
11 firearm is aimed toward the person against whom the
12 firearm is being used.

13 (EE) A conviction for a violation of paragraph (2) of
14 subsection (a) of Section 24-3B of the Criminal Code of
15 2012.

16 (3) (Blank).

17 (4) A minimum term of imprisonment of not less than 10
18 consecutive days or 30 days of community service shall be
19 imposed for a violation of paragraph (c) of Section 6-303 of
20 the Illinois Vehicle Code.

21 (4.1) (Blank).

22 (4.2) Except as provided in paragraphs (4.3) and (4.8) of
23 this subsection (c), a minimum of 100 hours of community
24 service shall be imposed for a second violation of Section
25 6-303 of the Illinois Vehicle Code.

26 (4.3) A minimum term of imprisonment of 30 days or 300

1 hours of community service, as determined by the court, shall
2 be imposed for a second violation of subsection (c) of Section
3 6-303 of the Illinois Vehicle Code.

4 (4.4) Except as provided in paragraphs (4.5), (4.6), and
5 (4.9) of this subsection (c), a minimum term of imprisonment
6 of 30 days or 300 hours of community service, as determined by
7 the court, shall be imposed for a third or subsequent
8 violation of Section 6-303 of the Illinois Vehicle Code. The
9 court may give credit toward the fulfillment of community
10 service hours for participation in activities and treatment as
11 determined by court services.

12 (4.5) A minimum term of imprisonment of 30 days shall be
13 imposed for a third violation of subsection (c) of Section
14 6-303 of the Illinois Vehicle Code.

15 (4.6) Except as provided in paragraph (4.10) of this
16 subsection (c), a minimum term of imprisonment of 180 days
17 shall be imposed for a fourth or subsequent violation of
18 subsection (c) of Section 6-303 of the Illinois Vehicle Code.

19 (4.7) A minimum term of imprisonment of not less than 30
20 consecutive days, or 300 hours of community service, shall be
21 imposed for a violation of subsection (a-5) of Section 6-303
22 of the Illinois Vehicle Code, as provided in subsection (b-5)
23 of that Section.

24 (4.8) A mandatory prison sentence shall be imposed for a
25 second violation of subsection (a-5) of Section 6-303 of the
26 Illinois Vehicle Code, as provided in subsection (c-5) of that

1 Section. The person's driving privileges shall be revoked for
2 a period of not less than 5 years from the date of his or her
3 release from prison.

4 (4.9) A mandatory prison sentence of not less than 4 and
5 not more than 15 years shall be imposed for a third violation
6 of subsection (a-5) of Section 6-303 of the Illinois Vehicle
7 Code, as provided in subsection (d-2.5) of that Section. The
8 person's driving privileges shall be revoked for the remainder
9 of his or her life.

10 (4.10) A mandatory prison sentence for a Class 1 felony
11 shall be imposed, and the person shall be eligible for an
12 extended term sentence, for a fourth or subsequent violation
13 of subsection (a-5) of Section 6-303 of the Illinois Vehicle
14 Code, as provided in subsection (d-3.5) of that Section. The
15 person's driving privileges shall be revoked for the remainder
16 of his or her life.

17 (5) The court may sentence a corporation or unincorporated
18 association convicted of any offense to:

19 (A) a period of conditional discharge;

20 (B) a fine;

21 (C) make restitution to the victim under Section 5-5-6
22 of this Code.

23 (5.1) In addition to any other penalties imposed, and
24 except as provided in paragraph (5.2) or (5.3), a person
25 convicted of violating subsection (c) of Section 11-907 of the
26 Illinois Vehicle Code shall have his or her driver's license,

1 permit, or privileges suspended for at least 90 days but not
2 more than one year, if the violation resulted in damage to the
3 property of another person.

4 (5.2) In addition to any other penalties imposed, and
5 except as provided in paragraph (5.3), a person convicted of
6 violating subsection (c) of Section 11-907 of the Illinois
7 Vehicle Code shall have his or her driver's license, permit,
8 or privileges suspended for at least 180 days but not more than
9 2 years, if the violation resulted in injury to another
10 person.

11 (5.3) In addition to any other penalties imposed, a person
12 convicted of violating subsection (c) of Section 11-907 of the
13 Illinois Vehicle Code shall have his or her driver's license,
14 permit, or privileges suspended for 2 years, if the violation
15 resulted in the death of another person.

16 (5.4) In addition to any other penalties imposed, a person
17 convicted of violating Section 3-707 of the Illinois Vehicle
18 Code shall have his or her driver's license, permit, or
19 privileges suspended for 3 months and until he or she has paid
20 a reinstatement fee of \$100.

21 (5.5) In addition to any other penalties imposed, a person
22 convicted of violating Section 3-707 of the Illinois Vehicle
23 Code during a period in which his or her driver's license,
24 permit, or privileges were suspended for a previous violation
25 of that Section shall have his or her driver's license,
26 permit, or privileges suspended for an additional 6 months

1 after the expiration of the original 3-month suspension and
2 until he or she has paid a reinstatement fee of \$100.

3 (6) (Blank).

4 (7) (Blank).

5 (8) (Blank).

6 (9) A defendant convicted of a second or subsequent
7 offense of ritualized abuse of a child may be sentenced to a
8 term of natural life imprisonment.

9 (10) (Blank).

10 (11) The court shall impose a minimum fine of \$1,000 for a
11 first offense and \$2,000 for a second or subsequent offense
12 upon a person convicted of or placed on supervision for
13 battery when the individual harmed was a sports official or
14 coach at any level of competition and the act causing harm to
15 the sports official or coach occurred within an athletic
16 facility or within the immediate vicinity of the athletic
17 facility at which the sports official or coach was an active
18 participant of the athletic contest held at the athletic
19 facility. For the purposes of this paragraph (11), "sports
20 official" means a person at an athletic contest who enforces
21 the rules of the contest, such as an umpire or referee;
22 "athletic facility" means an indoor or outdoor playing field
23 or recreational area where sports activities are conducted;
24 and "coach" means a person recognized as a coach by the
25 sanctioning authority that conducted the sporting event.

26 (12) A person may not receive a disposition of court

1 supervision for a violation of Section 5-16 of the Boat
2 Registration and Safety Act if that person has previously
3 received a disposition of court supervision for a violation of
4 that Section.

5 (13) A person convicted of or placed on court supervision
6 for an assault or aggravated assault when the victim and the
7 offender are family or household members as defined in Section
8 103 of the Illinois Domestic Violence Act of 1986 or convicted
9 of domestic battery or aggravated domestic battery may be
10 required to attend a Partner Abuse Intervention Program under
11 protocols set forth by the Illinois Department of Human
12 Services under such terms and conditions imposed by the court.
13 The costs of such classes shall be paid by the offender.

14 (d) In any case in which a sentence originally imposed is
15 vacated, the case shall be remanded to the trial court. The
16 trial court shall hold a hearing under Section 5-4-1 of this
17 Code which may include evidence of the defendant's life, moral
18 character and occupation during the time since the original
19 sentence was passed. The trial court shall then impose
20 sentence upon the defendant. The trial court may impose any
21 sentence which could have been imposed at the original trial
22 subject to Section 5-5-4 of this Code. If a sentence is vacated
23 on appeal or on collateral attack due to the failure of the
24 trier of fact at trial to determine beyond a reasonable doubt
25 the existence of a fact (other than a prior conviction)
26 necessary to increase the punishment for the offense beyond

1 the statutory maximum otherwise applicable, either the
2 defendant may be re-sentenced to a term within the range
3 otherwise provided or, if the State files notice of its
4 intention to again seek the extended sentence, the defendant
5 shall be afforded a new trial.

6 (e) In cases where prosecution for aggravated criminal
7 sexual abuse under Section 11-1.60 or 12-16 of the Criminal
8 Code of 1961 or the Criminal Code of 2012 results in conviction
9 of a defendant who was a family member of the victim at the
10 time of the commission of the offense, the court shall
11 consider the safety and welfare of the victim and may impose a
12 sentence of probation only where:

13 (1) the court finds (A) or (B) or both are
14 appropriate:

15 (A) the defendant is willing to undergo a court
16 approved counseling program for a minimum duration of
17 2 years; or

18 (B) the defendant is willing to participate in a
19 court approved plan, including, but not limited to,
20 the defendant's:

21 (i) removal from the household;

22 (ii) restricted contact with the victim;

23 (iii) continued financial support of the
24 family;

25 (iv) restitution for harm done to the victim;

26 and

1 (v) compliance with any other measures that
2 the court may deem appropriate; and

3 (2) the court orders the defendant to pay for the
4 victim's counseling services, to the extent that the court
5 finds, after considering the defendant's income and
6 assets, that the defendant is financially capable of
7 paying for such services, if the victim was under 18 years
8 of age at the time the offense was committed and requires
9 counseling as a result of the offense.

10 Probation may be revoked or modified pursuant to Section
11 5-6-4; except where the court determines at the hearing that
12 the defendant violated a condition of his or her probation
13 restricting contact with the victim or other family members or
14 commits another offense with the victim or other family
15 members, the court shall revoke the defendant's probation and
16 impose a term of imprisonment.

17 For the purposes of this Section, "family member" and
18 "victim" shall have the meanings ascribed to them in Section
19 11-0.1 of the Criminal Code of 2012.

20 (f) (Blank).

21 (g) Whenever a defendant is convicted of an offense under
22 Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14,
23 11-14.3, 11-14.4 except for an offense that involves keeping a
24 place of commercial sexual exploitation of a child, 11-15,
25 11-15.1, 11-16, 11-17, 11-18, 11-18.1, 11-19, 11-19.1,
26 11-19.2, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the

1 Criminal Code of 1961 or the Criminal Code of 2012, the
2 defendant shall undergo medical testing to determine whether
3 the defendant has any sexually transmissible disease,
4 including a test for infection with human immunodeficiency
5 virus (HIV) or any other identified causative agent of
6 acquired immunodeficiency syndrome (AIDS). Any such medical
7 test shall be performed only by appropriately licensed medical
8 practitioners and may include an analysis of any bodily fluids
9 as well as an examination of the defendant's person. Except as
10 otherwise provided by law, the results of such test shall be
11 kept strictly confidential by all medical personnel involved
12 in the testing and must be personally delivered in a sealed
13 envelope to the judge of the court in which the conviction was
14 entered for the judge's inspection in camera. Acting in
15 accordance with the best interests of the victim and the
16 public, the judge shall have the discretion to determine to
17 whom, if anyone, the results of the testing may be revealed.
18 The court shall notify the defendant of the test results. The
19 court shall also notify the victim if requested by the victim,
20 and if the victim is under the age of 15 and if requested by
21 the victim's parents or legal guardian, the court shall notify
22 the victim's parents or legal guardian of the test results.
23 The court shall provide information on the availability of HIV
24 testing and counseling at Department of Public Health
25 facilities to all parties to whom the results of the testing
26 are revealed and shall direct the State's Attorney to provide

1 the information to the victim when possible. The court shall
2 order that the cost of any such test shall be paid by the
3 county and may be taxed as costs against the convicted
4 defendant.

5 (g-5) When an inmate is tested for an airborne
6 communicable disease, as determined by the Illinois Department
7 of Public Health, including, but not limited to, tuberculosis,
8 the results of the test shall be personally delivered by the
9 warden or his or her designee in a sealed envelope to the judge
10 of the court in which the inmate must appear for the judge's
11 inspection in camera if requested by the judge. Acting in
12 accordance with the best interests of those in the courtroom,
13 the judge shall have the discretion to determine what if any
14 precautions need to be taken to prevent transmission of the
15 disease in the courtroom.

16 (h) Whenever a defendant is convicted of an offense under
17 Section 1 or 2 of the Hypodermic Syringes and Needles Act, the
18 defendant shall undergo medical testing to determine whether
19 the defendant has been exposed to human immunodeficiency virus
20 (HIV) or any other identified causative agent of acquired
21 immunodeficiency syndrome (AIDS). Except as otherwise provided
22 by law, the results of such test shall be kept strictly
23 confidential by all medical personnel involved in the testing
24 and must be personally delivered in a sealed envelope to the
25 judge of the court in which the conviction was entered for the
26 judge's inspection in camera. Acting in accordance with the

1 best interests of the public, the judge shall have the
2 discretion to determine to whom, if anyone, the results of the
3 testing may be revealed. The court shall notify the defendant
4 of a positive test showing an infection with the human
5 immunodeficiency virus (HIV). The court shall provide
6 information on the availability of HIV testing and counseling
7 at Department of Public Health facilities to all parties to
8 whom the results of the testing are revealed and shall direct
9 the State's Attorney to provide the information to the victim
10 when possible. The court shall order that the cost of any such
11 test shall be paid by the county and may be taxed as costs
12 against the convicted defendant.

13 (i) All fines and penalties imposed under this Section for
14 any violation of Chapters 3, 4, 6, and 11 of the Illinois
15 Vehicle Code, or a similar provision of a local ordinance, and
16 any violation of the Child Passenger Protection Act, or a
17 similar provision of a local ordinance, shall be collected and
18 disbursed by the circuit clerk as provided under the Criminal
19 and Traffic Assessment Act.

20 (j) In cases when prosecution for any violation of Section
21 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-8, 11-9,
22 11-11, 11-14, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17,
23 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20.1,
24 11-20.1B, 11-20.3, 11-20.4, 11-21, 11-30, 11-40, 12-13, 12-14,
25 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the
26 Criminal Code of 2012, any violation of the Illinois

1 Controlled Substances Act, any violation of the Cannabis
2 Control Act, or any violation of the Methamphetamine Control
3 and Community Protection Act results in conviction, a
4 disposition of court supervision, or an order of probation
5 granted under Section 10 of the Cannabis Control Act, Section
6 410 of the Illinois Controlled Substances Act, or Section 70
7 of the Methamphetamine Control and Community Protection Act of
8 a defendant, the court shall determine whether the defendant
9 is employed by a facility or center as defined under the Child
10 Care Act of 1969, a public or private elementary or secondary
11 school, or otherwise works with children under 18 years of age
12 on a daily basis. When a defendant is so employed, the court
13 shall order the Clerk of the Court to send a copy of the
14 judgment of conviction or order of supervision or probation to
15 the defendant's employer by certified mail. If the employer of
16 the defendant is a school, the Clerk of the Court shall direct
17 the mailing of a copy of the judgment of conviction or order of
18 supervision or probation to the appropriate regional
19 superintendent of schools. The regional superintendent of
20 schools shall notify the State Board of Education of any
21 notification under this subsection.

22 (j-5) A defendant at least 17 years of age who is convicted
23 of a felony and who has not been previously convicted of a
24 misdemeanor or felony and who is sentenced to a term of
25 imprisonment in the Illinois Department of Corrections shall
26 as a condition of his or her sentence be required by the court

1 to attend educational courses designed to prepare the
2 defendant for a high school diploma and to work toward a high
3 school diploma or to work toward passing high school
4 equivalency testing or to work toward completing a vocational
5 training program offered by the Department of Corrections. If
6 a defendant fails to complete the educational training
7 required by his or her sentence during the term of
8 incarceration, the Prisoner Review Board shall, as a condition
9 of mandatory supervised release, require the defendant, at his
10 or her own expense, to pursue a course of study toward a high
11 school diploma or passage of high school equivalency testing.
12 The Prisoner Review Board shall revoke the mandatory
13 supervised release of a defendant who wilfully fails to comply
14 with this subsection (j-5) upon his or her release from
15 confinement in a penal institution while serving a mandatory
16 supervised release term; however, the inability of the
17 defendant after making a good faith effort to obtain financial
18 aid or pay for the educational training shall not be deemed a
19 wilful failure to comply. The Prisoner Review Board shall
20 recommit the defendant whose mandatory supervised release term
21 has been revoked under this subsection (j-5) as provided in
22 Section 3-3-9. This subsection (j-5) does not apply to a
23 defendant who has a high school diploma or has successfully
24 passed high school equivalency testing. This subsection (j-5)
25 does not apply to a defendant who is determined by the court to
26 be a person with a developmental disability or otherwise

1 mentally incapable of completing the educational or vocational
2 program.

3 (k) (Blank).

4 (l)(A) Except as provided in paragraph (C) of subsection
5 (l), whenever a defendant, who is not a citizen or national of
6 the United States, is convicted of any felony or misdemeanor
7 offense, the court after sentencing the defendant may, upon
8 motion of the State's Attorney, hold sentence in abeyance and
9 remand the defendant to the custody of the Attorney General of
10 the United States or his or her designated agent to be deported
11 when:

12 (1) a final order of deportation has been issued
13 against the defendant pursuant to proceedings under the
14 Immigration and Nationality Act, and

15 (2) the deportation of the defendant would not
16 deprecate the seriousness of the defendant's conduct and
17 would not be inconsistent with the ends of justice.

18 Otherwise, the defendant shall be sentenced as provided in
19 this Chapter V.

20 (B) If the defendant has already been sentenced for a
21 felony or misdemeanor offense, or has been placed on probation
22 under Section 10 of the Cannabis Control Act, Section 410 of
23 the Illinois Controlled Substances Act, or Section 70 of the
24 Methamphetamine Control and Community Protection Act, the
25 court may, upon motion of the State's Attorney to suspend the
26 sentence imposed, commit the defendant to the custody of the

1 Attorney General of the United States or his or her designated
2 agent when:

3 (1) a final order of deportation has been issued
4 against the defendant pursuant to proceedings under the
5 Immigration and Nationality Act, and

6 (2) the deportation of the defendant would not
7 deprecate the seriousness of the defendant's conduct and
8 would not be inconsistent with the ends of justice.

9 (C) This subsection (1) does not apply to offenders who
10 are subject to the provisions of paragraph (2) of subsection
11 (a) of Section 3-6-3.

12 (D) Upon motion of the State's Attorney, if a defendant
13 sentenced under this Section returns to the jurisdiction of
14 the United States, the defendant shall be recommitted to the
15 custody of the county from which he or she was sentenced.
16 Thereafter, the defendant shall be brought before the
17 sentencing court, which may impose any sentence that was
18 available under Section 5-5-3 at the time of initial
19 sentencing. In addition, the defendant shall not be eligible
20 for additional earned sentence credit as provided under
21 Section 3-6-3.

22 (m) A person convicted of criminal defacement of property
23 under Section 21-1.3 of the Criminal Code of 1961 or the
24 Criminal Code of 2012, in which the property damage exceeds
25 \$300 and the property damaged is a school building, shall be
26 ordered to perform community service that may include cleanup,

1 removal, or painting over the defacement.

2 (n) The court may sentence a person convicted of a
3 violation of Section 12-19, 12-21, 16-1.3, or 17-56, or
4 subsection (a) or (b) of Section 12-4.4a, of the Criminal Code
5 of 1961 or the Criminal Code of 2012 (i) to an impact
6 incarceration program if the person is otherwise eligible for
7 that program under Section 5-8-1.1, (ii) to community service,
8 or (iii) if the person has a substance use disorder, as defined
9 in the Substance Use Disorder Act, to a treatment program
10 licensed under that Act.

11 (o) Whenever a person is convicted of a sex offense as
12 defined in Section 2 of the Sex Offender Registration Act, the
13 defendant's driver's license or permit shall be subject to
14 renewal on an annual basis in accordance with the provisions
15 of license renewal established by the Secretary of State.

16 (Source: P.A. 102-168, eff. 7-27-21; 102-531, eff. 1-1-22;
17 102-813, eff. 5-13-22; 102-1030, eff. 5-27-22; 103-51, eff.
18 1-1-24; 103-825, eff. 1-1-25; 103-1071, eff. 7-1-25; 103-1081,
19 eff. 3-21-25; 104-245, eff. 1-1-26; revised 11-21-25.)

20 (730 ILCS 5/5-5-3.2)

21 Sec. 5-5-3.2. Factors in aggravation and extended-term
22 sentencing.

23 (a) The following factors shall be accorded weight in
24 favor of imposing a term of imprisonment or may be considered
25 by the court as reasons to impose a more severe sentence under

1 Section 5-8-1 or Article 4.5 of Chapter V:

2 (1) the defendant's conduct caused or threatened
3 serious harm;

4 (2) the defendant received compensation for committing
5 the offense;

6 (3) the defendant has a history of prior delinquency
7 or criminal activity;

8 (4) the defendant, by the duties of his office or by
9 his position, was obliged to prevent the particular
10 offense committed or to bring the offenders committing it
11 to justice;

12 (5) the defendant held public office at the time of
13 the offense, and the offense related to the conduct of
14 that office;

15 (6) the defendant utilized his professional reputation
16 or position in the community to commit the offense, or to
17 afford him an easier means of committing it;

18 (7) the sentence is necessary to deter others from
19 committing the same crime;

20 (8) the defendant committed the offense against a
21 person 60 years of age or older or such person's property;

22 (9) the defendant committed the offense against a
23 person who has a physical disability or such person's
24 property;

25 (10) by reason of another individual's actual or
26 perceived race, color, creed, religion, ancestry, gender,

1 sexual orientation, physical or mental disability, or
2 national origin, the defendant committed the offense
3 against (i) the person or property of that individual;
4 (ii) the person or property of a person who has an
5 association with, is married to, or has a friendship with
6 the other individual; or (iii) the person or property of a
7 relative (by blood or marriage) of a person described in
8 clause (i) or (ii). For the purposes of this Section,
9 "sexual orientation" has the meaning ascribed to it in
10 paragraph (O-1) of Section 1-103 of the Illinois Human
11 Rights Act;

12 (11) the offense took place in a place of worship or on
13 the grounds of a place of worship, immediately prior to,
14 during or immediately following worship services. For
15 purposes of this subparagraph, "place of worship" shall
16 mean any church, synagogue or other building, structure or
17 place used primarily for religious worship;

18 (12) the defendant was convicted of a felony committed
19 while he was on pretrial release or his own recognizance
20 pending trial for a prior felony and was convicted of such
21 prior felony, or the defendant was convicted of a felony
22 committed while he was serving a period of probation,
23 conditional discharge, or mandatory supervised release
24 under subsection (d) of Section 5-8-1 for a prior felony;

25 (13) the defendant committed or attempted to commit a
26 felony while he was wearing a bulletproof vest. For the

1 purposes of this paragraph (13), a bulletproof vest is any
2 device which is designed for the purpose of protecting the
3 wearer from bullets, shot or other lethal projectiles;

4 (14) the defendant held a position of trust or
5 supervision such as, but not limited to, family member as
6 defined in Section 11-0.1 of the Criminal Code of 2012,
7 teacher, scout leader, baby sitter, or day care worker, in
8 relation to a victim under 18 years of age, and the
9 defendant committed an offense in violation of Section
10 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-11,
11 11-14.4 except for an offense that involves keeping a
12 place of commercial sexual exploitation of a child,
13 11-15.1, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3,
14 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code
15 of 1961 or the Criminal Code of 2012 against that victim;

16 (15) the defendant committed an offense related to the
17 activities of an organized gang. For the purposes of this
18 factor, "organized gang" has the meaning ascribed to it in
19 Section 10 of the Streetgang Terrorism Omnibus Prevention
20 Act;

21 (16) the defendant committed an offense in violation
22 of one of the following Sections while in a school,
23 regardless of the time of day or time of year; on any
24 conveyance owned, leased, or contracted by a school to
25 transport students to or from school or a school related
26 activity; on the real property of a school; or on a public

1 way within 1,000 feet of the real property comprising any
2 school: Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30,
3 11-1.40, 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1,
4 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2,
5 12-4.3, 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1,
6 12-15, 12-16, 18-2, or 33A-2, or Section 12-3.05 except
7 for subdivision (a)(4) or (g)(1), of the Criminal Code of
8 1961 or the Criminal Code of 2012;

9 (16.5) the defendant committed an offense in violation
10 of one of the following Sections while in a day care
11 center, regardless of the time of day or time of year; on
12 the real property of a day care center, regardless of the
13 time of day or time of year; or on a public way within
14 1,000 feet of the real property comprising any day care
15 center, regardless of the time of day or time of year:
16 Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40,
17 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1,
18 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3,
19 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16,
20 18-2, or 33A-2, or Section 12-3.05 except for subdivision
21 (a)(4) or (g)(1), of the Criminal Code of 1961 or the
22 Criminal Code of 2012;

23 (17) the defendant committed the offense by reason of
24 any person's activity as a community policing volunteer or
25 to prevent any person from engaging in activity as a
26 community policing volunteer. For the purpose of this

1 Section, "community policing volunteer" has the meaning
2 ascribed to it in Section 2-3.5 of the Criminal Code of
3 2012;

4 (18) the defendant committed the offense in a nursing
5 home or on the real property comprising a nursing home.
6 For the purposes of this paragraph (18), "nursing home"
7 means a skilled nursing or intermediate long term care
8 facility that is subject to license by the Illinois
9 Department of Public Health under the Nursing Home Care
10 Act, the Specialized Mental Health Rehabilitation Act of
11 2013, the ID/DD Community Care Act, or the MC/DD Act;

12 (19) the defendant was a federally licensed firearm
13 dealer and was previously convicted of a violation of
14 subsection (a) of Section 3 of the Firearm Owners
15 Identification Card Act before its repeal by this
16 amendatory Act of the 104th General Assembly and has now
17 committed ~~either a felony violation of the Firearm Owners~~
18 ~~Identification Card Act or~~ an act of armed violence while
19 armed with a firearm;

20 (20) the defendant (i) committed the offense of
21 reckless homicide under Section 9-3 of the Criminal Code
22 of 1961 or the Criminal Code of 2012 or the offense of
23 driving under the influence of alcohol, other drug or
24 drugs, intoxicating compound or compounds or any
25 combination thereof under Section 11-501 of the Illinois
26 Vehicle Code or a similar provision of a local ordinance

1 and (ii) was operating a motor vehicle in excess of 20
2 miles per hour over the posted speed limit as provided in
3 Article VI of Chapter 11 of the Illinois Vehicle Code;

4 (21) the defendant (i) committed the offense of
5 reckless driving or aggravated reckless driving under
6 Section 11-503 of the Illinois Vehicle Code and (ii) was
7 operating a motor vehicle in excess of 20 miles per hour
8 over the posted speed limit as provided in Article VI of
9 Chapter 11 of the Illinois Vehicle Code;

10 (22) the defendant committed the offense against a
11 person that the defendant knew, or reasonably should have
12 known, was a member of the Armed Forces of the United
13 States serving on active duty. For purposes of this clause
14 (22), the term "Armed Forces" means any of the Armed
15 Forces of the United States, including a member of any
16 reserve component thereof or National Guard unit called to
17 active duty;

18 (23) the defendant committed the offense against a
19 person who was elderly or infirm or who was a person with a
20 disability by taking advantage of a family or fiduciary
21 relationship with the elderly or infirm person or person
22 with a disability;

23 (24) the defendant committed any offense under Section
24 11-20.1 of the Criminal Code of 1961 or the Criminal Code
25 of 2012 and possessed 100 or more images;

26 (25) the defendant committed the offense while the

1 defendant or the victim was in a train, bus, or other
2 vehicle used for public transportation;

3 (26) the defendant committed the offense of child
4 sexual abuse material or aggravated child pornography,
5 specifically including paragraph (1), (2), (3), (4), (5),
6 or (7) of subsection (a) of Section 11-20.1 of the
7 Criminal Code of 1961 or the Criminal Code of 2012 where a
8 child engaged in, solicited for, depicted in, or posed in
9 any act of sexual penetration or bound, fettered, or
10 subject to sadistic, masochistic, or sadomasochistic abuse
11 in a sexual context and specifically including paragraph
12 (1), (2), (3), (4), (5), or (7) of subsection (a) of
13 Section 11-20.1B or Section 11-20.3 of the Criminal Code
14 of 1961 where a child engaged in, solicited for, depicted
15 in, or posed in any act of sexual penetration or bound,
16 fettered, or subject to sadistic, masochistic, or
17 sadomasochistic abuse in a sexual context;

18 (26.5) the defendant committed the offense of obscene
19 depiction of a purported child, specifically including
20 paragraph (2) of subsection (b) of Section 11-20.4 of the
21 Criminal Code of 2012 if a child engaged in, solicited
22 for, depicted in, or posed in any act of sexual
23 penetration or bound, fettered, or subject to sadistic,
24 masochistic, or sadomasochistic abuse in a sexual context;

25 (27) the defendant committed the offense of first
26 degree murder, assault, aggravated assault, battery,

1 aggravated battery, robbery, armed robbery, or aggravated
2 robbery against a person who was a veteran and the
3 defendant knew, or reasonably should have known, that the
4 person was a veteran performing duties as a representative
5 of a veterans' organization. For the purposes of this
6 paragraph (27), "veteran" means an Illinois resident who
7 has served as a member of the United States Armed Forces, a
8 member of the Illinois National Guard, or a member of the
9 United States Reserve Forces; and "veterans' organization"
10 means an organization comprised of members of which
11 substantially all are individuals who are veterans or
12 spouses, widows, or widowers of veterans, the primary
13 purpose of which is to promote the welfare of its members
14 and to provide assistance to the general public in such a
15 way as to confer a public benefit;

16 (28) the defendant committed the offense of assault,
17 aggravated assault, battery, aggravated battery, robbery,
18 armed robbery, or aggravated robbery against a person that
19 the defendant knew or reasonably should have known was a
20 letter carrier or postal worker while that person was
21 performing his or her duties delivering mail for the
22 United States Postal Service;

23 (29) the defendant committed the offense of criminal
24 sexual assault, aggravated criminal sexual assault,
25 criminal sexual abuse, or aggravated criminal sexual abuse
26 against a victim with an intellectual disability, and the

1 defendant holds a position of trust, authority, or
2 supervision in relation to the victim;

3 (30) the defendant committed the offense of promoting
4 commercial sexual exploitation of a child, patronizing a
5 person engaged in the sex trade, or patronizing a sexually
6 exploited child and at the time of the commission of the
7 offense knew that the person engaged in the sex trade or
8 sexually exploited child was in the custody or
9 guardianship of the Department of Children and Family
10 Services;

11 (31) the defendant (i) committed the offense of
12 driving while under the influence of alcohol, other drug
13 or drugs, intoxicating compound or compounds or any
14 combination thereof in violation of Section 11-501 of the
15 Illinois Vehicle Code or a similar provision of a local
16 ordinance and (ii) the defendant during the commission of
17 the offense was driving his or her vehicle upon a roadway
18 designated for one-way traffic in the opposite direction
19 of the direction indicated by official traffic control
20 devices;

21 (32) the defendant committed the offense of reckless
22 homicide while committing a violation of Section 11-907 of
23 the Illinois Vehicle Code;

24 (33) the defendant was found guilty of an
25 administrative infraction related to an act or acts of
26 public indecency or sexual misconduct in the penal

1 institution. In this paragraph (33), "penal institution"
2 has the same meaning as in Section 2-14 of the Criminal
3 Code of 2012; or

4 (34) the defendant committed the offense of leaving
5 the scene of a crash in violation of subsection (b) of
6 Section 11-401 of the Illinois Vehicle Code and the crash
7 resulted in the death of a person and at the time of the
8 offense, the defendant was: (i) driving under the
9 influence of alcohol, other drug or drugs, intoxicating
10 compound or compounds or any combination thereof as
11 defined by Section 11-501 of the Illinois Vehicle Code; or
12 (ii) operating the motor vehicle while using an electronic
13 communication device as defined in Section 12-610.2 of the
14 Illinois Vehicle Code.

15 For the purposes of this Section:

16 "School" is defined as a public or private elementary or
17 secondary school, community college, college, or university.

18 "Day care center" means a public or private State
19 certified and licensed day care center as defined in Section
20 2.09 of the Child Care Act of 1969 that displays a sign in
21 plain view stating that the property is a day care center.

22 "Intellectual disability" means significantly subaverage
23 intellectual functioning which exists concurrently with
24 impairment in adaptive behavior.

25 "Public transportation" means the transportation or
26 conveyance of persons by means available to the general

1 public, and includes paratransit services.

2 "Traffic control devices" means all signs, signals,
3 markings, and devices that conform to the Illinois Manual on
4 Uniform Traffic Control Devices, placed or erected by
5 authority of a public body or official having jurisdiction,
6 for the purpose of regulating, warning, or guiding traffic.

7 (b) The following factors, related to all felonies, may be
8 considered by the court as reasons to impose an extended term
9 sentence under Section 5-8-2 upon any offender:

10 (1) When a defendant is convicted of any felony, after
11 having been previously convicted in Illinois or any other
12 jurisdiction of the same or similar class felony or
13 greater class felony, when such conviction has occurred
14 within 10 years after the previous conviction, excluding
15 time spent in custody, and such charges are separately
16 brought and tried and arise out of different series of
17 acts; or

18 (2) When a defendant is convicted of any felony and
19 the court finds that the offense was accompanied by
20 exceptionally brutal or heinous behavior indicative of
21 wanton cruelty; or

22 (3) When a defendant is convicted of any felony
23 committed against:

24 (i) a person under 12 years of age at the time of
25 the offense or such person's property;

26 (ii) a person 60 years of age or older at the time

1 of the offense or such person's property; or

2 (iii) a person who had a physical disability at
3 the time of the offense or such person's property; or

4 (4) When a defendant is convicted of any felony and
5 the offense involved any of the following types of
6 specific misconduct committed as part of a ceremony, rite,
7 initiation, observance, performance, practice or activity
8 of any actual or ostensible religious, fraternal, or
9 social group:

10 (i) the brutalizing or torturing of humans or
11 animals;

12 (ii) the theft of human corpses;

13 (iii) the kidnapping of humans;

14 (iv) the desecration of any cemetery, religious,
15 fraternal, business, governmental, educational, or
16 other building or property; or

17 (v) ritualized abuse of a child; or

18 (5) When a defendant is convicted of a felony other
19 than conspiracy and the court finds that the felony was
20 committed under an agreement with 2 or more other persons
21 to commit that offense and the defendant, with respect to
22 the other individuals, occupied a position of organizer,
23 supervisor, financier, or any other position of management
24 or leadership, and the court further finds that the felony
25 committed was related to or in furtherance of the criminal
26 activities of an organized gang or was motivated by the

1 defendant's leadership in an organized gang; or

2 (6) When a defendant is convicted of an offense
3 committed while using a firearm with a laser sight
4 attached to it. For purposes of this paragraph, "laser
5 sight" has the meaning ascribed to it in Section 26-7 of
6 the Criminal Code of 2012; or

7 (7) When a defendant who was at least 17 years of age
8 at the time of the commission of the offense is convicted
9 of a felony and has been previously adjudicated a
10 delinquent minor under the Juvenile Court Act of 1987 for
11 an act that if committed by an adult would be a Class X or
12 Class 1 felony when the conviction has occurred within 10
13 years after the previous adjudication, excluding time
14 spent in custody; or

15 (8) When a defendant commits any felony and the
16 defendant used, possessed, exercised control over, or
17 otherwise directed an animal to assault a law enforcement
18 officer engaged in the execution of his or her official
19 duties or in furtherance of the criminal activities of an
20 organized gang in which the defendant is engaged; or

21 (9) When a defendant commits any felony and the
22 defendant knowingly video or audio records the offense
23 with the intent to disseminate the recording.

24 (c) The following factors may be considered by the court
25 as reasons to impose an extended term sentence under Section
26 5-8-2 upon any offender for the listed offenses:

1 (1) When a defendant is convicted of first degree
2 murder, after having been previously convicted in Illinois
3 of any offense listed under paragraph (c)(2) of Section
4 5-5-3, when that conviction has occurred within 10 years
5 after the previous conviction, excluding time spent in
6 custody, and the charges are separately brought and tried
7 and arise out of different series of acts.

8 (1.5) When a defendant is convicted of first degree
9 murder, after having been previously convicted of domestic
10 battery or aggravated domestic battery committed on the
11 same victim or after having been previously convicted of
12 violation of an order of protection in which the same
13 victim was the protected person.

14 (2) When a defendant is convicted of voluntary
15 manslaughter, second degree murder, involuntary
16 manslaughter, or reckless homicide in which the defendant
17 has been convicted of causing the death of more than one
18 individual.

19 (3) When a defendant is convicted of aggravated
20 criminal sexual assault or criminal sexual assault, when
21 there is a finding that aggravated criminal sexual assault
22 or criminal sexual assault was also committed on the same
23 victim by one or more other individuals, and the defendant
24 voluntarily participated in the crime with the knowledge
25 of the participation of the others in the crime, and the
26 commission of the crime was part of a single course of

1 conduct during which there was no substantial change in
2 the nature of the criminal objective.

3 (4) If the victim was under 18 years of age at the time
4 of the commission of the offense, when a defendant is
5 convicted of aggravated criminal sexual assault or
6 predatory criminal sexual assault of a child under
7 subsection (a)(1) of Section 11-1.40 or subsection (a)(1)
8 of Section 12-14.1 of the Criminal Code of 1961 or the
9 Criminal Code of 2012.

10 (5) When a defendant is convicted of a felony
11 violation of Section 24-1 of the Criminal Code of 1961 or
12 the Criminal Code of 2012 and there is a finding that the
13 defendant is a member of an organized gang.

14 (6) When a defendant was convicted of unlawful
15 possession of weapons under Section 24-1 of the Criminal
16 Code of 1961 or the Criminal Code of 2012 for possessing a
17 weapon that is not readily distinguishable as one of the
18 weapons enumerated in Section 24-1 of the Criminal Code of
19 1961 or the Criminal Code of 2012.

20 (7) When a defendant is convicted of an offense
21 involving the illegal manufacture of a controlled
22 substance under Section 401 of the Illinois Controlled
23 Substances Act, the illegal manufacture of methamphetamine
24 under Section 25 of the Methamphetamine Control and
25 Community Protection Act, or the illegal possession of
26 explosives and an emergency response officer in the

1 performance of his or her duties is killed or injured at
2 the scene of the offense while responding to the emergency
3 caused by the commission of the offense. In this
4 paragraph, "emergency" means a situation in which a
5 person's life, health, or safety is in jeopardy; and
6 "emergency response officer" means a peace officer,
7 community policing volunteer, fireman, emergency medical
8 technician-ambulance, emergency medical
9 technician-intermediate, emergency medical
10 technician-paramedic, ambulance driver, other medical
11 assistance or first aid personnel, or hospital emergency
12 room personnel.

13 (8) When the defendant is convicted of attempted mob
14 action, solicitation to commit mob action, or conspiracy
15 to commit mob action under Section 8-1, 8-2, or 8-4 of the
16 Criminal Code of 2012, where the criminal object is a
17 violation of Section 25-1 of the Criminal Code of 2012,
18 and an electronic communication is used in the commission
19 of the offense. For the purposes of this paragraph (8),
20 "electronic communication" shall have the meaning provided
21 in Section 26.5-0.1 of the Criminal Code of 2012.

22 (d) For the purposes of this Section, "organized gang" has
23 the meaning ascribed to it in Section 10 of the Illinois
24 Streetgang Terrorism Omnibus Prevention Act.

25 (e) The court may impose an extended term sentence under
26 Article 4.5 of Chapter V upon an offender who has been

1 convicted of a felony violation of Section 11-1.20, 11-1.30,
2 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, or
3 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012
4 when the victim of the offense is under 18 years of age at the
5 time of the commission of the offense and, during the
6 commission of the offense, the victim was under the influence
7 of alcohol, regardless of whether or not the alcohol was
8 supplied by the offender; and the offender, at the time of the
9 commission of the offense, knew or should have known that the
10 victim had consumed alcohol.

11 (Source: P.A. 103-822, eff. 1-1-25; 103-825, eff. 1-1-25;
12 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26; 104-417, eff.
13 8-15-25; revised 9-17-25.)

14 (730 ILCS 5/5-6-3) (from Ch. 38, par. 1005-6-3)

15 Sec. 5-6-3. Conditions of probation and of conditional
16 discharge.

17 (a) The conditions of probation and of conditional
18 discharge shall be that the person:

19 (1) not violate any criminal statute of any
20 jurisdiction;

21 (2) report to or appear in person before such person
22 or agency as directed by the court. To comply with the
23 provisions of this paragraph (2), in lieu of requiring the
24 person on probation or conditional discharge to appear in
25 person for the required reporting or meetings, the officer

1 may utilize technology, including cellular and other
2 electronic communication devices or platforms, that allow
3 for communication between the supervised person and the
4 officer in accordance with standards and guidelines
5 established by the Administrative Office of the Illinois
6 Courts;

7 (3) refrain from possessing a firearm or other
8 dangerous weapon where the offense is a felony or, if a
9 misdemeanor, the offense involved the intentional or
10 knowing infliction of bodily harm or threat of bodily
11 harm;

12 (4) not leave the State without the consent of the
13 court or, in circumstances in which the reason for the
14 absence is of such an emergency nature that prior consent
15 by the court is not possible, without the prior
16 notification and approval of the person's probation
17 officer. Transfer of a person's probation or conditional
18 discharge supervision to another state is subject to
19 acceptance by the other state pursuant to the Interstate
20 Compact for Adult Offender Supervision;

21 (5) permit the probation officer to visit him at his
22 home or elsewhere to the extent necessary to discharge his
23 duties;

24 (6) perform no less than 30 hours of community service
25 and not more than 120 hours of community service, if
26 community service is available in the jurisdiction and is

1 funded and approved by the county board where the offense
2 was committed, where the offense was related to or in
3 furtherance of the criminal activities of an organized
4 gang and was motivated by the offender's membership in or
5 allegiance to an organized gang. The community service
6 shall include, but not be limited to, the cleanup and
7 repair of any damage caused by a violation of Section
8 21-1.3 of the Criminal Code of 1961 or the Criminal Code of
9 2012 and similar damage to property located within the
10 municipality or county in which the violation occurred.
11 When possible and reasonable, the community service should
12 be performed in the offender's neighborhood. For purposes
13 of this Section, "organized gang" has the meaning ascribed
14 to it in Section 10 of the Illinois Streetgang Terrorism
15 Omnibus Prevention Act. The court may give credit toward
16 the fulfillment of community service hours for
17 participation in activities and treatment as determined by
18 court services. Community service shall not interfere with
19 the school hours, school-related activities, or work
20 commitments of the minor or the minor's parent, guardian,
21 or legal custodian;

22 (7) if he or she is at least 17 years of age and has
23 been sentenced to probation or conditional discharge for a
24 misdemeanor or felony in a county of 3,000,000 or more
25 inhabitants and has not been previously convicted of a
26 misdemeanor or felony, may be required by the sentencing

1 court to attend educational courses designed to prepare
2 the defendant for a high school diploma and to work toward
3 a high school diploma or to work toward passing high
4 school equivalency testing or to work toward completing a
5 vocational training program approved by the court. The
6 person on probation or conditional discharge must attend a
7 public institution of education to obtain the educational
8 or vocational training required by this paragraph (7). The
9 court shall revoke the probation or conditional discharge
10 of a person who willfully fails to comply with this
11 paragraph (7). The person on probation or conditional
12 discharge shall be required to pay for the cost of the
13 educational courses or high school equivalency testing if
14 a fee is charged for those courses or testing. The court
15 shall resentence the offender whose probation or
16 conditional discharge has been revoked as provided in
17 Section 5-6-4. This paragraph (7) does not apply to a
18 person who has a high school diploma or has successfully
19 passed high school equivalency testing. This paragraph (7)
20 does not apply to a person who is determined by the court
21 to be a person with a developmental disability or
22 otherwise mentally incapable of completing the educational
23 or vocational program;

24 (8) if convicted of possession of a substance
25 prohibited by the Cannabis Control Act, the Illinois
26 Controlled Substances Act, or the Methamphetamine Control

1 and Community Protection Act after a previous conviction
2 or disposition of supervision for possession of a
3 substance prohibited by the Cannabis Control Act or
4 Illinois Controlled Substances Act or after a sentence of
5 probation under Section 10 of the Cannabis Control Act,
6 Section 410 of the Illinois Controlled Substances Act, or
7 Section 70 of the Methamphetamine Control and Community
8 Protection Act and upon a finding by the court that the
9 person is addicted, undergo treatment at a substance abuse
10 program approved by the court;

11 (8.5) if convicted of a felony sex offense as defined
12 in the Sex Offender Management Board Act, the person shall
13 undergo and successfully complete sex offender treatment
14 by a treatment provider approved by the Board and
15 conducted in conformance with the standards developed
16 under the Sex Offender Management Board Act;

17 (8.6) if convicted of a sex offense as defined in the
18 Sex Offender Management Board Act, refrain from residing
19 at the same address or in the same condominium unit or
20 apartment unit or in the same condominium complex or
21 apartment complex with another person he or she knows or
22 reasonably should know is a convicted sex offender or has
23 been placed on supervision for a sex offense; the
24 provisions of this paragraph do not apply to a person
25 convicted of a sex offense who is placed in a Department of
26 Corrections licensed transitional housing facility for sex

1 offenders;

2 (8.7) if convicted for an offense committed on or
3 after June 1, 2008 (the effective date of Public Act
4 95-464) that would qualify the accused as a child sex
5 offender as defined in Section 11-9.3 or 11-9.4 of the
6 Criminal Code of 1961 or the Criminal Code of 2012,
7 refrain from communicating with or contacting, by means of
8 the Internet, a person who is not related to the accused
9 and whom the accused reasonably believes to be under 18
10 years of age; for purposes of this paragraph (8.7),
11 "Internet" has the meaning ascribed to it in Section
12 16-0.1 of the Criminal Code of 2012; and a person is not
13 related to the accused if the person is not: (i) the
14 spouse, brother, or sister of the accused; (ii) a
15 descendant of the accused; (iii) a first or second cousin
16 of the accused; or (iv) a step-child or adopted child of
17 the accused;

18 (8.8) if convicted for an offense under Section 11-6,
19 11-9.1, 11-14.4 that involves soliciting for a sexually
20 exploited child, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or
21 11-21 of the Criminal Code of 1961 or the Criminal Code of
22 2012, or any attempt to commit any of these offenses,
23 committed on or after June 1, 2009 (the effective date of
24 Public Act 95-983):

25 (i) not access or use a computer or any other
26 device with Internet capability without the prior

1 written approval of the offender's probation officer,
2 except in connection with the offender's employment or
3 search for employment with the prior approval of the
4 offender's probation officer;

5 (ii) submit to periodic unannounced examinations
6 of the offender's computer or any other device with
7 Internet capability by the offender's probation
8 officer, a law enforcement officer, or assigned
9 computer or information technology specialist,
10 including the retrieval and copying of all data from
11 the computer or device and any internal or external
12 peripherals and removal of such information,
13 equipment, or device to conduct a more thorough
14 inspection;

15 (iii) submit to the installation on the offender's
16 computer or device with Internet capability, at the
17 offender's expense, of one or more hardware or
18 software systems to monitor the Internet use; and

19 (iv) submit to any other appropriate restrictions
20 concerning the offender's use of or access to a
21 computer or any other device with Internet capability
22 imposed by the offender's probation officer;

23 (8.9) if convicted of a sex offense as defined in the
24 Sex Offender Registration Act committed on or after
25 January 1, 2010 (the effective date of Public Act 96-262),
26 refrain from accessing or using a social networking

1 website as defined in Section 17-0.5 of the Criminal Code
2 of 2012;

3 (9) if convicted of a felony or of any misdemeanor
4 violation of Section 12-1, 12-2, 12-3, 12-3.2, 12-3.4, or
5 12-3.5 of the Criminal Code of 1961 or the Criminal Code of
6 2012 that was determined, pursuant to Section 112A-11.1 of
7 the Code of Criminal Procedure of 1963, to trigger the
8 prohibitions of 18 U.S.C. 922(g)(9), physically surrender
9 at a time and place designated by the court, ~~his or her~~
10 ~~Firearm Owner's Identification Card~~ and any and all
11 firearms in his or her possession. ~~The Court shall return~~
12 ~~to the Illinois State Police Firearm Owner's~~
13 ~~Identification Card Office the person's Firearm Owner's~~
14 ~~Identification Card;~~

15 (10) if convicted of a sex offense as defined in
16 subsection (a-5) of Section 3-1-2 of this Code, unless the
17 offender is a parent or guardian of the person under 18
18 years of age present in the home and no non-familial
19 minors are present, not participate in a holiday event
20 involving children under 18 years of age, such as
21 distributing candy or other items to children on
22 Halloween, wearing a Santa Claus costume on or preceding
23 Christmas, being employed as a department store Santa
24 Claus, or wearing an Easter Bunny costume on or preceding
25 Easter;

26 (11) if convicted of a sex offense as defined in

1 Section 2 of the Sex Offender Registration Act committed
2 on or after January 1, 2010 (the effective date of Public
3 Act 96-362) that requires the person to register as a sex
4 offender under that Act, may not knowingly use any
5 computer scrub software on any computer that the sex
6 offender uses;

7 (12) if convicted of a violation of the
8 Methamphetamine Control and Community Protection Act, the
9 Methamphetamine Precursor Control Act, or a
10 methamphetamine related offense:

11 (A) prohibited from purchasing, possessing, or
12 having under his or her control any product containing
13 pseudoephedrine unless prescribed by a physician; and

14 (B) prohibited from purchasing, possessing, or
15 having under his or her control any product containing
16 ammonium nitrate; and

17 (13) if convicted of a hate crime involving the
18 protected class identified in subsection (a) of Section
19 12-7.1 of the Criminal Code of 2012 that gave rise to the
20 offense the offender committed, perform public or
21 community service of no less than 200 hours and enroll in
22 an educational program discouraging hate crimes that
23 includes racial, ethnic, and cultural sensitivity training
24 ordered by the court.

25 (b) The Court may in addition to other reasonable
26 conditions relating to the nature of the offense or the

1 rehabilitation of the defendant as determined for each
2 defendant in the proper discretion of the Court require that
3 the person:

4 (1) serve a term of periodic imprisonment under
5 Article 7 for a period not to exceed that specified in
6 paragraph (d) of Section 5-7-1;

7 (2) pay a fine and costs;

8 (3) work or pursue a course of study or vocational
9 training;

10 (4) undergo medical, psychological or psychiatric
11 treatment; or treatment for drug addiction or alcoholism;

12 (5) attend or reside in a facility established for the
13 instruction or residence of defendants on probation;

14 (6) support his dependents;

15 (7) and in addition, if a minor:

16 (i) reside with his parents or in a foster home;

17 (ii) attend school;

18 (iii) attend a non-residential program for youth;

19 (iv) provide nonfinancial contributions to his own
20 support at home or in a foster home;

21 (v) with the consent of the superintendent of the
22 facility, attend an educational program at a facility
23 other than the school in which the offense was
24 committed if he or she is convicted of a crime of
25 violence as defined in Section 2 of the Crime Victims
26 Compensation Act committed in a school, on the real

1 property comprising a school, or within 1,000 feet of
2 the real property comprising a school;

3 (8) make restitution as provided in Section 5-5-6 of
4 this Code;

5 (9) perform some reasonable public or community
6 service;

7 (10) serve a term of home confinement. In addition to
8 any other applicable condition of probation or conditional
9 discharge, the conditions of home confinement shall be
10 that the offender:

11 (i) remain within the interior premises of the
12 place designated for his confinement during the hours
13 designated by the court;

14 (ii) admit any person or agent designated by the
15 court into the offender's place of confinement at any
16 time for purposes of verifying the offender's
17 compliance with the conditions of his confinement; and

18 (iii) if further deemed necessary by the court or
19 the probation or court services department, be placed
20 on an approved electronic monitoring device, subject
21 to Article 8A of Chapter V;

22 (iv) for persons convicted of any alcohol,
23 cannabis or controlled substance violation who are
24 placed on an approved monitoring device as a condition
25 of probation or conditional discharge, the court shall
26 impose a reasonable fee for each day of the use of the

1 device, as established by the county board in
2 subsection (g) of this Section, unless after
3 determining the inability of the offender to pay the
4 fee, the court assesses a lesser fee or no fee as the
5 case may be. This fee shall be imposed in addition to
6 the fees imposed under subsections (g) and (i) of this
7 Section. The fee shall be collected by the clerk of the
8 circuit court, except as provided in an administrative
9 order of the Chief Judge of the circuit court. The
10 clerk of the circuit court shall pay all monies
11 collected from this fee to the county treasurer for
12 deposit in the substance abuse services fund under
13 Section 5-1086.1 of the Counties Code, except as
14 provided in an administrative order of the Chief Judge
15 of the circuit court.

16 The Chief Judge of the circuit court of the county
17 may by administrative order establish a program for
18 electronic monitoring of offenders, in which a vendor
19 supplies and monitors the operation of the electronic
20 monitoring device, and collects the fees on behalf of
21 the county. The program shall include provisions for
22 indigent offenders and the collection of unpaid fees.
23 The program shall not unduly burden the offender and
24 shall be subject to review by the Chief Judge.

25 The Chief Judge of the circuit court may suspend
26 any additional charges or fees for late payment,

1 interest, or damage to any device; and

2 (v) for persons convicted of offenses other than
3 those referenced in clause (iv) above and who are
4 placed on an approved monitoring device as a condition
5 of probation or conditional discharge, the court shall
6 impose a reasonable fee for each day of the use of the
7 device, as established by the county board in
8 subsection (g) of this Section, unless after
9 determining the inability of the defendant to pay the
10 fee, the court assesses a lesser fee or no fee as the
11 case may be. This fee shall be imposed in addition to
12 the fees imposed under subsections (g) and (i) of this
13 Section. The fee shall be collected by the clerk of the
14 circuit court, except as provided in an administrative
15 order of the Chief Judge of the circuit court. The
16 clerk of the circuit court shall pay all monies
17 collected from this fee to the county treasurer who
18 shall use the monies collected to defray the costs of
19 corrections. The county treasurer shall deposit the
20 fee collected in the probation and court services
21 fund. The Chief Judge of the circuit court of the
22 county may by administrative order establish a program
23 for electronic monitoring of offenders, in which a
24 vendor supplies and monitors the operation of the
25 electronic monitoring device, and collects the fees on
26 behalf of the county. The program shall include

1 provisions for indigent offenders and the collection
2 of unpaid fees. The program shall not unduly burden
3 the offender and shall be subject to review by the
4 Chief Judge.

5 The Chief Judge of the circuit court may suspend
6 any additional charges or fees for late payment,
7 interest, or damage to any device.

8 (11) comply with the terms and conditions of an order
9 of protection issued by the court pursuant to the Illinois
10 Domestic Violence Act of 1986, as now or hereafter
11 amended, or an order of protection issued by the court of
12 another state, tribe, or United States territory. A copy
13 of the order of protection shall be transmitted to the
14 probation officer or agency having responsibility for the
15 case;

16 (12) reimburse any "local anti-crime program" as
17 defined in Section 7 of the Anti-Crime Advisory Council
18 Act for any reasonable expenses incurred by the program on
19 the offender's case, not to exceed the maximum amount of
20 the fine authorized for the offense for which the
21 defendant was sentenced;

22 (13) contribute a reasonable sum of money, not to
23 exceed the maximum amount of the fine authorized for the
24 offense for which the defendant was sentenced, (i) to a
25 "local anti-crime program", as defined in Section 7 of the
26 Anti-Crime Advisory Council Act, or (ii) for offenses

1 under the jurisdiction of the Department of Natural
2 Resources, to the fund established by the Department of
3 Natural Resources for the purchase of evidence for
4 investigation purposes and to conduct investigations as
5 outlined in Section 805-105 of the Department of Natural
6 Resources (Conservation) Law;

7 (14) refrain from entering into a designated
8 geographic area except upon such terms as the court finds
9 appropriate. Such terms may include consideration of the
10 purpose of the entry, the time of day, other persons
11 accompanying the defendant, and advance approval by a
12 probation officer, if the defendant has been placed on
13 probation or advance approval by the court, if the
14 defendant was placed on conditional discharge;

15 (15) refrain from having any contact, directly or
16 indirectly, with certain specified persons or particular
17 types of persons, including, but not limited to, members
18 of street gangs and drug users or dealers;

19 (16) refrain from having in his or her body the
20 presence of any illicit drug prohibited by the Illinois
21 Controlled Substances Act or the Methamphetamine Control
22 and Community Protection Act, unless prescribed by a
23 physician, and submit samples of his or her blood or urine
24 or both for tests to determine the presence of any illicit
25 drug;

26 (17) if convicted for an offense committed on or after

1 June 1, 2008 (the effective date of Public Act 95-464)
2 that would qualify the accused as a child sex offender as
3 defined in Section 11-9.3 or 11-9.4 of the Criminal Code
4 of 1961 or the Criminal Code of 2012, refrain from
5 communicating with or contacting, by means of the
6 Internet, a person who is related to the accused and whom
7 the accused reasonably believes to be under 18 years of
8 age; for purposes of this paragraph (17), "Internet" has
9 the meaning ascribed to it in Section 16-0.1 of the
10 Criminal Code of 2012; and a person is related to the
11 accused if the person is: (i) the spouse, brother, or
12 sister of the accused; (ii) a descendant of the accused;
13 (iii) a first or second cousin of the accused; or (iv) a
14 step-child or adopted child of the accused;

15 (18) if convicted for an offense committed on or after
16 June 1, 2009 (the effective date of Public Act 95-983)
17 that would qualify as a sex offense as defined in the Sex
18 Offender Registration Act:

19 (i) not access or use a computer or any other
20 device with Internet capability without the prior
21 written approval of the offender's probation officer,
22 except in connection with the offender's employment or
23 search for employment with the prior approval of the
24 offender's probation officer;

25 (ii) submit to periodic unannounced examinations
26 of the offender's computer or any other device with

1 Internet capability by the offender's probation
2 officer, a law enforcement officer, or assigned
3 computer or information technology specialist,
4 including the retrieval and copying of all data from
5 the computer or device and any internal or external
6 peripherals and removal of such information,
7 equipment, or device to conduct a more thorough
8 inspection;

9 (iii) submit to the installation on the offender's
10 computer or device with Internet capability, at the
11 subject's expense, of one or more hardware or software
12 systems to monitor the Internet use; and

13 (iv) submit to any other appropriate restrictions
14 concerning the offender's use of or access to a
15 computer or any other device with Internet capability
16 imposed by the offender's probation officer; and

17 (19) refrain from possessing a firearm or other
18 dangerous weapon where the offense is a misdemeanor that
19 did not involve the intentional or knowing infliction of
20 bodily harm or threat of bodily harm.

21 (c) The court may as a condition of probation or of
22 conditional discharge require that a person under 18 years of
23 age found guilty of any alcohol, cannabis or controlled
24 substance violation, refrain from acquiring a driver's license
25 during the period of probation or conditional discharge. If
26 such person is in possession of a permit or license, the court

1 may require that the minor refrain from driving or operating
2 any motor vehicle during the period of probation or
3 conditional discharge, except as may be necessary in the
4 course of the minor's lawful employment.

5 (d) An offender sentenced to probation or to conditional
6 discharge shall be given a certificate setting forth the
7 conditions thereof.

8 (e) Except where the offender has committed a fourth or
9 subsequent violation of subsection (c) of Section 6-303 of the
10 Illinois Vehicle Code, the court shall not require as a
11 condition of the sentence of probation or conditional
12 discharge that the offender be committed to a period of
13 imprisonment in excess of 6 months. This 6-month limit shall
14 not include periods of confinement given pursuant to a
15 sentence of county impact incarceration under Section 5-8-1.2.

16 Persons committed to imprisonment as a condition of
17 probation or conditional discharge shall not be committed to
18 the Department of Corrections.

19 (f) The court may combine a sentence of periodic
20 imprisonment under Article 7 or a sentence to a county impact
21 incarceration program under Article 8 with a sentence of
22 probation or conditional discharge.

23 (g) An offender sentenced to probation or to conditional
24 discharge and who during the term of either undergoes
25 mandatory drug or alcohol testing, or both, or is assigned to
26 be placed on an approved electronic monitoring device, shall

1 be ordered to pay all costs incidental to such mandatory drug
2 or alcohol testing, or both, and all costs incidental to such
3 approved electronic monitoring in accordance with the
4 defendant's ability to pay those costs. The county board with
5 the concurrence of the Chief Judge of the judicial circuit in
6 which the county is located shall establish reasonable fees
7 for the cost of maintenance, testing, and incidental expenses
8 related to the mandatory drug or alcohol testing, or both, and
9 all costs incidental to approved electronic monitoring,
10 involved in a successful probation program for the county. The
11 concurrence of the Chief Judge shall be in the form of an
12 administrative order. The fees shall be collected by the clerk
13 of the circuit court, except as provided in an administrative
14 order of the Chief Judge of the circuit court. The clerk of the
15 circuit court shall pay all moneys collected from these fees
16 to the county treasurer who shall use the moneys collected to
17 defray the costs of drug testing, alcohol testing, and
18 electronic monitoring. The county treasurer shall deposit the
19 fees collected in the county working cash fund under Section
20 6-27001 or Section 6-29002 of the Counties Code, as the case
21 may be. The Chief Judge of the circuit court of the county may
22 by administrative order establish a program for electronic
23 monitoring of offenders, in which a vendor supplies and
24 monitors the operation of the electronic monitoring device,
25 and collects the fees on behalf of the county. The program
26 shall include provisions for indigent offenders and the

1 collection of unpaid fees. The program shall not unduly burden
2 the offender and shall be subject to review by the Chief Judge.
3 A person shall not be assessed costs or fees for mandatory
4 testing for drugs, alcohol, or both, if the person is an
5 indigent person as defined in paragraph (2) of subsection (a)
6 of Section 5-105 of the Code of Civil Procedure.

7 The Chief Judge of the circuit court may suspend any
8 additional charges or fees for late payment, interest, or
9 damage to any device.

10 (h) Jurisdiction over an offender may be transferred from
11 the sentencing court to the court of another circuit with the
12 concurrence of both courts. Further transfers or retransfers
13 of jurisdiction are also authorized in the same manner. The
14 court to which jurisdiction has been transferred shall have
15 the same powers as the sentencing court. The probation
16 department within the circuit to which jurisdiction has been
17 transferred, or which has agreed to provide supervision, may
18 impose probation fees upon receiving the transferred offender,
19 as provided in subsection (i). For all transfer cases, as
20 defined in Section 9b of the Probation and Probation Officers
21 Act, the probation department from the original sentencing
22 court shall retain all probation fees collected prior to the
23 transfer. After the transfer, all probation fees shall be paid
24 to the probation department within the circuit to which
25 jurisdiction has been transferred.

26 (i) The court shall impose upon an offender sentenced to

1 probation after January 1, 1989 or to conditional discharge
2 after January 1, 1992 or to community service under the
3 supervision of a probation or court services department after
4 January 1, 2004, as a condition of such probation or
5 conditional discharge or supervised community service, a fee
6 of \$50 for each month of probation or conditional discharge
7 supervision or supervised community service ordered by the
8 court, unless after determining the inability of the person
9 sentenced to probation or conditional discharge or supervised
10 community service to pay the fee, the court assesses a lesser
11 fee. The court may not impose the fee on a minor who is placed
12 in the guardianship or custody of the Department of Children
13 and Family Services under the Juvenile Court Act of 1987 while
14 the minor is in placement. The fee shall be imposed only upon
15 an offender who is actively supervised by the probation and
16 court services department. The fee shall be collected by the
17 clerk of the circuit court. The clerk of the circuit court
18 shall pay all monies collected from this fee to the county
19 treasurer for deposit in the probation and court services fund
20 under Section 15.1 of the Probation and Probation Officers
21 Act.

22 A circuit court may not impose a probation fee under this
23 subsection (i) in excess of \$25 per month unless the circuit
24 court has adopted, by administrative order issued by the Chief
25 Judge, a standard probation fee guide determining an
26 offender's ability to pay. Of the amount collected as a

1 probation fee, up to \$5 of that fee collected per month may be
2 used to provide services to crime victims and their families.

3 The Court may only waive probation fees based on an
4 offender's ability to pay. The probation department may
5 re-evaluate an offender's ability to pay every 6 months, and,
6 with the approval of the Director of Court Services or the
7 Chief Probation Officer, adjust the monthly fee amount. An
8 offender may elect to pay probation fees due in a lump sum. Any
9 offender that has been assigned to the supervision of a
10 probation department, or has been transferred either under
11 subsection (h) of this Section or under any interstate
12 compact, shall be required to pay probation fees to the
13 department supervising the offender, based on the offender's
14 ability to pay.

15 Public Act 93-970 deletes the \$10 increase in the fee
16 under this subsection that was imposed by Public Act 93-616.
17 This deletion is intended to control over any other Act of the
18 93rd General Assembly that retains or incorporates that fee
19 increase.

20 (i-5) In addition to the fees imposed under subsection (i)
21 of this Section, in the case of an offender convicted of a
22 felony sex offense (as defined in the Sex Offender Management
23 Board Act) or an offense that the court or probation
24 department has determined to be sexually motivated (as defined
25 in the Sex Offender Management Board Act), the court or the
26 probation department shall assess additional fees to pay for

1 all costs of treatment, assessment, evaluation for risk and
2 treatment, and monitoring the offender, based on that
3 offender's ability to pay those costs either as they occur or
4 under a payment plan.

5 (j) All fines and costs imposed under this Section for any
6 violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle
7 Code, or a similar provision of a local ordinance, and any
8 violation of the Child Passenger Protection Act, or a similar
9 provision of a local ordinance, shall be collected and
10 disbursed by the circuit clerk as provided under the Criminal
11 and Traffic Assessment Act.

12 (k) Any offender who is sentenced to probation or
13 conditional discharge for a felony sex offense as defined in
14 the Sex Offender Management Board Act or any offense that the
15 court or probation department has determined to be sexually
16 motivated as defined in the Sex Offender Management Board Act
17 shall be required to refrain from any contact, directly or
18 indirectly, with any persons specified by the court and shall
19 be available for all evaluations and treatment programs
20 required by the court or the probation department.

21 (l) The court may order an offender who is sentenced to
22 probation or conditional discharge for a violation of an order
23 of protection be placed under electronic surveillance as
24 provided in Section 5-8A-7 of this Code.

25 (m) Except for restitution, and assessments issued for
26 adjudications under Section 5-125 of the Juvenile Court Act of

1 1987, fines and assessments, such as fees or administrative
2 costs, authorized under this Section shall not be ordered or
3 imposed on a minor subject to Article III, IV, or V of the
4 Juvenile Court Act of 1987, or a minor under the age of 18
5 transferred to adult court or excluded from juvenile court
6 jurisdiction under Article V of the Juvenile Court Act of
7 1987, or the minor's parent, guardian, or legal custodian.

8 (n) A person on probation, conditional discharge, or
9 supervision shall not be ordered to refrain from having
10 cannabis or alcohol in his or her body unless:

11 (1) the person is under 21 years old;

12 (2) the person was sentenced to probation, conditional
13 discharge, or supervision for an offense which had as an
14 element of the offense the presence of an intoxicating
15 compound in the person's body;

16 (3) the person is participating in a problem-solving
17 court certified by the Illinois Supreme Court;

18 (4) the person has undergone a validated clinical
19 assessment and the clinical treatment plan includes
20 alcohol or cannabis testing; or

21 (5) a court ordered evaluation recommends that the
22 person refrain from using alcohol or cannabis, provided
23 the evaluation is a validated clinical assessment and the
24 recommendation originates from a clinical treatment plan.

25 If the court has made findings that alcohol use was a
26 contributing factor in the commission of the underlying

1 offense, the court may order a person on probation,
2 conditional discharge, or supervision to refrain from having
3 alcohol in his or her body during the time between sentencing
4 and the completion of a validated clinical assessment,
5 provided that such order shall not exceed 30 days and shall be
6 terminated if the clinical treatment plan does not recommend
7 abstinence or testing, or both.

8 In this subsection (n), "validated clinical assessment"
9 and "clinical treatment plan" have the meanings ascribed to
10 them in Section 10 of the Drug Court Treatment Act.

11 In any instance in which the court orders testing for
12 cannabis or alcohol, the court shall state the reasonable
13 relation the condition has to the person's crime for which the
14 person was placed on probation, conditional discharge, or
15 supervision.

16 (o) A person on probation, conditional discharge, or
17 supervision shall not be ordered to refrain from use or
18 consumption of any substance lawfully prescribed by a medical
19 provider or authorized by the Compassionate Use of Medical
20 Cannabis Program Act, except where use is prohibited in
21 paragraph (3) or (4) of subsection (n).

22 (Source: P.A. 102-538, eff. 8-20-21; 102-558, eff. 8-20-21;
23 103-271, eff. 1-1-24; 103-379, eff. 7-28-23; 103-391, eff.
24 1-1-24; 103-605, eff. 7-1-24; 103-1071, eff. 7-1-25.)

1 Section 91. The Unified Code of Corrections is amended by
2 repealing Section 3-2-13.

3 Section 95. The Stalking No Contact Order Act is amended
4 by changing Section 80 as follows:

5 (740 ILCS 21/80)

6 Sec. 80. Stalking no contact orders; remedies.

7 (a) If the court finds that the petitioner has been a
8 victim of stalking, a stalking no contact order shall issue;
9 provided that the petitioner must also satisfy the
10 requirements of Section 95 on emergency orders or Section 100
11 on plenary orders. The petitioner shall not be denied a
12 stalking no contact order because the petitioner or the
13 respondent is a minor. The court, when determining whether or
14 not to issue a stalking no contact order, may not require
15 physical injury on the person of the petitioner. Modification
16 and extension of prior stalking no contact orders shall be in
17 accordance with this Act.

18 (b) A stalking no contact order shall order one or more of
19 the following:

20 (1) prohibit the respondent from threatening to commit
21 or committing stalking;

22 (2) order the respondent not to have any contact with
23 the petitioner or a third person specifically named by the
24 court;

1 (3) prohibit the respondent from knowingly coming
2 within, or knowingly remaining within a specified distance
3 of the petitioner or the petitioner's residence, school,
4 daycare, or place of employment, or any specified place
5 frequented by the petitioner; however, the court may order
6 the respondent to stay away from the respondent's own
7 residence, school, or place of employment only if the
8 respondent has been provided actual notice of the
9 opportunity to appear and be heard on the petition;

10 (4) prohibit the respondent from ~~possessing a Firearm~~
11 ~~Owners Identification Card, or~~ possessing or buying
12 firearms;

13 (5) prohibit the respondent from using any electronic
14 tracking system or acquiring tracking information to
15 determine the petitioner's location, movement, or travel
16 pattern; and

17 (6) order other injunctive relief the court determines
18 to be necessary to protect the petitioner or third party
19 specifically named by the court.

20 (b-5) When the petitioner and the respondent attend the
21 same public, private, or non-public elementary, middle, or
22 high school, the court when issuing a stalking no contact
23 order and providing relief shall consider the severity of the
24 act, any continuing physical danger or emotional distress to
25 the petitioner, the educational rights guaranteed to the
26 petitioner and respondent under federal and State law, the

1 availability of a transfer of the respondent to another
2 school, a change of placement or a change of program of the
3 respondent, the expense, difficulty, and educational
4 disruption that would be caused by a transfer of the
5 respondent to another school, and any other relevant facts of
6 the case. The court may order that the respondent not attend
7 the public, private, or non-public elementary, middle, or high
8 school attended by the petitioner, order that the respondent
9 accept a change of placement or program, as determined by the
10 school district or private or non-public school, or place
11 restrictions on the respondent's movements within the school
12 attended by the petitioner. The respondent bears the burden of
13 proving by a preponderance of the evidence that a transfer,
14 change of placement, or change of program of the respondent is
15 not available. The respondent also bears the burden of
16 production with respect to the expense, difficulty, and
17 educational disruption that would be caused by a transfer of
18 the respondent to another school. A transfer, change of
19 placement, or change of program is not unavailable to the
20 respondent solely on the ground that the respondent does not
21 agree with the school district's or private or non-public
22 school's transfer, change of placement, or change of program
23 or solely on the ground that the respondent fails or refuses to
24 consent to or otherwise does not take an action required to
25 effectuate a transfer, change of placement, or change of
26 program. When a court orders a respondent to stay away from the

1 public, private, or non-public school attended by the
2 petitioner and the respondent requests a transfer to another
3 attendance center within the respondent's school district or
4 private or non-public school, the school district or private
5 or non-public school shall have sole discretion to determine
6 the attendance center to which the respondent is transferred.
7 In the event the court order results in a transfer of the minor
8 respondent to another attendance center, a change in the
9 respondent's placement, or a change of the respondent's
10 program, the parents, guardian, or legal custodian of the
11 respondent is responsible for transportation and other costs
12 associated with the transfer or change.

13 (b-6) The court may order the parents, guardian, or legal
14 custodian of a minor respondent to take certain actions or to
15 refrain from taking certain actions to ensure that the
16 respondent complies with the order. In the event the court
17 orders a transfer of the respondent to another school, the
18 parents, guardian, or legal custodian of the respondent are
19 responsible for transportation and other costs associated with
20 the change of school by the respondent.

21 (b-7) The court shall not hold a school district or
22 private or non-public school or any of its employees in civil
23 or criminal contempt unless the school district or private or
24 non-public school has been allowed to intervene.

25 (b-8) The court may hold the parents, guardian, or legal
26 custodian of a minor respondent in civil or criminal contempt

1 for a violation of any provision of any order entered under
2 this Act for conduct of the minor respondent in violation of
3 this Act if the parents, guardian, or legal custodian
4 directed, encouraged, or assisted the respondent minor in such
5 conduct.

6 (c) The court may award the petitioner costs and attorneys
7 fees if a stalking no contact order is granted.

8 (d) Monetary damages are not recoverable as a remedy.

9 (e) If the stalking no contact order prohibits the
10 respondent from ~~possessing a Firearm Owner's Identification~~
11 ~~Card, or~~ possessing or buying firearms; the court shall
12 confiscate the respondent's firearms ~~Firearm Owner's~~
13 ~~Identification Card and immediately return the card to the~~
14 ~~Illinois State Police Firearm Owner's Identification Card~~
15 ~~Office.~~

16 (Source: P.A. 102-538, eff. 8-20-21; 103-760, eff. 1-1-25.)

17 Section 100. The Mental Health and Developmental
18 Disabilities Confidentiality Act is amended by changing
19 Section 12 as follows:

20 (740 ILCS 110/12) (from Ch. 91 1/2, par. 812)

21 Sec. 12. (a) If the United States Secret Service or the
22 Illinois State Police requests information from a mental
23 health or developmental disability facility, as defined in
24 Section 1-107 and 1-114 of the Mental Health and Developmental

1 Disabilities Code, relating to a specific recipient and the
2 facility director determines that disclosure of such
3 information may be necessary to protect the life of, or to
4 prevent the infliction of great bodily harm to, a public
5 official, or a person under the protection of the United
6 States Secret Service, only the following information may be
7 disclosed: the recipient's name, address, and age and the date
8 of any admission to or discharge from a facility; and any
9 information which would indicate whether or not the recipient
10 has a history of violence or presents a danger of violence to
11 the person under protection. Any information so disclosed
12 shall be used for investigative purposes only and shall not be
13 publicly disseminated. Any person participating in good faith
14 in the disclosure of such information in accordance with this
15 provision shall have immunity from any liability, civil,
16 criminal or otherwise, if such information is disclosed
17 relying upon the representation of an officer of the United
18 States Secret Service or the Illinois State Police that a
19 person is under the protection of the United States Secret
20 Service or is a public official.

21 For the purpose of this subsection (a), the term "public
22 official" means the Governor, Lieutenant Governor, Attorney
23 General, Secretary of State, State Comptroller, State
24 Treasurer, member of the General Assembly, member of the
25 United States Congress, Judge of the United States as defined
26 in 28 U.S.C. 451, Justice of the United States as defined in 28

1 U.S.C. 451, United States Magistrate Judge as defined in 28
2 U.S.C. 639, Bankruptcy Judge appointed under 28 U.S.C. 152, or
3 Supreme, Appellate, Circuit, or Associate Judge of the State
4 of Illinois. The term shall also include the spouse, child or
5 children of a public official.

6 (b) The Department of Human Services (acting as successor
7 to the Department of Mental Health and Developmental
8 Disabilities) and all public or private hospitals and mental
9 health facilities are required, as hereafter described in this
10 subsection, to furnish the Illinois State Police only such
11 information as may be required for the sole purpose of
12 determining whether an individual who may be or may have been a
13 patient is disqualified because of that status from receiving
14 or retaining a firearm under paragraph (4) of subsection (a)
15 of Section 24-3.1 of the Criminal Code of 2012 ~~Firearm Owner's~~
16 ~~Identification Card or falls within the federal prohibitors~~
17 ~~under subsection (e), (f), (g), (r), (s), or (t) of Section 8~~
18 ~~of the Firearm Owners Identification Card Act~~, or falls within
19 the federal prohibitors in 18 U.S.C. 922(g) and (n). All
20 physicians, clinical psychologists, or qualified examiners at
21 public or private mental health facilities or parts thereof as
22 defined in this subsection shall, in the form and manner
23 required by the Department, provide notice directly to the
24 Department of Human Services, or to his or her employer who
25 shall then report to the Department, within 24 hours after
26 determining that a person poses a clear and present danger to

1 himself, herself, or others, or within 7 days after a person 14
2 years or older is determined to be a person with a
3 developmental disability by a physician, clinical
4 psychologist, or qualified examiner as described in this
5 subsection (b) Section 1.1 of the Firearm Owners
6 ~~Identification Card Act~~. If a person is a patient as described
7 in clause (2) (A) (1) of the definition of "patient" in this
8 subsection Section 1.1 of the Firearm Owners Identification
9 ~~Card Act~~, this information shall be furnished within 7 days
10 after admission to a public or private hospital or mental
11 health facility or the provision of services. Any such
12 information disclosed under this subsection shall remain
13 privileged and confidential, and shall not be redisclosed,
14 except as required by clause (e) (2) of Section 24-4.5 of the
15 Criminal Code of 2012 subsection (e) of Section 3.1 of the
16 ~~Firearm Owners Identification Card Act~~, nor utilized for any
17 other purpose. The method of requiring the providing of such
18 information shall guarantee that no information is released
19 beyond what is necessary for this purpose. In addition, the
20 information disclosed shall be provided by the Department
21 within the time period established by Section 24-3 of the
22 Criminal Code of 2012 regarding the delivery of firearms. The
23 method used shall be sufficient to provide the necessary
24 information within the prescribed time period, which may
25 include periodically providing lists to the Department of
26 Human Services or any public or private hospital or mental

1 health facility of ~~Firearm Owner's Identification Card~~
2 applicants for firearm purchases on which the Department or
3 hospital shall indicate the identities of those individuals
4 who are to its knowledge disqualified from having a firearm
5 ~~Firearm Owner's Identification Card~~ for reasons described
6 herein. The Department may provide for a centralized source of
7 information for the State on this subject under its
8 jurisdiction. The identity of the person reporting under this
9 subsection shall not be disclosed to the subject of the
10 report. For the purposes of this subsection, the physician,
11 clinical psychologist, or qualified examiner making the
12 determination and his or her employer shall not be held
13 criminally, civilly, or professionally liable for making or
14 not making the notification required under this subsection,
15 except for willful or wanton misconduct.

16 Any person, institution, or agency, under this Act,
17 participating in good faith in the reporting or disclosure of
18 records and communications otherwise in accordance with this
19 provision or with rules, regulations or guidelines issued by
20 the Department shall have immunity from any liability, civil,
21 criminal or otherwise, that might result by reason of the
22 action. For the purpose of any proceeding, civil or criminal,
23 arising out of a report or disclosure in accordance with this
24 provision, the good faith of any person, institution, or
25 agency so reporting or disclosing shall be presumed. The full
26 extent of the immunity provided in this subsection (b) shall

1 apply to any person, institution or agency that fails to make a
2 report or disclosure in the good faith belief that the report
3 or disclosure would violate federal regulations governing the
4 confidentiality of alcohol and drug abuse patient records
5 implementing 42 U.S.C. 290dd-3 and 290ee-3.

6 For purposes of this subsection (b) only, the following
7 terms shall have the meaning prescribed:

8 (1) (Blank).

9 (1.3) "Clear and present danger" has the meaning as
10 defined in Section 6-103.3 of the Mental Health and
11 Developmental Disabilities Code ~~1.1 of the Firearm Owners~~
12 ~~Identification Card Act.~~

13 (1.5) "Person with a developmental disability" has the
14 meaning as defined in Section 6-103.2 of the Mental Health
15 and Developmental Disabilities Code ~~1.1 of the Firearm~~
16 ~~Owners Identification Card Act.~~

17 (2) "Patient" means (A) a person who voluntarily
18 receives mental health treatment as an in-patient or
19 resident of any public or private mental health facility,
20 unless the treatment was solely for an alcohol abuse
21 disorder and no other secondary substance abuse disorder
22 or mental illness; or (B) a person who voluntarily
23 receives mental health treatment as an out-patient or is
24 provided services by a public or private mental health
25 facility, and who poses a clear and present danger to
26 himself, herself, or to others ~~has the meaning as defined~~

1 ~~in Section 1.1 of the Firearm Owners Identification Card~~
2 ~~Act.~~

3 (3) "Mental health facility" means any licensed
4 private hospital or hospital affiliate, institution, or
5 facility, or part thereof, and any facility, or part
6 thereof, operated by the State or a political subdivision
7 thereof which provide treatment of persons with mental
8 illness and includes all hospitals, institutions, clinics,
9 evaluation facilities, mental health centers, colleges,
10 universities, long-term care facilities, and nursing
11 homes, or parts thereof, which provide treatment of
12 persons with mental illness whether or not the primary
13 purpose is to provide treatment of persons with mental
14 illness ~~has the meaning as defined in Section 1.1 of the~~
15 ~~Firearm Owners Identification Card Act.~~

16 (c) Upon the request of a peace officer who takes a person
17 into custody and transports such person to a mental health or
18 developmental disability facility pursuant to Section 3-606 or
19 4-404 of the Mental Health and Developmental Disabilities Code
20 or who transports a person from such facility, a facility
21 director shall furnish said peace officer the name, address,
22 age and name of the nearest relative of the person transported
23 to or from the mental health or developmental disability
24 facility. In no case shall the facility director disclose to
25 the peace officer any information relating to the diagnosis,
26 treatment or evaluation of the person's mental or physical

1 health.

2 For the purposes of this subsection (c), the terms "mental
3 health or developmental disability facility", "peace officer"
4 and "facility director" shall have the meanings ascribed to
5 them in the Mental Health and Developmental Disabilities Code.

6 (d) Upon the request of a peace officer or prosecuting
7 authority who is conducting a bona fide investigation of a
8 criminal offense, or attempting to apprehend a fugitive from
9 justice, a facility director may disclose whether a person is
10 present at the facility. Upon request of a peace officer or
11 prosecuting authority who has a valid forcible felony warrant
12 issued, a facility director shall disclose: (1) whether the
13 person who is the subject of the warrant is present at the
14 facility and (2) the date of that person's discharge or future
15 discharge from the facility. The requesting peace officer or
16 prosecuting authority must furnish a case number and the
17 purpose of the investigation or an outstanding arrest warrant
18 at the time of the request. Any person, institution, or agency
19 participating in good faith in disclosing such information in
20 accordance with this subsection (d) is immune from any
21 liability, civil, criminal or otherwise, that might result by
22 reason of the action.

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

24 Section 105. The Illinois Domestic Violence Act of 1986 is
25 amended by changing Sections 210 and 214 as follows:

1 (750 ILCS 60/210) (from Ch. 40, par. 2312-10)

2 Sec. 210. Process.

3 (a) Summons. Any action for an order of protection,
4 whether commenced alone or in conjunction with another
5 proceeding, is a distinct cause of action and requires that a
6 separate summons be issued and served, except that in pending
7 cases the following methods may be used:

8 (1) By delivery of the summons to respondent
9 personally in open court in pending civil or criminal
10 cases.

11 (2) By notice in accordance with Section 210.1 in
12 civil cases in which the defendant has filed a general
13 appearance.

14 The summons shall be in the form prescribed by Supreme
15 Court Rule 101(d), except that it shall require respondent to
16 answer or appear within 7 days. Attachments to the summons or
17 notice shall include the petition for order of protection and
18 supporting affidavits, if any, and any emergency order of
19 protection that has been issued. The enforcement of an order
20 of protection under Section 223 shall not be affected by the
21 lack of service, delivery, or notice, provided the
22 requirements of subsection (d) of that Section are otherwise
23 met.

24 (b) Blank.

25 (c) Expedited service. The summons shall be served by the

1 sheriff or other law enforcement officer at the earliest time
2 and shall take precedence over other summonses except those of
3 a similar emergency nature. Special process servers may be
4 appointed at any time, and their designation shall not affect
5 the responsibilities and authority of the sheriff or other
6 official process servers. In counties with a population over
7 3,000,000, a special process server may not be appointed if
8 the order of protection grants the surrender of a child, the
9 surrender of a firearm ~~or firearm owners identification card,~~
10 or the exclusive possession of a shared residence.

11 (d) Remedies requiring actual notice. The counseling,
12 payment of support, payment of shelter services, and payment
13 of losses remedies provided by paragraphs 4, 12, 13, and 16 of
14 subsection (b) of Section 214 may be granted only if
15 respondent has been personally served with process, has
16 answered or has made a general appearance.

17 (e) Remedies upon constructive notice. Service of process
18 on a member of respondent's household or by publication shall
19 be adequate for the remedies provided by paragraphs 1, 2, 3, 5,
20 6, 7, 8, 9, 10, 11, 14, 15, and 17 of subsection (b) of Section
21 214, but only if: (i) petitioner has made all reasonable
22 efforts to accomplish actual service of process personally
23 upon respondent, but respondent cannot be found to effect such
24 service and (ii) petitioner files an affidavit or presents
25 sworn testimony as to those efforts.

26 (f) Default. A plenary order of protection may be entered

1 by default as follows:

2 (1) For any of the remedies sought in the petition, if
3 respondent has been served or given notice in accordance
4 with subsection (a) and if respondent then fails to appear
5 as directed or fails to appear on any subsequent
6 appearance or hearing date agreed to by the parties or set
7 by the court; or

8 (2) For any of the remedies provided in accordance
9 with subsection (e), if respondent fails to answer or
10 appear in accordance with the date set in the publication
11 notice or the return date indicated on the service of a
12 household member.

13 (g) Emergency orders. If an order is granted under
14 subsection (c) of Section 217, the court shall immediately
15 file a certified copy of the order with the sheriff or other
16 law enforcement official charged with maintaining Department
17 of State Police records.

18 (Source: P.A. 101-508, eff. 1-1-20.)

19 (750 ILCS 60/214) (from Ch. 40, par. 2312-14)

20 Sec. 214. Order of protection; remedies.

21 (a) Issuance of order. If the court finds that petitioner
22 has been abused by a family or household member or that
23 petitioner is a high-risk adult who has been abused,
24 neglected, or exploited, as defined in this Act, an order of
25 protection prohibiting the abuse, neglect, or exploitation

1 shall issue; provided that petitioner must also satisfy the
2 requirements of one of the following Sections, as appropriate:
3 Section 217 on emergency orders, Section 218 on interim
4 orders, or Section 219 on plenary orders. Petitioner shall not
5 be denied an order of protection because petitioner or
6 respondent is a minor. The court, when determining whether or
7 not to issue an order of protection, shall not require
8 physical manifestations of abuse on the person of the victim.
9 Modification and extension of prior orders of protection shall
10 be in accordance with this Act.

11 (b) Remedies and standards. The remedies to be included in
12 an order of protection shall be determined in accordance with
13 this Section and one of the following Sections, as
14 appropriate: Section 217 on emergency orders, Section 218 on
15 interim orders, and Section 219 on plenary orders. The
16 remedies listed in this subsection shall be in addition to
17 other civil or criminal remedies available to petitioner.

18 (1) Prohibition of abuse, neglect, or exploitation.
19 Prohibit respondent's harassment, interference with
20 personal liberty, intimidation of a dependent, physical
21 abuse, or willful deprivation, neglect or exploitation, as
22 defined in this Act, or stalking of the petitioner, as
23 defined in Section 12-7.3 of the Criminal Code of 2012, if
24 such abuse, neglect, exploitation, or stalking has
25 occurred or otherwise appears likely to occur if not
26 prohibited.

1 (2) Grant of exclusive possession of residence.
2 Prohibit respondent from entering or remaining in any
3 residence, household, or premises of the petitioner,
4 including one owned or leased by respondent, if petitioner
5 has a right to occupancy thereof. The grant of exclusive
6 possession of the residence, household, or premises shall
7 not affect title to real property, nor shall the court be
8 limited by the standard set forth in subsection (c-2) of
9 Section 501 of the Illinois Marriage and Dissolution of
10 Marriage Act.

11 (A) Right to occupancy. A party has a right to
12 occupancy of a residence or household if it is solely
13 or jointly owned or leased by that party, that party's
14 spouse, a person with a legal duty to support that
15 party or a minor child in that party's care, or by any
16 person or entity other than the opposing party that
17 authorizes that party's occupancy (e.g., a domestic
18 violence shelter). Standards set forth in subparagraph
19 (B) shall not preclude equitable relief.

20 (B) Presumption of hardships. If petitioner and
21 respondent each has the right to occupancy of a
22 residence or household, the court shall balance (i)
23 the hardships to respondent and any minor child or
24 dependent adult in respondent's care resulting from
25 entry of this remedy with (ii) the hardships to
26 petitioner and any minor child or dependent adult in

1 petitioner's care resulting from continued exposure to
2 the risk of abuse (should petitioner remain at the
3 residence or household) or from loss of possession of
4 the residence or household (should petitioner leave to
5 avoid the risk of abuse). When determining the balance
6 of hardships, the court shall also take into account
7 the accessibility of the residence or household.
8 Hardships need not be balanced if respondent does not
9 have a right to occupancy.

10 The balance of hardships is presumed to favor
11 possession by petitioner unless the presumption is
12 rebutted by a preponderance of the evidence, showing
13 that the hardships to respondent substantially
14 outweigh the hardships to petitioner and any minor
15 child or dependent adult in petitioner's care. The
16 court, on the request of petitioner or on its own
17 motion, may order respondent to provide suitable,
18 accessible, alternate housing for petitioner instead
19 of excluding respondent from a mutual residence or
20 household.

21 (3) Stay away order and additional prohibitions. Order
22 respondent to stay away from petitioner or any other
23 person protected by the order of protection, or prohibit
24 respondent from entering or remaining present at
25 petitioner's school, place of employment, or other
26 specified places at times when petitioner is present, or

1 both, if reasonable, given the balance of hardships.
2 Hardships need not be balanced for the court to enter a
3 stay away order or prohibit entry if respondent has no
4 right to enter the premises.

5 (A) If an order of protection grants petitioner
6 exclusive possession of the residence, or prohibits
7 respondent from entering the residence, or orders
8 respondent to stay away from petitioner or other
9 protected persons, then the court may allow respondent
10 access to the residence to remove items of clothing
11 and personal adornment used exclusively by respondent,
12 medications, and other items as the court directs. The
13 right to access shall be exercised on only one
14 occasion as the court directs and in the presence of an
15 agreed-upon adult third party or law enforcement
16 officer.

17 (B) When the petitioner and the respondent attend
18 the same public, private, or non-public elementary,
19 middle, or high school, the court when issuing an
20 order of protection and providing relief shall
21 consider the severity of the act, any continuing
22 physical danger or emotional distress to the
23 petitioner, the educational rights guaranteed to the
24 petitioner and respondent under federal and State law,
25 the availability of a transfer of the respondent to
26 another school, a change of placement or a change of

1 program of the respondent, the expense, difficulty,
2 and educational disruption that would be caused by a
3 transfer of the respondent to another school, and any
4 other relevant facts of the case. The court may order
5 that the respondent not attend the public, private, or
6 non-public elementary, middle, or high school attended
7 by the petitioner, order that the respondent accept a
8 change of placement or change of program, as
9 determined by the school district or private or
10 non-public school, or place restrictions on the
11 respondent's movements within the school attended by
12 the petitioner. The respondent bears the burden of
13 proving by a preponderance of the evidence that a
14 transfer, change of placement, or change of program of
15 the respondent is not available. The respondent also
16 bears the burden of production with respect to the
17 expense, difficulty, and educational disruption that
18 would be caused by a transfer of the respondent to
19 another school. A transfer, change of placement, or
20 change of program is not unavailable to the respondent
21 solely on the ground that the respondent does not
22 agree with the school district's or private or
23 non-public school's transfer, change of placement, or
24 change of program or solely on the ground that the
25 respondent fails or refuses to consent or otherwise
26 does not take an action required to effectuate a

1 transfer, change of placement, or change of program.
2 When a court orders a respondent to stay away from the
3 public, private, or non-public school attended by the
4 petitioner and the respondent requests a transfer to
5 another attendance center within the respondent's
6 school district or private or non-public school, the
7 school district or private or non-public school shall
8 have sole discretion to determine the attendance
9 center to which the respondent is transferred. In the
10 event the court order results in a transfer of the
11 minor respondent to another attendance center, a
12 change in the respondent's placement, or a change of
13 the respondent's program, the parents, guardian, or
14 legal custodian of the respondent is responsible for
15 transportation and other costs associated with the
16 transfer or change.

17 (C) The court may order the parents, guardian, or
18 legal custodian of a minor respondent to take certain
19 actions or to refrain from taking certain actions to
20 ensure that the respondent complies with the order. In
21 the event the court orders a transfer of the
22 respondent to another school, the parents, guardian,
23 or legal custodian of the respondent is responsible
24 for transportation and other costs associated with the
25 change of school by the respondent.

26 (4) Counseling. Require or recommend the respondent to

1 undergo counseling for a specified duration with a social
2 worker, psychologist, clinical psychologist,
3 psychiatrist, family service agency, alcohol or substance
4 abuse program, mental health center guidance counselor,
5 agency providing services to elders, program designed for
6 domestic violence abusers or any other guidance service
7 the court deems appropriate. The Court may order the
8 respondent in any intimate partner relationship to report
9 to an Illinois Department of Human Services protocol
10 approved partner abuse intervention program for an
11 assessment and to follow all recommended treatment.

12 (5) Physical care and possession of the minor child.
13 In order to protect the minor child from abuse, neglect,
14 or unwarranted separation from the person who has been the
15 minor child's primary caretaker, or to otherwise protect
16 the well-being of the minor child, the court may do either
17 or both of the following: (i) grant petitioner physical
18 care or possession of the minor child, or both, or (ii)
19 order respondent to return a minor child to, or not remove
20 a minor child from, the physical care of a parent or person
21 in loco parentis.

22 If a court finds, after a hearing, that respondent has
23 committed abuse (as defined in Section 103) of a minor
24 child, there shall be a rebuttable presumption that
25 awarding physical care to respondent would not be in the
26 minor child's best interest.

1 (6) Temporary allocation of parental responsibilities:
2 significant decision-making. Award temporary
3 decision-making responsibility to petitioner in accordance
4 with this Section, the Illinois Marriage and Dissolution
5 of Marriage Act, the Illinois Parentage Act of 2015, and
6 this State's Uniform Child-Custody Jurisdiction and
7 Enforcement Act.

8 If a court finds, after a hearing, that respondent has
9 committed abuse (as defined in Section 103) of a minor
10 child, there shall be a rebuttable presumption that
11 awarding temporary significant decision-making
12 responsibility to respondent would not be in the child's
13 best interest.

14 (7) Parenting time. Determine the parenting time, if
15 any, of respondent in any case in which the court awards
16 physical care or allocates temporary significant
17 decision-making responsibility of a minor child to
18 petitioner. The court shall restrict or deny respondent's
19 parenting time with a minor child if the court finds that
20 respondent has done or is likely to do any of the
21 following: (i) abuse or endanger the minor child during
22 parenting time; (ii) use the parenting time as an
23 opportunity to abuse or harass petitioner or petitioner's
24 family or household members; (iii) improperly conceal or
25 detain the minor child; or (iv) otherwise act in a manner
26 that is not in the best interests of the minor child. The

1 court shall not be limited by the standards set forth in
2 Section 603.10 of the Illinois Marriage and Dissolution of
3 Marriage Act. If the court grants parenting time, the
4 order shall specify dates and times for the parenting time
5 to take place or other specific parameters or conditions
6 that are appropriate. No order for parenting time shall
7 refer merely to the term "reasonable parenting time".

8 Petitioner may deny respondent access to the minor
9 child if, when respondent arrives for parenting time,
10 respondent is under the influence of drugs or alcohol and
11 constitutes a threat to the safety and well-being of
12 petitioner or petitioner's minor children or is behaving
13 in a violent or abusive manner.

14 If necessary to protect any member of petitioner's
15 family or household from future abuse, respondent shall be
16 prohibited from coming to petitioner's residence to meet
17 the minor child for parenting time, and the parties shall
18 submit to the court their recommendations for reasonable
19 alternative arrangements for parenting time. A person may
20 be approved to supervise parenting time only after filing
21 an affidavit accepting that responsibility and
22 acknowledging accountability to the court.

23 (8) Removal or concealment of minor child. Prohibit
24 respondent from removing a minor child from the State or
25 concealing the child within the State.

26 (9) Order to appear. Order the respondent to appear in

1 court, alone or with a minor child, to prevent abuse,
2 neglect, removal or concealment of the child, to return
3 the child to the custody or care of the petitioner or to
4 permit any court-ordered interview or examination of the
5 child or the respondent.

6 (10) Possession of personal property. Grant petitioner
7 exclusive possession of personal property and, if
8 respondent has possession or control, direct respondent to
9 promptly make it available to petitioner, if:

10 (i) petitioner, but not respondent, owns the
11 property; or

12 (ii) the parties own the property jointly; sharing
13 it would risk abuse of petitioner by respondent or is
14 impracticable; and the balance of hardships favors
15 temporary possession by petitioner.

16 If petitioner's sole claim to ownership of the
17 property is that it is marital property, the court may
18 award petitioner temporary possession thereof under the
19 standards of subparagraph (ii) of this paragraph only if a
20 proper proceeding has been filed under the Illinois
21 Marriage and Dissolution of Marriage Act, as now or
22 hereafter amended.

23 No order under this provision shall affect title to
24 property.

25 (11) Protection of property. Forbid the respondent
26 from taking, transferring, encumbering, concealing,

1 damaging or otherwise disposing of any real or personal
2 property, except as explicitly authorized by the court,
3 if:

4 (i) petitioner, but not respondent, owns the
5 property; or

6 (ii) the parties own the property jointly, and the
7 balance of hardships favors granting this remedy.

8 If petitioner's sole claim to ownership of the
9 property is that it is marital property, the court may
10 grant petitioner relief under subparagraph (ii) of this
11 paragraph only if a proper proceeding has been filed under
12 the Illinois Marriage and Dissolution of Marriage Act, as
13 now or hereafter amended.

14 The court may further prohibit respondent from
15 improperly using the financial or other resources of an
16 aged member of the family or household for the profit or
17 advantage of respondent or of any other person.

18 (11.5) Protection of animals. Grant the petitioner the
19 exclusive care, custody, or control of any animal owned,
20 possessed, leased, kept, or held by either the petitioner
21 or the respondent or a minor child residing in the
22 residence or household of either the petitioner or the
23 respondent and order the respondent to stay away from the
24 animal and forbid the respondent from taking,
25 transferring, encumbering, concealing, harming, or
26 otherwise disposing of the animal.

1 (12) Order for payment of support. Order respondent to
2 pay temporary support for the petitioner or any child in
3 the petitioner's care or over whom the petitioner has been
4 allocated parental responsibility, when the respondent has
5 a legal obligation to support that person, in accordance
6 with the Illinois Marriage and Dissolution of Marriage
7 Act, which shall govern, among other matters, the amount
8 of support, payment through the clerk and withholding of
9 income to secure payment. An order for child support may
10 be granted to a petitioner with lawful physical care of a
11 child, or an order or agreement for physical care of a
12 child, prior to entry of an order allocating significant
13 decision-making responsibility. Such a support order shall
14 expire upon entry of a valid order allocating parental
15 responsibility differently and vacating the petitioner's
16 significant decision-making authority, unless otherwise
17 provided in the order.

18 (13) Order for payment of losses. Order respondent to
19 pay petitioner for losses suffered as a direct result of
20 the abuse, neglect, or exploitation. Such losses shall
21 include, but not be limited to, medical expenses, lost
22 earnings or other support, repair or replacement of
23 property damaged or taken, reasonable attorney's fees,
24 court costs and moving or other travel expenses, including
25 additional reasonable expenses for temporary shelter and
26 restaurant meals.

1 (i) Losses affecting family needs. If a party is
2 entitled to seek maintenance, child support or
3 property distribution from the other party under the
4 Illinois Marriage and Dissolution of Marriage Act, as
5 now or hereafter amended, the court may order
6 respondent to reimburse petitioner's actual losses, to
7 the extent that such reimbursement would be
8 "appropriate temporary relief", as authorized by
9 subsection (a) (3) of Section 501 of that Act.

10 (ii) Recovery of expenses. In the case of an
11 improper concealment or removal of a minor child, the
12 court may order respondent to pay the reasonable
13 expenses incurred or to be incurred in the search for
14 and recovery of the minor child, including but not
15 limited to legal fees, court costs, private
16 investigator fees, and travel costs.

17 (14) Prohibition of entry. Prohibit the respondent
18 from entering or remaining in the residence or household
19 while the respondent is under the influence of alcohol or
20 drugs and constitutes a threat to the safety and
21 well-being of the petitioner or the petitioner's children.

22 (14.5) Prohibition of possession of firearms and
23 firearm parts; search and seizure of firearms and firearms
24 parts.

25 (A) (i) Prohibit a respondent against whom an
26 emergency, interim, or plenary order of protection was

1 issued from possessing, during the duration of the
2 order, any firearms or firearm parts that could be
3 assembled into an operable firearm if a search warrant
4 is issued under (A-1) or the order:

5 (aa) was issued after a hearing of which such
6 person received actual notice, and at which such
7 person had an opportunity to participate, or the
8 petitioner has satisfied the requirements of
9 Section 217;

10 (bb) restrains such person from using physical
11 force; harassing, stalking, or threatening an
12 intimate partner of such person or child of such
13 intimate partner or person; or engaging in other
14 conduct that would place an intimate partner in
15 reasonable fear of bodily injury to the partner or
16 child; and

17 (cc) includes a finding that such person
18 represents a credible threat to the physical
19 safety of such intimate partner or child.

20 (ii) The court shall order any respondent
21 prohibited from possessing firearms under item (i) of
22 subparagraph (A) to surrender any firearms or firearm
23 parts that could be assembled to make an operable
24 firearm. Any firearms or firearm parts on the
25 respondent's person or at the place of service shall
26 be surrendered to the serving officers at the time of

1 service of the order of protection, and any other
2 firearms or firearm parts shall be surrendered to
3 local law enforcement within 24 hours of service of
4 the order of protection. Any ~~Firearm Owner's~~
5 ~~Identification Card or~~ Concealed Carry License in the
6 possession of the respondent, except as provided in
7 subparagraph (B), shall also be ordered by the court
8 to be turned over to the officer serving the order of
9 protection at the time of service or, if not on the
10 respondent's person or at the location where the
11 respondent is served at the time of service, to local
12 law enforcement within 24 hours of service of the
13 order of protection. The law enforcement agency shall
14 immediately mail ~~the card, as well as~~ any license, to
15 the Illinois State Police ~~Firearm Owner's~~
16 ~~Identification Card Office~~ for safekeeping.

17 (A-1)(i) Upon issuance of an emergency, interim,
18 or plenary order of protection and subject to the
19 provisions of item (ii) of this subparagraph (A-1),
20 the court shall issue a search warrant for the seizure
21 of any firearms or firearm parts that could be
22 assembled to make an operable firearm belonging to the
23 respondent if the court, based upon sworn testimony,
24 finds that:

25 (aa) the respondent poses a credible threat to
26 the physical safety of the petitioner protected by

1 the order of protection; and

2 (bb) probable cause exists to believe that:

3 (I) the respondent possesses firearms or
4 firearm parts that could be assembled to make
5 an operable firearm;

6 (II) the firearms or firearm parts that
7 could be assembled to make an operable firearm
8 are located at the residence, vehicle, or
9 other property of the respondent to be
10 searched; and

11 (III) the credible threat to the physical
12 safety of the petitioner protected by the
13 order of protection is immediate and present.

14 The record shall reflect the court's findings in
15 determining whether the search warrant shall be
16 issued.

17 (ii) If the petitioner does not seek a warrant
18 under this subparagraph (A-1) or the court determines
19 that the requirements of this subparagraph (A-1) have
20 not been met, relief under subparagraph (A) alone may
21 be granted.

22 (iii) An ex parte search warrant shall be granted
23 under this subparagraph (A-1) only if the court finds
24 that:

25 (aa) the elements of item (i) of subparagraph
26 (A-1) have been met;

1 (bb) personal injury to the petitioner is
2 likely to occur if the respondent received prior
3 notice; and

4 (cc) the petitioner has otherwise satisfied
5 the requirements of Section 217 of this Act.

6 (iv) Oral testimony is sufficient in lieu of an
7 affidavit to support a finding of probable cause.

8 (v) A search warrant issued under this
9 subparagraph (A-1) shall be directed by the court for
10 enforcement to the law enforcement agency with primary
11 responsibility for responding to calls for service at
12 the location to be searched or to another appropriate
13 law enforcement agency if justified by the
14 circumstances. The search warrant shall specify with
15 particularity the scope of the search, including the
16 property to be searched, and shall direct the law
17 enforcement agency to seize the respondent's firearms
18 and firearm parts that could be assembled to make an
19 operable firearm. Law enforcement shall also be
20 directed to seize any ~~Firearm Owner's Identification~~
21 ~~Card and any~~ Concealed Carry License belonging to the
22 respondent.

23 (vi) The petitioner shall prepare an information
24 sheet, reviewed by the court, for law enforcement at
25 the time the warrant is granted. The information sheet
26 shall include:

1 (aa) contact information for the petitioner,
2 the petitioner's attorney, or both, including a
3 telephone number and email, if available;

4 (bb) a physical description of the respondent,
5 including the respondent's date of birth, if
6 known, or approximate age, height, weight, race,
7 and hair color;

8 (cc) days and times that the respondent is
9 likely to be at the property to be searched, if
10 known; and

11 (dd) whether people other than the respondent
12 are likely to be present at the property to be
13 searched and when, if known.

14 (vii) The information sheet shall be transmitted
15 to the law enforcement agency to which the search
16 warrant is directed in the same manner as the warrant
17 is transmitted under Section 222 of this Act.

18 (viii) If the court, after determining a search
19 warrant should issue, finds that the petitioner has
20 made a credible report of domestic violence to the
21 local law enforcement agency within the previous 90
22 days, law enforcement shall execute the warrant no
23 later than 96 hours after receipt of the warrant. If
24 the court finds that petitioner has not made such a
25 report, the law enforcement agency to which the court
26 has directed the warrant shall, within 48 hours of

1 receipt, evaluate the warrant and seek any corrections
2 to the warrant, and, if applicable, add to or negate
3 the warrant. The record shall reflect the court's
4 findings in determining whether to correct, add, or
5 negate the warrant. If a change is made regarding the
6 search warrant, law enforcement shall execute the
7 warrant no later than 96 hours after the correction is
8 issued. The law enforcement agency shall notify the
9 petitioner of any changes to the warrant or if the
10 warrant has been negated. The law enforcement agency
11 to which the court has directed the warrant may
12 coordinate with other law enforcement agencies to
13 execute the warrant. A return of the warrant shall be
14 filed by the law enforcement agency within 24 hours of
15 execution, setting forth the time, date, and location
16 where the warrant was executed and what items, if any,
17 were seized. If the court is not in session, the return
18 information shall be returned on the next date the
19 court is in session. Subject to the provisions of this
20 Section, peace officers shall have the same authority
21 to execute a warrant issued pursuant to this
22 subsection as a warrant issued under Article 108 of
23 the Code of Criminal Procedure of 1963.

24 (ix) Upon discovering a defect in the search
25 warrant, the appropriate law enforcement agency may
26 petition the court to correct the warrant. The law

1 enforcement agency shall notify the petitioner of any
2 such correction.

3 (x) Upon petition by the appropriate law
4 enforcement agency, the court may modify the search
5 warrant or extend the time to execute the search
6 warrant for a period of no more than 96 hours. In
7 determining whether to modify or extend the warrant,
8 the court shall consider:

9 (aa) any increased risk to the petitioner's
10 safety that may result from a modification or
11 extension of the warrant;

12 (bb) any unnecessary risk to law enforcement
13 that would be mitigated by a modification or
14 extension of the warrant;

15 (cc) any risks to third parties at the
16 location to be searched that would be mitigated by
17 a modification or extension of the warrant; and

18 (dd) the likelihood of successful execution of
19 warrant.

20 The record shall reflect the court's findings in
21 determining whether to extend or modify the warrant.
22 The law enforcement agency shall notify the petitioner
23 of any modification or extension of the warrant.

24 (xi) Service of any order of protection shall, to
25 the extent possible, be concurrent with the execution
26 of any search warrant under this paragraph.

1 (B) If the respondent is a peace officer as
2 defined in Section 2-13 of the Criminal Code of 2012,
3 the court shall order that any firearms used by the
4 respondent in the performance of his or her duties as a
5 peace officer be surrendered to the chief law
6 enforcement executive of the agency in which the
7 respondent is employed, who shall retain the firearms
8 for safekeeping for the duration of the order of
9 protection.

10 (C) (i) Any firearms or firearm parts that could be
11 assembled to make an operable firearm shall be kept by
12 the law enforcement agency that took possession of the
13 items for safekeeping, except as provided in
14 subparagraph (B). The period of safekeeping shall be
15 for the duration of the order of protection. Except as
16 provided in subparagraph (E), the respondent is
17 prohibited from transferring firearms or firearm parts
18 to another individual in lieu of surrender to law
19 enforcement. The law enforcement agency shall provide
20 an itemized statement of receipt to the respondent and
21 the court describing any seized or surrendered
22 firearms or firearm parts and informing the respondent
23 that the respondent may seek the return of the
24 respondent's items at the end of the order of
25 protection. The law enforcement agency may enter
26 arrangements, as needed, with federally licensed

1 firearm dealers or other law enforcement agencies for
2 the storage of any firearms seized or surrendered
3 under this subsection.

4 (ii) It is the respondent's responsibility to
5 request the return or reinstatement of any ~~Firearm~~
6 ~~Owner's Identification Card or~~ Concealed Carry License
7 and notify the Illinois State Police ~~Firearm Owner's~~
8 ~~Identification Card Office~~ at the end of the Order of
9 Protection.

10 (iii) At the end of the order of protection, a
11 respondent may request the return of any seized or
12 surrendered firearms or firearm parts that could be
13 assembled to make an operable firearm. Such firearms
14 or firearm parts shall be returned within 14 days of
15 the request to the respondent, if the respondent is
16 lawfully eligible to possess firearms, or to a
17 designated third party who is lawfully eligible to
18 possess firearms. If the firearms or firearm parts
19 cannot be returned to respondent because (1) the
20 respondent has not requested the return or transfer of
21 the firearms or firearm parts as set forth in this
22 subparagraph, and (2) the respondent cannot be located
23 or fails to respond to more than 3 requests to retrieve
24 the firearms or firearm parts the court may, or is not
25 lawfully eligible to possess a firearm, upon petition
26 from the appropriate law enforcement agency and notice

1 to the respondent at the respondent's last known
2 address, order the law enforcement agency to destroy
3 the firearms or firearm parts; use the firearms or
4 firearm parts for training purposes or for any other
5 application as deemed appropriate by the law
6 enforcement agency; or turn over the firearm or
7 firearm parts to a third party who is lawfully
8 eligible to possess firearms, and who does not reside
9 with respondent.

10 (D)(i) If a person other than the respondent
11 claims title to any firearms and firearm parts that
12 could be assembled to make an operable firearm seized
13 or surrendered under this subsection, the person may
14 petition the court to have the firearm and firearm
15 parts that could be assembled to make an operable
16 firearm returned to him or her with proper notice to
17 the petitioner and respondent. If, at a hearing on the
18 petition, the court determines the person to be the
19 lawful owner of the firearm and firearm parts that
20 could be assembled to make an operable firearm, the
21 firearm and firearm parts that could be assembled to
22 make an operable firearm shall be returned to the
23 person, provided that:

24 (aa) the firearm and firearm parts that could
25 be assembled to make an operable firearm are
26 removed from the respondent's custody, control, or

1 possession and the lawful owner agrees to store
2 the firearm and firearm parts that could be
3 assembled to make an operable firearm in a manner
4 such that the respondent does not have access to
5 or control of the firearm and firearm parts that
6 could be assembled to make an operable firearm;
7 and

8 (bb) the firearm and firearm parts that could
9 be assembled to make an operable firearm are not
10 otherwise unlawfully possessed by the owner.

11 (ii) The person petitioning for the return of his
12 or her firearm and firearm parts that could be
13 assembled to make an operable firearm must swear or
14 affirm by affidavit that he or she:

15 (aa) is the lawful owner of the firearm and
16 firearm parts that could be assembled to make an
17 operable firearm;

18 (bb) shall not transfer the firearm and
19 firearm parts that could be assembled to make an
20 operable firearm to the respondent; and

21 (cc) will store the firearm and firearm parts
22 that could be assembled to make an operable
23 firearm in a manner that the respondent does not
24 have access to or control of the firearm and
25 firearm parts that could be assembled to make an
26 operable firearm.

1 (E) (i) The respondent may file a motion to
2 transfer, at the next scheduled hearing, any seized or
3 surrendered firearms or firearm parts to a third
4 party. Notice of the motion shall be provided to the
5 petitioner and the third party must appear at the
6 hearing.

7 (ii) The court may order transfer of the seized or
8 surrendered firearm or firearm parts only if:

9 (aa) the third party transferee affirms by
10 affidavit to the open court that:

11 (I) the third party transferee does not
12 reside with the respondent;

13 (II) the respondent does not have access
14 to the location in which the third party
15 transferee intends to keep the firearms or
16 firearm parts;

17 (III) the third party transferee will not
18 transfer the firearm or firearm parts to the
19 respondent or anyone who resides with the
20 respondent;

21 (IV) the third party transferee will
22 maintain control and possession of the firearm
23 or firearm parts until otherwise ordered by
24 the court; and

25 (V) the third party transferee will be
26 subject to criminal penalties for transferring

1 the firearms or firearm parts to the
2 respondent; and

3 (bb) the court finds that:

4 (I) the respondent holds a valid Firearm
5 Owner's Identification; and

6 (II) the transfer of firearms or firearm
7 parts to the third party transferee does not
8 place the petitioner or any other protected
9 parties at any additional threat or risk of
10 harm.

11 (15) Prohibition of access to records. If an order of
12 protection prohibits respondent from having contact with
13 the minor child, or if petitioner's address is omitted
14 under subsection (b) of Section 203, or if necessary to
15 prevent abuse or wrongful removal or concealment of a
16 minor child, the order shall deny respondent access to,
17 and prohibit respondent from inspecting, obtaining, or
18 attempting to inspect or obtain, school or any other
19 records of the minor child who is in the care of
20 petitioner.

21 (16) Order for payment of shelter services. Order
22 respondent to reimburse a shelter providing temporary
23 housing and counseling services to the petitioner for the
24 cost of the services, as certified by the shelter and
25 deemed reasonable by the court.

26 (17) Order for injunctive relief. Enter injunctive

1 relief necessary or appropriate to prevent further abuse
2 of a family or household member or further abuse, neglect,
3 or exploitation of a high-risk adult with disabilities or
4 to effectuate one of the granted remedies, if supported by
5 the balance of hardships. If the harm to be prevented by
6 the injunction is abuse or any other harm that one of the
7 remedies listed in paragraphs (1) through (16) of this
8 subsection is designed to prevent, no further evidence is
9 necessary that the harm is an irreparable injury.

10 (18) Telephone services.

11 (A) Unless a condition described in subparagraph
12 (B) of this paragraph exists, the court may, upon
13 request by the petitioner, order a wireless telephone
14 service provider to transfer to the petitioner the
15 right to continue to use a telephone number or numbers
16 indicated by the petitioner and the financial
17 responsibility associated with the number or numbers,
18 as set forth in subparagraph (C) of this paragraph.
19 For purposes of this paragraph (18), the term
20 "wireless telephone service provider" means a provider
21 of commercial mobile service as defined in 47 U.S.C.
22 332. The petitioner may request the transfer of each
23 telephone number that the petitioner, or a minor child
24 in his or her custody, uses. The clerk of the court
25 shall serve the order on the wireless telephone
26 service provider's agent for service of process

1 provided to the Illinois Commerce Commission. The
2 order shall contain all of the following:

3 (i) The name and billing telephone number of
4 the account holder including the name of the
5 wireless telephone service provider that serves
6 the account.

7 (ii) Each telephone number that will be
8 transferred.

9 (iii) A statement that the provider transfers
10 to the petitioner all financial responsibility for
11 and right to the use of any telephone number
12 transferred under this paragraph.

13 (B) A wireless telephone service provider shall
14 terminate the respondent's use of, and shall transfer
15 to the petitioner use of, the telephone number or
16 numbers indicated in subparagraph (A) of this
17 paragraph unless it notifies the petitioner, within 72
18 hours after it receives the order, that one of the
19 following applies:

20 (i) The account holder named in the order has
21 terminated the account.

22 (ii) A difference in network technology would
23 prevent or impair the functionality of a device on
24 a network if the transfer occurs.

25 (iii) The transfer would cause a geographic or
26 other limitation on network or service provision

1 to the petitioner.

2 (iv) Another technological or operational
3 issue would prevent or impair the use of the
4 telephone number if the transfer occurs.

5 (C) The petitioner assumes all financial
6 responsibility for and right to the use of any
7 telephone number transferred under this paragraph. In
8 this paragraph, "financial responsibility" includes
9 monthly service costs and costs associated with any
10 mobile device associated with the number.

11 (D) A wireless telephone service provider may
12 apply to the petitioner its routine and customary
13 requirements for establishing an account or
14 transferring a number, including requiring the
15 petitioner to provide proof of identification,
16 financial information, and customer preferences.

17 (E) Except for willful or wanton misconduct, a
18 wireless telephone service provider is immune from
19 civil liability for its actions taken in compliance
20 with a court order issued under this paragraph.

21 (F) All wireless service providers that provide
22 services to residential customers shall provide to the
23 Illinois Commerce Commission the name and address of
24 an agent for service of orders entered under this
25 paragraph (18). Any change in status of the registered
26 agent must be reported to the Illinois Commerce

1 Commission within 30 days of such change.

2 (G) The Illinois Commerce Commission shall
3 maintain the list of registered agents for service for
4 each wireless telephone service provider on the
5 Commission's website. The Commission may consult with
6 wireless telephone service providers and the Circuit
7 Court Clerks on the manner in which this information
8 is provided and displayed.

9 (c) Relevant factors; findings.

10 (1) In determining whether to grant a specific remedy,
11 other than payment of support, the court shall consider
12 relevant factors, including but not limited to the
13 following:

14 (i) the nature, frequency, severity, pattern and
15 consequences of the respondent's past abuse, neglect
16 or exploitation of the petitioner or any family or
17 household member, including the concealment of his or
18 her location in order to evade service of process or
19 notice, and the likelihood of danger of future abuse,
20 neglect, or exploitation to petitioner or any member
21 of petitioner's or respondent's family or household;
22 and

23 (ii) the danger that any minor child will be
24 abused or neglected or improperly relocated from the
25 jurisdiction, improperly concealed within the State or
26 improperly separated from the child's primary

1 caretaker.

2 (2) In comparing relative hardships resulting to the
3 parties from loss of possession of the family home, the
4 court shall consider relevant factors, including but not
5 limited to the following:

6 (i) availability, accessibility, cost, safety,
7 adequacy, location and other characteristics of
8 alternate housing for each party and any minor child
9 or dependent adult in the party's care;

10 (ii) the effect on the party's employment; and

11 (iii) the effect on the relationship of the party,
12 and any minor child or dependent adult in the party's
13 care, to family, school, church and community.

14 (3) Subject to the exceptions set forth in paragraph
15 (4) of this subsection, the court shall make its findings
16 in an official record or in writing, and shall at a minimum
17 set forth the following:

18 (i) That the court has considered the applicable
19 relevant factors described in paragraphs (1) and (2)
20 of this subsection.

21 (ii) Whether the conduct or actions of respondent,
22 unless prohibited, will likely cause irreparable harm
23 or continued abuse.

24 (iii) Whether it is necessary to grant the
25 requested relief in order to protect petitioner or
26 other alleged abused persons.

1 (4) For purposes of issuing an ex parte emergency
2 order of protection, the court, as an alternative to or as
3 a supplement to making the findings described in
4 paragraphs (c)(3)(i) through (c)(3)(iii) of this
5 subsection, may use the following procedure:

6 When a verified petition for an emergency order of
7 protection in accordance with the requirements of Sections
8 203 and 217 is presented to the court, the court shall
9 examine petitioner on oath or affirmation. An emergency
10 order of protection shall be issued by the court if it
11 appears from the contents of the petition and the
12 examination of petitioner that the averments are
13 sufficient to indicate abuse by respondent and to support
14 the granting of relief under the issuance of the emergency
15 order of protection.

16 (5) Never married parties. No rights or
17 responsibilities for a minor child born outside of
18 marriage attach to a putative father until a father and
19 child relationship has been established under the Illinois
20 Parentage Act of 1984, the Illinois Parentage Act of 2015,
21 the Illinois Public Aid Code, Section 12 of the Vital
22 Records Act, the Juvenile Court Act of 1987, the Probate
23 Act of 1975, the Revised Uniform Reciprocal Enforcement of
24 Support Act, the Uniform Interstate Family Support Act,
25 the Expedited Child Support Act of 1990, any judicial,
26 administrative, or other act of another state or

1 territory, any other Illinois statute, or by any foreign
2 nation establishing the father and child relationship, any
3 other proceeding substantially in conformity with the
4 Personal Responsibility and Work Opportunity
5 Reconciliation Act of 1996 (Pub. L. 104-193), or where
6 both parties appeared in open court or at an
7 administrative hearing acknowledging under oath or
8 admitting by affirmation the existence of a father and
9 child relationship. Absent such an adjudication, finding,
10 or acknowledgment, no putative father shall be granted
11 temporary allocation of parental responsibilities,
12 including parenting time with the minor child, or physical
13 care and possession of the minor child, nor shall an order
14 of payment for support of the minor child be entered.

15 (d) Balance of hardships; findings. If the court finds
16 that the balance of hardships does not support the granting of
17 a remedy governed by paragraph (2), (3), (10), (11), or (16) of
18 subsection (b) of this Section, which may require such
19 balancing, the court's findings shall so indicate and shall
20 include a finding as to whether granting the remedy will
21 result in hardship to respondent that would substantially
22 outweigh the hardship to petitioner from denial of the remedy.
23 The findings shall be an official record or in writing.

24 (e) Denial of remedies. Denial of any remedy shall not be
25 based, in whole or in part, on evidence that:

26 (1) Respondent has cause for any use of force, unless

1 that cause satisfies the standards for justifiable use of
2 force provided by Article 7 of the Criminal Code of 2012;

3 (2) Respondent was voluntarily intoxicated;

4 (3) Petitioner acted in self-defense or defense of
5 another, provided that, if petitioner utilized force, such
6 force was justifiable under Article 7 of the Criminal Code
7 of 2012;

8 (4) Petitioner did not act in self-defense or defense
9 of another;

10 (5) Petitioner left the residence or household to
11 avoid further abuse, neglect, or exploitation by
12 respondent;

13 (6) Petitioner did not leave the residence or
14 household to avoid further abuse, neglect, or exploitation
15 by respondent;

16 (7) Conduct by any family or household member excused
17 the abuse, neglect, or exploitation by respondent, unless
18 that same conduct would have excused such abuse, neglect,
19 or exploitation if the parties had not been family or
20 household members.

21 (Source: P.A. 102-538, eff. 8-20-21; 103-1065, eff. 5-11-25.)

22 Section 110. The Revised Uniform Unclaimed Property Act is
23 amended by changing Section 15-705 as follows:

24 (765 ILCS 1026/15-705)

1 Sec. 15-705. Exceptions to the sale of tangible property.
2 The administrator shall dispose of tangible property
3 identified by this Section in accordance with this Section.

4 (a) Military medals or decorations. The administrator may
5 not sell a medal or decoration awarded for military service in
6 the armed forces of the United States. Instead, the
7 administrator, with the consent of the respective organization
8 under paragraph (1), agency under paragraph (2), or entity
9 under paragraph (3), may deliver a medal or decoration to be
10 held in custody for the owner, to:

11 (1) a military veterans organization qualified under
12 Section 501(c)(19) of the Internal Revenue Code;

13 (2) the agency that awarded the medal or decoration;
14 or

15 (3) a governmental entity.

16 After delivery, the administrator is not responsible for
17 the safekeeping of the medal or decoration.

18 (b) Property with historical value. Property that the
19 administrator reasonably believes may have historical value
20 may be, at his or her discretion, loaned to an accredited
21 museum in the United States where it will be kept until such
22 time as the administrator orders it to be returned to his or
23 her custody.

24 (c) Human remains. If human remains are delivered to the
25 administrator under this Act, the administrator shall deliver
26 those human remains to the coroner of the county in which the

1 human remains were abandoned for disposition under Section
2 3-3034 of the Counties Code. The only human remains that may be
3 delivered to the administrator under this Act and that the
4 administrator may receive are those that are reported and
5 delivered as contents of a safe deposit box.

6 (d) Evidence in a criminal investigation. Property that
7 may have been used in the commission of a crime or that may
8 assist in the investigation of a crime, as determined after
9 consulting with the Illinois State Police, shall be delivered
10 to the Illinois State Police or other appropriate law
11 enforcement authority to allow law enforcement to determine
12 whether a criminal investigation should take place. Any such
13 property delivered to a law enforcement authority shall be
14 held in accordance with existing statutes and rules related to
15 the gathering, retention, and release of evidence.

16 (e) Firearms.

17 (1) The administrator, in cooperation with the
18 Illinois State Police, shall develop a procedure to
19 determine whether a firearm delivered to the administrator
20 under this Act has been stolen or used in the commission of
21 a crime. The Illinois State Police shall determine the
22 appropriate disposition of a firearm that has been stolen
23 or used in the commission of a crime. The administrator
24 shall attempt to return a firearm that has not been stolen
25 or used in the commission of a crime to the rightful owner
26 if the Illinois State Police determines that the owner may

1 lawfully possess the firearm.

2 (2) If the administrator is unable to return a firearm
3 to its owner, the administrator shall transfer custody of
4 the firearm to the Illinois State Police. Legal title to a
5 firearm transferred to the Illinois State Police under
6 this subsection (e) is vested in the Illinois State Police
7 by operation of law if:

8 (i) the administrator cannot locate the owner of
9 the firearm;

10 (ii) the owner of the firearm may not lawfully
11 possess the firearm;

12 (iii) the apparent owner does not respond to
13 notice published under Section 15-503 of this Act; or

14 (iv) the apparent owner responds to notice
15 published under Section 15-502 and states that he or
16 she no longer claims an interest in the firearm.

17 (3) With respect to a firearm whose title is
18 transferred to the Illinois State Police under this
19 subsection (e), the Illinois State Police may:

20 (i) retain the firearm for use by the crime
21 laboratory system, for training purposes, or for any
22 other application as deemed appropriate by the
23 Department;

24 (ii) transfer the firearm to the Illinois State
25 Museum if the firearm has historical value; or

26 (iii) destroy the firearm if it is not retained

1 pursuant to subparagraph (i) or transferred pursuant
2 to subparagraph (ii).

3 As used in this subsection, "firearm" has the meaning
4 provided in Section 2-7.5 of the Criminal Code of 2012 ~~the~~
5 ~~Firearm Owners Identification Card Act.~~

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

7 Section 115. The Consumer Fraud and Deceptive Business
8 Practices Act is amended by changing Section 2DDDD as follows:

9 (815 ILCS 505/2DDDD)

10 Sec. 2DDDD. Sale and marketing of firearms.

11 (a) As used in this Section:

12 "Firearm" has the meaning set forth in Section 2-7.5 of
13 the Criminal Code of 2012 ~~1.1 of the Firearm Owners~~
14 ~~Identification Card Act.~~

15 "Firearm accessory" means an attachment or device designed
16 or adapted to be inserted into, affixed onto, or used in
17 conjunction with a firearm that is designed, intended, or
18 functions to alter or enhance (i) the firing capabilities of a
19 firearm, frame, or receiver, (ii) the lethality of the
20 firearm, or (iii) a shooter's ability to hold and use a
21 firearm.

22 "Firearm ammunition" has the meaning set forth in Section
23 2-7.1 of the Criminal Code of 2012 ~~1.1 of the Firearm Owners~~
24 ~~Identification Card Act.~~

1 "Firearm industry member" means a person, firm,
2 corporation, company, partnership, society, joint stock
3 company, or any other entity or association engaged in the
4 design, manufacture, distribution, importation, marketing,
5 wholesale, or retail sale of firearm-related products,
6 including sales by mail, telephone, or Internet or in-person
7 sales.

8 "Firearm-related product" means a firearm, firearm
9 ammunition, a firearm precursor part, a firearm component, or
10 a firearm accessory that meets any of the following
11 conditions:

12 (1) the item is sold, made, or distributed in
13 Illinois;

14 (2) the item is intended to be sold or distributed in
15 Illinois; or

16 (3) the item is or was possessed in Illinois, and it
17 was reasonably foreseeable that the item would be
18 possessed in Illinois.

19 "Straw purchaser" means a person who (i) knowingly
20 purchases or attempts to purchase a firearm-related product
21 with intent to deliver that firearm-related product to another
22 person who is prohibited by federal or State law from
23 possessing a firearm-related product or (ii) intentionally
24 provides false or misleading information on a Bureau of
25 Alcohol, Tobacco, Firearms and Explosives firearms transaction
26 record form to purchase a firearm-related product with the

1 intent to deliver that firearm-related product to another
2 person.

3 "Unlawful paramilitary or private militia" means a group
4 of armed individuals, organized privately, in violation of the
5 Military Code of Illinois and Section 2 of Article XII of the
6 Illinois Constitution.

7 (b) It is an unlawful practice within the meaning of this
8 Act for any firearm industry member, through the sale,
9 manufacturing, importing, or marketing of a firearm-related
10 product, to do any of the following:

11 (1) Knowingly create, maintain, or contribute to a
12 condition in Illinois that endangers the safety or health
13 of the public by conduct either unlawful in itself or
14 unreasonable under all circumstances, including failing to
15 establish or utilize reasonable controls. Reasonable
16 controls include reasonable procedures, safeguards, and
17 business practices that are designed to:

18 (A) prevent the sale or distribution of a
19 firearm-related product to a straw purchaser, a person
20 prohibited by law from possessing a firearm, or a
21 person who the firearm industry member has reasonable
22 cause to believe is at substantial risk of using a
23 firearm-related product to harm themselves or another
24 individual or of possessing or using a firearm-related
25 product unlawfully;

26 (B) prevent the loss or theft of a firearm-related

1 product from the firearm industry member; or

2 (C) comply with all provisions of applicable
3 local, State, and federal law, and do not otherwise
4 promote the unlawful manufacture, sale, possession,
5 marketing, or use of a firearm-related product.

6 (2) Advertise, market, or promote a firearm-related
7 product in a manner that reasonably appears to support,
8 recommend, or encourage individuals to engage in unlawful
9 paramilitary or private militia activity in Illinois, or
10 individuals who are not in the National Guard, United
11 States armed forces reserves, United States armed forces,
12 or any duly authorized military organization to use a
13 firearm-related product for a military-related purpose in
14 Illinois.

15 (3) Except as otherwise provided, advertise, market,
16 promote, design, or sell any firearm-related product in a
17 manner that reasonably appears to support, recommend, or
18 encourage persons under 18 years of age to unlawfully
19 purchase or possess or use a firearm-related product in
20 Illinois.

21 (A) In determining whether the conduct of a
22 firearm industry member, as described in this
23 paragraph, reasonably appears to support, recommend,
24 or encourage persons under 18 years of age to
25 unlawfully purchase a firearm-related product, a court
26 shall consider the totality of the circumstances,

1 including, but not limited to, whether the marketing,
2 advertising promotion, design, or sale:

3 (i) uses caricatures that reasonably appear to
4 be minors or cartoon characters;

5 (ii) offers brand name merchandise for minors,
6 including, but not limited to, clothing, toys,
7 games, or stuffed animals, that promotes a firearm
8 industry member or firearm-related product;

9 (iii) offers firearm-related products in
10 sizes, colors, or designs that are specifically
11 designed to be used by, or appeal to, minors;

12 (iv) is part of a marketing, advertising, or
13 promotion campaign designed with the intent to
14 appeal to minors;

15 (v) uses images or depictions of minors in
16 advertising or marketing, or promotion materials,
17 to depict the use of firearm-related products; or

18 (vi) is placed in a publication created for
19 the purpose of reaching an audience that is
20 predominantly composed of minors and not intended
21 for a more general audience composed of adults.

22 (B) This paragraph does not apply to
23 communications or promotional materials regarding
24 lawful recreational activity with a firearm, such as,
25 but not limited to, practice shooting at targets on
26 established public or private target ranges or

1 hunting, trapping, or fishing in accordance with the
2 Wildlife Code or the Fish and Aquatic Life Code.

3 (4) Otherwise engage in unfair methods of competition
4 or unfair or deceptive acts or practices declared unlawful
5 under Section 2 of this Act.

6 (c) Paragraphs (2), (3), and (4) of subsection (b) are
7 declarative of existing law and shall not be construed as new
8 enactments. The provisions of these paragraphs shall apply to
9 all actions commenced or pending on or after August 14, 2023
10 (the effective date of Public Act 103-559).

11 (d) The provisions of this Section are severable under
12 Section 1.31 of the Statute on Statutes.

13 (Source: P.A. 103-559, eff. 8-14-23; 103-605, eff. 7-1-24.)

14 Section 950. No acceleration or delay. Where this Act
15 makes changes in a statute that is represented in this Act by
16 text that is not yet or no longer in effect (for example, a
17 Section represented by multiple versions), the use of that
18 text does not accelerate or delay the taking effect of (i) the
19 changes made by this Act or (ii) provisions derived from any
20 other Public Act.

21 Section 999. Effective date. This Act takes effect upon
22 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 5 ILCS 120/2 from Ch. 102, par. 42
4 5 ILCS 140/7.5
5 5 ILCS 805/15
6 5 ILCS 830/10-5
7 5 ILCS 840/40
8 20 ILCS 805/805-538
9 20 ILCS 2505/2505-306
10 20 ILCS 2605/2605-10 was 20 ILCS 2605/55a in part
11 20 ILCS 2605/2605-45 was 20 ILCS 2605/55a-5
12 20 ILCS 2605/2605-200 was 20 ILCS 2605/55a in part
13 20 ILCS 2605/2605-595
14 20 ILCS 2605/2605-120 rep.
15 20 ILCS 2605/2605-304 rep.
16 20 ILCS 2610/17b
17 20 ILCS 2630/2.2
18 20 ILCS 2910/1 from Ch. 127 1/2, par. 501
19 20 ILCS 3930/7.9
20 30 ILCS 105/6z-99
21 30 ILCS 105/6z-127
22 30 ILCS 500/1-10
23 30 ILCS 715/3 from Ch. 56 1/2, par. 1703
24 50 ILCS 710/1 from Ch. 85, par. 515
25 55 ILCS 5/3-6042

1	105 ILCS 5/10-22.6	from Ch. 122, par. 10-22.6
2	105 ILCS 5/10-27.1A	
3	105 ILCS 5/34-8.05	
4	225 ILCS 210/2005	from Ch. 96 1/2, par. 1-2005
5	225 ILCS 447/35-30	
6	225 ILCS 447/35-35	
7	230 ILCS 10/5.4	
8	405 ILCS 5/1-106	from Ch. 91 1/2, par. 1-106
9	405 ILCS 5/1-116	from Ch. 91 1/2, par. 1-116
10	405 ILCS 5/6-103.1	
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13	410 ILCS 45/2	from Ch. 111 1/2, par. 1302
14	430 ILCS 65/Act rep.	
15	430 ILCS 66/25	
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2	520 ILCS 5/3.2	from Ch. 61, par. 3.2
3	520 ILCS 5/3.2a	from Ch. 61, par. 3.2a
4	625 ILCS 5/2-116	from Ch. 95 1/2, par. 2-116
5	720 ILCS 5/2-7.1	
6	720 ILCS 5/2-7.5	
7	720 ILCS 5/12-3.05	was 720 ILCS 5/12-4
8	720 ILCS 5/16-0.1	
9	720 ILCS 5/17-30	was 720 ILCS 5/16C-2
10	720 ILCS 5/24-1	from Ch. 38, par. 24-1
11	720 ILCS 5/24-1.1	from Ch. 38, par. 24-1.1
12	720 ILCS 5/24-1.6	
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15	720 ILCS 5/24-1.10	
16	720 ILCS 5/24-2	
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18	720 ILCS 5/24-3.1	from Ch. 38, par. 24-3.1
19	720 ILCS 5/24-3.2	from Ch. 38, par. 24-3.2
20	720 ILCS 5/24-3.4	from Ch. 38, par. 24-3.4
21	720 ILCS 5/24-3.5	
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4	725 ILCS 5/112A-5.5	
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9	725 ILCS 5/112A-17.5	
10	730 ILCS 5/3-2-10.5	
11	730 ILCS 5/5-5-3	
12	730 ILCS 5/5-5-3.2	
13	730 ILCS 5/5-6-3	from Ch. 38, par. 1005-6-3
14	730 ILCS 5/3-2-13 rep.	
15	740 ILCS 21/80	
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