



Sen. Don Harmon

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09700HB5151sam001

LRB097 18657 HEP 72532 a

1 AMENDMENT TO HOUSE BILL 5151

2 AMENDMENT NO. _____. Amend House Bill 5151 by replacing
3 everything after the enacting clause with the following:

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

6 (740 ILCS 130/5)

7 Sec. 5. Firearm ranges; liability.

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

15 (b) An owner or operator of a firearm range in existence on
16 January 1, 1994, is immune from any criminal liability arising

1 out of or as a consequence of noise or sound emissions
2 resulting from the normal use of the firearm range. An owner or
3 operator of a firearm range is not subject to any action for
4 public or private nuisance or trespass and no court in this
5 State shall enjoin the use or operation of a firearm range on
6 the basis of noise or sound emissions resulting from the normal
7 use of the firearm range.

8 (c) An owner or operator of a firearm range placed in
9 operation after January 1, 1994, is immune from any criminal
10 liability and is not subject to any action for public or
11 private nuisance or trespass arising out of or as a consequence
12 of noise or sound emissions resulting from the normal use of
13 the firearm range, if the firearm range conforms to any one of
14 the following requirements:

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

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

22 (3) If the firearm range is situated on land otherwise
23 subject to land use zoning, the firearm range is in
24 compliance with the requirements of the zoning authority.

25 (4) The firearm range is operated by a governmental
26 entity or is licensed by the Department of Natural

1 Resources.

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

8 (Source: P.A. 94-387, eff. 7-29-05.)".