



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5065

Introduced 2/8/2024, by Rep. Maura Hirschauer

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-9

Amends the Criminal Code of 2012. Provides that the Public Act may be referred to as the Safe Firearm Storage Act. Provides that it is unlawful for any person to store or leave a firearm outside of that person's immediate possession or control (rather than within premises under his or her control if the person knows or has reason to believe that a minor under the age of 14 years who does not have a Firearm Owners Identification Card is likely to gain access to the firearm without the lawful permission of the minor's parent, guardian, or person having charge of the minor, and the minor causes death or great bodily harm with the firearm) unless the firearm is secured in a manner that renders it inaccessible to anyone but the owner or another lawfully authorized user: (1) by a device or mechanism, other than the firearm safety, designed to render a firearm temporarily inoperable; or (2) locked box or container. Deletes provisions that the law does not apply: (1) if a minor under 14 years of age gains access to a firearm and uses it in a lawful act of self-defense or defense of another; or (2) to any firearm obtained by a minor under the age of 14 because of an unlawful entry of the premises by the minor or another person. Deletes a provision that the firearm may be placed in some other location that a reasonable person would believe to be secure from a minor under the age of 14 years. Effective January 1, 2025.

LRB103 38126 RLC 68258 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 1. This Act may be referred to as the Safe Firearm
5 Storage Act.

6 Section 5. The Criminal Code of 2012 is amended by
7 changing Section 24-9 as follows:

8 (720 ILCS 5/24-9)

9 Sec. 24-9. Firearms; Child Protection and safe storage.

10 (a) It ~~Except as provided in subsection (c), it is~~
11 ~~unlawful for any person to store or leave, within premises~~
12 ~~under his or her control,~~ a firearm outside of that person's
13 immediate possession or control ~~if the person knows or has~~
14 ~~reason to believe that a minor under the age of 14 years who~~
15 ~~does not have a Firearm Owners Identification Card is likely~~
16 ~~to gain access to the firearm without the lawful permission of~~
17 ~~the minor's parent, guardian, or person having charge of the~~
18 ~~minor, and the minor causes death or great bodily harm with the~~
19 ~~firearm,~~ unless the firearm is secured in a manner that
20 renders it inaccessible to anyone but the owner or another
21 lawfully authorized user:

22 (1) ~~secured~~ by a device or mechanism, other than the

1 firearm safety, designed to render a firearm temporarily
2 inoperable; or

3 (2) in a ~~placed in a securely~~ locked box or container;
4 ~~or~~

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

8 (b) Sentence. A person who violates this Section is guilty
9 of a Class C misdemeanor and shall be fined not less than
10 \$1,000. A second or subsequent violation of this Section is a
11 Class A misdemeanor.

12 (c) (Blank). ~~Subsection (a) does not apply:~~

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

16 ~~(2) to any firearm obtained by a minor under the age of~~
17 ~~14 because of an unlawful entry of the premises by the~~
18 ~~minor or another person.~~

19 (d) For the purposes of this Section:

20 "Firearm" ~~, "firearm"~~ has the meaning ascribed to it in
21 Section 1.1 of the Firearm Owners Identification Card Act.

22 "Immediate possession or control" means carried on the
23 person or within close enough proximity thereto that the
24 individual can readily retrieve and use the firearm as if
25 carried on the person.

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

1 Section 99. Effective date. This Act takes effect January
2 1, 2025.