



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3298

Introduced 2/19/2021, by Rep. Lance Yednock

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-1 from Ch. 38, par. 24-1
720 ILCS 5/24-1.6
720 ILCS 5/24-2

Amends the Criminal Code of 2012. Provides that a person who has been issued a currently valid Firearm Owner's Identification Card may transport in a vehicle an accessible rifle, shotgun, or other long gun without the weapon being broken down in a non-functioning state or without the weapon being enclosed in a case, firearm carrying box, shipping box, or other container if the firearm is unloaded.

LRB102 13603 KMF 18952 b

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 2012 is amended by
5 changing Sections 24-1, 24-1.6, and 24-2 as follows:

6 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

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

20 (2) Carries or possesses with intent to use the same
21 unlawfully against another, a dagger, dirk, billy,
22 dangerous knife, razor, stiletto, broken bottle or other
23 piece of glass, stun gun or taser or any other dangerous or

1 deadly weapon or instrument of like character; or

2 (2.5) Carries or possesses with intent to use the same
3 unlawfully against another, any firearm in a church,
4 synagogue, mosque, or other building, structure, or place
5 used for religious worship; or

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

12 (4) Carries or possesses in any vehicle or concealed
13 on or about his person except when on his land or in his
14 own abode, legal dwelling, or fixed place of business, or
15 on the land or in the legal dwelling of another person as
16 an invitee with that person's permission, any pistol,
17 revolver, stun gun or taser or other firearm, except that
18 this subsection (a) (4) does not apply to or affect
19 transportation of:

20 (A) weapons, other than rifles, shotguns, or other
21 long guns that are transported in a vehicle, that meet
22 one of the following conditions:

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

25 (ii) are not immediately accessible; or

26 (iii) are unloaded and enclosed in a case,

1 firearm carrying box, shipping box, or other
2 container by a person who has been issued a
3 currently valid Firearm Owner's Identification
4 Card; or

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

9 (B) rifles, shotguns, or other long guns in a
10 vehicle by a person who has been issued a currently
11 valid Firearm Owner's Identification Card if the
12 firearms are unloaded; or

13 (5) Sets a spring gun; or

14 (6) Possesses any device or attachment of any kind
15 designed, used or intended for use in silencing the report
16 of any firearm; or

17 (7) Sells, manufactures, purchases, possesses or
18 carries:

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

1 intended for use in converting any weapon into a
2 machine gun, or any combination or parts from which a
3 machine gun can be assembled if such parts are in the
4 possession or under the control of a person;

5 (ii) any rifle having one or more barrels less
6 than 16 inches in length or a shotgun having one or
7 more barrels less than 18 inches in length or any
8 weapon made from a rifle or shotgun, whether by
9 alteration, modification, or otherwise, if such a
10 weapon as modified has an overall length of less than
11 26 inches; or

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

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

25 This subsection (a) (8) does not apply to any auction
26 or raffle of a firearm held pursuant to a license or permit

1 issued by a governmental body, nor does it apply to
2 persons engaged in firearm safety training courses; or

3 (9) Carries or possesses in a vehicle or on or about
4 his or her person any pistol, revolver, stun gun or taser
5 or firearm or ballistic knife, when he or she is hooded,
6 robed or masked in such manner as to conceal his or her
7 identity; or

8 (10) Carries or possesses on or about his or her
9 person, upon any public street, alley, or other public
10 lands within the corporate limits of a city, village, or
11 incorporated town, except when an invitee thereon or
12 therein, for the purpose of the display of such weapon or
13 the lawful commerce in weapons, or except when on his land
14 or in his or her own abode, legal dwelling, or fixed place
15 of business, or on the land or in the legal dwelling of
16 another person as an invitee with that person's
17 permission, any pistol, revolver, stun gun, or taser or
18 other firearm, except that this subsection (a) (10) does
19 not apply to or affect transportation of weapons as
20 provided in subsection 24-1(a)(4)(B) or that meet one of
21 the following conditions:

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

23 (ii) are not immediately accessible; or

24 (iii) are unloaded and enclosed in a case, firearm
25 carrying box, shipping box, or other container by a
26 person who has been issued a currently valid Firearm

1 Owner's Identification Card; or

2 (iv) are carried or possessed in accordance with
3 the Firearm Concealed Carry Act by a person who has
4 been issued a currently valid license under the
5 Firearm Concealed Carry Act.

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

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

1 or

2 (12) (Blank); or

3 (13) Carries or possesses on or about his or her
4 person while in a building occupied by a unit of
5 government, a billy club, other weapon of like character,
6 or other instrument of like character intended for use as
7 a weapon. For the purposes of this Section, "billy club"
8 means a short stick or club commonly carried by police
9 officers which is either telescopic or constructed of a
10 solid piece of wood or other man-made material.

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

1 felony. A person convicted of a violation of subsection
2 24-1(a)(2.5) commits a Class 2 felony. The possession of each
3 weapon in violation of this Section constitutes a single and
4 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 who possesses a currently valid Firearm
18 Owner's Identification Card previously issued in his or
19 her name by the Department of State Police or to a person
20 or an entity engaged in the business of selling or
21 manufacturing switchblade knives.

22 (Source: P.A. 100-82, eff. 8-11-17; 101-223, eff. 1-1-20.)

23 (720 ILCS 5/24-1.6)

24 Sec. 24-1.6. Aggravated unlawful use of a weapon.

25 (a) A person commits the offense of aggravated unlawful

1 use of a weapon when he or she knowingly:

2 (1) Carries on or about his or her person or in any
3 vehicle or concealed on or about his or her person except
4 when on his or her land or in his or her abode, legal
5 dwelling, or fixed place of business, or on the land or in
6 the legal dwelling of another person as an invitee with
7 that person's permission, any pistol, revolver, stun gun
8 or taser or other firearm; or

9 (2) Carries or possesses on or about his or her
10 person, upon any public street, alley, or other public
11 lands within the corporate limits of a city, village or
12 incorporated town, except when an invitee thereon or
13 therein, for the purpose of the display of such weapon or
14 the lawful commerce in weapons, or except when on his or
15 her own land or in his or her own abode, legal dwelling, or
16 fixed place of business, or on the land or in the legal
17 dwelling of another person as an invitee with that
18 person's permission, any pistol, revolver, stun gun or
19 taser or other firearm; and

20 (3) One of the following factors is present:

21 (A) the firearm, other than a pistol, revolver, or
22 handgun, possessed was uncased, loaded, and
23 immediately accessible at the time of the offense; or

24 (A-5) the pistol, revolver, or handgun possessed
25 was uncased, loaded, and immediately accessible at the
26 time of the offense and the person possessing the

1 pistol, revolver, or handgun has not been issued a
2 currently valid license under the Firearm Concealed
3 Carry Act; or

4 (B) the firearm, other than a pistol, revolver, or
5 handgun, possessed was uncased, unloaded, and the
6 ammunition for the weapon was immediately accessible
7 at the time of the offense; or

8 (B-5) the pistol, revolver, or handgun possessed
9 was uncased, unloaded, and the ammunition for the
10 weapon was immediately accessible at the time of the
11 offense and the person possessing the pistol,
12 revolver, or handgun has not been issued a currently
13 valid license under the Firearm Concealed Carry Act;
14 or

15 (C) the person possessing the firearm has not been
16 issued a currently valid Firearm Owner's
17 Identification Card; or

18 (D) the person possessing the weapon was
19 previously adjudicated a delinquent minor under the
20 Juvenile Court Act of 1987 for an act that if committed
21 by an adult would be a felony; or

22 (E) the person possessing the weapon was engaged
23 in a misdemeanor violation of the Cannabis Control
24 Act, in a misdemeanor violation of the Illinois
25 Controlled Substances Act, or in a misdemeanor
26 violation of the Methamphetamine Control and Community

1 Protection Act; or

2 (F) (blank); or

3 (G) the person possessing the weapon had an order
4 of protection issued against him or her within the
5 previous 2 years; or

6 (H) the person possessing the weapon was engaged
7 in the commission or attempted commission of a
8 misdemeanor involving the use or threat of violence
9 against the person or property of another; or

10 (I) the person possessing the weapon was under 21
11 years of age and in possession of a handgun, unless the
12 person under 21 is engaged in lawful activities under
13 the Wildlife Code or described in subsection
14 24-2(b)(1), (b)(3), or 24-2(f).

15 (a-5) "Handgun" as used in this Section has the meaning
16 given to it in Section 5 of the Firearm Concealed Carry Act.

17 (b) "Stun gun or taser" as used in this Section has the
18 same definition given to it in Section 24-1 of this Code.

19 (c) This Section does not apply to or affect the
20 transportation or possession of weapons as provided in
21 subsection 24-1(a)(4)(B) or that:

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

23 (ii) are not immediately accessible; or

24 (iii) are unloaded and enclosed in a case, firearm
25 carrying box, shipping box, or other container by a person
26 who has been issued a currently valid Firearm Owner's

1 Identification Card.

2 (d) Sentence.

3 (1) Aggravated unlawful use of a weapon is a Class 4
4 felony; a second or subsequent offense is a Class 2 felony
5 for which the person shall be sentenced to a term of
6 imprisonment of not less than 3 years and not more than 7
7 years, except as provided for in Section 5-4.5-110 of the
8 Unified Code of Corrections.

9 (2) Except as otherwise provided in paragraphs (3) and
10 (4) of this subsection (d), a first offense of aggravated
11 unlawful use of a weapon committed with a firearm by a
12 person 18 years of age or older where the factors listed in
13 both items (A) and (C) or both items (A-5) and (C) of
14 paragraph (3) of subsection (a) are present is a Class 4
15 felony, for which the person shall be sentenced to a term
16 of imprisonment of not less than one year and not more than
17 3 years.

18 (3) Aggravated unlawful use of a weapon by a person
19 who has been previously convicted of a felony in this
20 State or another jurisdiction is a Class 2 felony for
21 which the person shall be sentenced to a term of
22 imprisonment of not less than 3 years and not more than 7
23 years, except as provided for in Section 5-4.5-110 of the
24 Unified Code of Corrections.

25 (4) Aggravated unlawful use of a weapon while wearing
26 or in possession of body armor as defined in Section 33F-1

1 by a person who has not been issued a valid Firearms
2 Owner's Identification Card in accordance with Section 5
3 of the Firearm Owners Identification Card Act is a Class X
4 felony.

5 (e) The possession of each firearm in violation of this
6 Section constitutes a single and separate violation.

7 (Source: P.A. 100-3, eff. 1-1-18; 100-201, eff. 8-18-17.)

8 (720 ILCS 5/24-2)

9 Sec. 24-2. Exemptions.

10 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
11 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
12 the following:

13 (1) Peace officers, and any person summoned by a peace
14 officer to assist in making arrests or preserving the
15 peace, while actually engaged in assisting such officer.

16 (2) Wardens, superintendents and keepers of prisons,
17 penitentiaries, jails and other institutions for the
18 detention of persons accused or convicted of an offense,
19 while in the performance of their official duty, or while
20 commuting between their homes and places of employment.

21 (3) Members of the Armed Services or Reserve Forces of
22 the United States or the Illinois National Guard or the
23 Reserve Officers Training Corps, while in the performance
24 of their official duty.

25 (4) Special agents employed by a railroad or a public

1 utility to perform police functions, and guards of armored
2 car companies, while actually engaged in the performance
3 of the duties of their employment or commuting between
4 their homes and places of employment; and watchmen while
5 actually engaged in the performance of the duties of their
6 employment.

7 (5) Persons licensed as private security contractors,
8 private detectives, or private alarm contractors, or
9 employed by a private security contractor, private
10 detective, or private alarm contractor agency licensed by
11 the Department of Financial and Professional Regulation,
12 if their duties include the carrying of a weapon under the
13 provisions of the Private Detective, Private Alarm,
14 Private Security, Fingerprint Vendor, and Locksmith Act of
15 2004, while actually engaged in the performance of the
16 duties of their employment or commuting between their
17 homes and places of employment. A person shall be
18 considered eligible for this exemption if he or she has
19 completed the required 20 hours of training for a private
20 security contractor, private detective, or private alarm
21 contractor, or employee of a licensed private security
22 contractor, private detective, or private alarm contractor
23 agency and 20 hours of required firearm training, and has
24 been issued a firearm control card by the Department of
25 Financial and Professional Regulation. Conditions for the
26 renewal of firearm control cards issued under the

1 provisions of this Section shall be the same as for those
2 cards issued under the provisions of the Private
3 Detective, Private Alarm, Private Security, Fingerprint
4 Vendor, and Locksmith Act of 2004. The firearm control
5 card shall be carried by the private security contractor,
6 private detective, or private alarm contractor, or
7 employee of the licensed private security contractor,
8 private detective, or private alarm contractor agency at
9 all times when he or she is in possession of a concealable
10 weapon permitted by his or her firearm control card.

11 (6) Any person regularly employed in a commercial or
12 industrial operation as a security guard for the
13 protection of persons employed and private property
14 related to such commercial or industrial operation, while
15 actually engaged in the performance of his or her duty or
16 traveling between sites or properties belonging to the
17 employer, and who, as a security guard, is a member of a
18 security force registered with the Department of Financial
19 and Professional Regulation; provided that such security
20 guard has successfully completed a course of study,
21 approved by and supervised by the Department of Financial
22 and Professional Regulation, consisting of not less than
23 40 hours of training that includes the theory of law
24 enforcement, liability for acts, and the handling of
25 weapons. A person shall be considered eligible for this
26 exemption if he or she has completed the required 20 hours

1 of training for a security officer and 20 hours of
2 required firearm training, and has been issued a firearm
3 control card by the Department of Financial and
4 Professional Regulation. Conditions for the renewal of
5 firearm control cards issued under the provisions of this
6 Section shall be the same as for those cards issued under
7 the provisions of the Private Detective, Private Alarm,
8 Private Security, Fingerprint Vendor, and Locksmith Act of
9 2004. The firearm control card shall be carried by the
10 security guard at all times when he or she is in possession
11 of a concealable weapon permitted by his or her firearm
12 control card.

13 (7) Agents and investigators of the Illinois
14 Legislative Investigating Commission authorized by the
15 Commission to carry the weapons specified in subsections
16 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
17 any investigation for the Commission.

18 (8) Persons employed by a financial institution as a
19 security guard for the protection of other employees and
20 property related to such financial institution, while
21 actually engaged in the performance of their duties,
22 commuting between their homes and places of employment, or
23 traveling between sites or properties owned or operated by
24 such financial institution, and who, as a security guard,
25 is a member of a security force registered with the
26 Department; provided that any person so employed has

1 successfully completed a course of study, approved by and
2 supervised by the Department of Financial and Professional
3 Regulation, consisting of not less than 40 hours of
4 training which includes theory of law enforcement,
5 liability for acts, and the handling of weapons. A person
6 shall be considered to be eligible for this exemption if
7 he or she has completed the required 20 hours of training
8 for a security officer and 20 hours of required firearm
9 training, and has been issued a firearm control card by
10 the Department of Financial and Professional Regulation.
11 Conditions for renewal of firearm control cards issued
12 under the provisions of this Section shall be the same as
13 for those issued under the provisions of the Private
14 Detective, Private Alarm, Private Security, Fingerprint
15 Vendor, and Locksmith Act of 2004. The firearm control
16 card shall be carried by the security guard at all times
17 when he or she is in possession of a concealable weapon
18 permitted by his or her firearm control card. For purposes
19 of this subsection, "financial institution" means a bank,
20 savings and loan association, credit union or company
21 providing armored car services.

22 (9) Any person employed by an armored car company to
23 drive an armored car, while actually engaged in the
24 performance of his duties.

25 (10) Persons who have been classified as peace
26 officers pursuant to the Peace Officer Fire Investigation

1 Act.

2 (11) Investigators of the Office of the State's
3 Attorneys Appellate Prosecutor authorized by the board of
4 governors of the Office of the State's Attorneys Appellate
5 Prosecutor to carry weapons pursuant to Section 7.06 of
6 the State's Attorneys Appellate Prosecutor's Act.

7 (12) Special investigators appointed by a State's
8 Attorney under Section 3-9005 of the Counties Code.

9 (12.5) Probation officers while in the performance of
10 their duties, or while commuting between their homes,
11 places of employment or specific locations that are part
12 of their assigned duties, with the consent of the chief
13 judge of the circuit for which they are employed, if they
14 have received weapons training according to requirements
15 of the Peace Officer and Probation Officer Firearm
16 Training Act.

17 (13) Court Security Officers while in the performance
18 of their official duties, or while commuting between their
19 homes and places of employment, with the consent of the
20 Sheriff.

21 (13.5) A person employed as an armed security guard at
22 a nuclear energy, storage, weapons or development site or
23 facility regulated by the Nuclear Regulatory Commission
24 who has completed the background screening and training
25 mandated by the rules and regulations of the Nuclear
26 Regulatory Commission.

1 (14) Manufacture, transportation, or sale of weapons
2 to persons authorized under subdivisions (1) through
3 (13.5) of this subsection to possess those weapons.

4 (a-5) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply
5 to or affect any person carrying a concealed pistol, revolver,
6 or handgun and the person has been issued a currently valid
7 license under the Firearm Concealed Carry Act at the time of
8 the commission of the offense.

9 (a-6) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply
10 to or affect a qualified current or retired law enforcement
11 officer qualified under the laws of this State or under the
12 federal Law Enforcement Officers Safety Act.

13 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
14 24-1.6 do not apply to or affect any of the following:

15 (1) Members of any club or organization organized for
16 the purpose of practicing shooting at targets upon
17 established target ranges, whether public or private, and
18 patrons of such ranges, while such members or patrons are
19 using their firearms on those target ranges.

20 (2) Duly authorized military or civil organizations
21 while parading, with the special permission of the
22 Governor.

23 (3) Hunters, trappers or fishermen with a license or
24 permit while engaged in hunting, trapping or fishing.

25 (4) Transportation of weapons that are broken down in
26 a non-functioning state or are not immediately accessible.

1 (5) Carrying or possessing any pistol, revolver, stun
2 gun or taser or other firearm on the land or in the legal
3 dwelling of another person as an invitee with that
4 person's permission.

5 (c) Subsection 24-1(a)(7) does not apply to or affect any
6 of the following:

7 (1) Peace officers while in performance of their
8 official duties.

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

12 (3) Members of the Armed Services or Reserve Forces of
13 the United States or the Illinois National Guard, while in
14 the performance of their official duty.

15 (4) Manufacture, transportation, or sale of machine
16 guns to persons authorized under subdivisions (1) through
17 (3) of this subsection to possess machine guns, if the
18 machine guns are broken down in a non-functioning state or
19 are not immediately accessible.

20 (5) Persons licensed under federal law to manufacture
21 any weapon from which 8 or more shots or bullets can be
22 discharged by a single function of the firing device, or
23 ammunition for such weapons, and actually engaged in the
24 business of manufacturing such weapons or ammunition, but
25 only with respect to activities which are within the
26 lawful scope of such business, such as the manufacture,

1 transportation, or testing of such weapons or ammunition.
2 This exemption does not authorize the general private
3 possession of any weapon from which 8 or more shots or
4 bullets can be discharged by a single function of the
5 firing device, but only such possession and activities as
6 are within the lawful scope of a licensed manufacturing
7 business described in this paragraph.

8 During transportation, such weapons shall be broken
9 down in a non-functioning state or not immediately
10 accessible.

11 (6) The manufacture, transport, testing, delivery,
12 transfer or sale, and all lawful commercial or
13 experimental activities necessary thereto, of rifles,
14 shotguns, and weapons made from rifles or shotguns, or
15 ammunition for such rifles, shotguns or weapons, where
16 engaged in by a person operating as a contractor or
17 subcontractor pursuant to a contract or subcontract for
18 the development and supply of such rifles, shotguns,
19 weapons or ammunition to the United States government or
20 any branch of the Armed Forces of the United States, when
21 such activities are necessary and incident to fulfilling
22 the terms of such contract.

23 The exemption granted under this subdivision (c)(6)
24 shall also apply to any authorized agent of any such
25 contractor or subcontractor who is operating within the
26 scope of his employment, where such activities involving

1 such weapon, weapons or ammunition are necessary and
2 incident to fulfilling the terms of such contract.

3 (7) A person possessing a rifle with a barrel or
4 barrels less than 16 inches in length if: (A) the person
5 has been issued a Curios and Relics license from the U.S.
6 Bureau of Alcohol, Tobacco, Firearms and Explosives; or
7 (B) the person is an active member of a bona fide,
8 nationally recognized military re-enacting group and the
9 modification is required and necessary to accurately
10 portray the weapon for historical re-enactment purposes;
11 the re-enactor is in possession of a valid and current
12 re-enacting group membership credential; and the overall
13 length of the weapon as modified is not less than 26
14 inches.

15 (d) Subsection 24-1(a)(1) does not apply to the purchase,
16 possession or carrying of a black-jack or slung-shot by a
17 peace officer.

18 (e) Subsection 24-1(a)(8) does not apply to any owner,
19 manager or authorized employee of any place specified in that
20 subsection nor to any law enforcement officer.

21 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and
22 Section 24-1.6 do not apply to members of any club or
23 organization organized for the purpose of practicing shooting
24 at targets upon established target ranges, whether public or
25 private, while using their firearms on those target ranges.

26 (g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply

1 to:

2 (1) Members of the Armed Services or Reserve Forces of
3 the United States or the Illinois National Guard, while in
4 the performance of their official duty.

5 (2) Bonafide collectors of antique or surplus military
6 ordnance.

7 (3) Laboratories having a department of forensic
8 ballistics, or specializing in the development of
9 ammunition or explosive ordnance.

10 (4) Commerce, preparation, assembly or possession of
11 explosive bullets by manufacturers of ammunition licensed
12 by the federal government, in connection with the supply
13 of those organizations and persons exempted by subdivision
14 (g)(1) of this Section, or like organizations and persons
15 outside this State, or the transportation of explosive
16 bullets to any organization or person exempted in this
17 Section by a common carrier or by a vehicle owned or leased
18 by an exempted manufacturer.

19 (g-5) Subsection 24-1(a)(6) does not apply to or affect
20 persons licensed under federal law to manufacture any device
21 or attachment of any kind designed, used, or intended for use
22 in silencing the report of any firearm, firearms, or
23 ammunition for those firearms equipped with those devices, and
24 actually engaged in the business of manufacturing those
25 devices, firearms, or ammunition, but only with respect to
26 activities that are within the lawful scope of that business,

1 such as the manufacture, transportation, or testing of those
2 devices, firearms, or ammunition. This exemption does not
3 authorize the general private possession of any device or
4 attachment of any kind designed, used, or intended for use in
5 silencing the report of any firearm, but only such possession
6 and activities as are within the lawful scope of a licensed
7 manufacturing business described in this subsection (g-5).
8 During transportation, these devices shall be detached from
9 any weapon or not immediately accessible.

10 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
11 24-1.6 do not apply to or affect any parole agent or parole
12 supervisor who meets the qualifications and conditions
13 prescribed in Section 3-14-1.5 of the Unified Code of
14 Corrections.

15 (g-7) Subsection 24-1(a)(6) does not apply to a peace
16 officer while serving as a member of a tactical response team
17 or special operations team. A peace officer may not personally
18 own or apply for ownership of a device or attachment of any
19 kind designed, used, or intended for use in silencing the
20 report of any firearm. These devices shall be owned and
21 maintained by lawfully recognized units of government whose
22 duties include the investigation of criminal acts.

23 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and
24 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an
25 athlete's possession, transport on official Olympic and
26 Paralympic transit systems established for athletes, or use of

1 competition firearms sanctioned by the International Olympic
2 Committee, the International Paralympic Committee, the
3 International Shooting Sport Federation, or USA Shooting in
4 connection with such athlete's training for and participation
5 in shooting competitions at the 2016 Olympic and Paralympic
6 Games and sanctioned test events leading up to the 2016
7 Olympic and Paralympic Games.

8 (h) An information or indictment based upon a violation of
9 any subsection of this Article need not negative any
10 exemptions contained in this Article. The defendant shall have
11 the burden of proving such an exemption.

12 (i) Nothing in this Article shall prohibit, apply to, or
13 affect the transportation, carrying, or possession, of any
14 pistol or revolver, stun gun, taser, or other firearm
15 consigned to a common carrier operating under license of the
16 State of Illinois or the federal government, where such
17 transportation, carrying, or possession is incident to the
18 lawful transportation in which such common carrier is engaged;
19 and nothing in this Article shall prohibit, apply to, or
20 affect the transportation, carrying, or possession of any
21 pistol, revolver, stun gun, taser, or other firearm, not the
22 subject of and regulated by subsection 24-1(a)(7) or
23 subsection 24-2(c) of this Article, which is unloaded and
24 enclosed in a case, firearm carrying box, shipping box, or
25 other container, by the possessor of a valid Firearm Owners
26 Identification Card; and nothing in this Article shall

1 prohibit, apply to, or affect the transportation of any rifle,
2 shotgun, or other long gun in a vehicle by a person who has
3 been issued a currently valid Firearm Owner's Identification
4 Card if the firearm is unloaded.

5 (Source: P.A. 100-201, eff. 8-18-17; 101-80, eff. 7-12-19.)