



Rep. Barbara Flynn Currie

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LRB098 08475 MRW 41602 a

1 AMENDMENT TO HOUSE BILL 1155

2 AMENDMENT NO. _____. Amend House Bill 1155, AS AMENDED, by
3 inserting the following in its proper numeric sequence:

4 "Section 100. Firearm carry prohibition; State and local
5 government.

6 (a) No person may knowingly carry a firearm into any
7 building under the control of the State, General Assembly,
8 General Assembly support service agency, including a building
9 in which a committee of the General Assembly convenes for the
10 purpose of conducting meetings of committees, joint
11 committees, legislative commissions, and any property or
12 parking lot area under control of the General Assembly that is
13 adjacent to or near a prohibited building in this Section.

14 (b) No person may knowingly carry a firearm into any
15 building owned or occupied by a governing body of a unit of
16 local government, or any property or parking lot area adjacent
17 to or near a local government building. For the purposes of

1 this Section, "unit of local government" means a county,
2 municipality, township, special district, and unit, designated
3 as a unit of local government by law, which exercises limited
4 governmental powers or powers in respect to limited
5 governmental subjects, but does not include a school district.

6 (c) No person may knowingly carry a firearm into any
7 building under control of the Governor, Lieutenant Governor,
8 Attorney General, Secretary of State, Comptroller, or
9 Treasurer, and any property or parking lot area adjacent to or
10 near a prohibited building in this Section.

11 (d) No person may knowingly carry a firearm into any
12 police, sheriff, State Police, or firefighting office or
13 station, or onto any adjacent property or parking lot areas
14 under the control of a police, sheriff, State Police, or
15 firefighting office or station, without the consent of the
16 chief law enforcement officer or chief firefighting officer in
17 charge of that office or station, unless employed by the
18 police, sheriff, State Police, or firefighting office or
19 station and authorized by the chief law enforcement officer or
20 chief firefighting officer to carry a firearm.

21 (e) No person may knowingly carry a firearm into any adult
22 or juvenile detention or correctional institution, prison, or
23 jail, or onto any adjacent property or parking lot area under
24 the control of an adult or juvenile detention or correctional
25 institution, prison, or jail, unless employed there and
26 otherwise authorized to carry a firearm.

1 (f) No person may knowingly carry a firearm into any
2 courthouse or part of a building that is occupied by the
3 Circuit, Appellate, or Supreme Court, any room designated for
4 court proceedings by any of these courts, and any property or
5 parking lot area adjacent to or near courthouses and court
6 buildings.

7 (g) The exemptions and provisions in subsections (a), (b),
8 (f), (g-6), (g-10), (h), and (i) of Section 24-2 of the
9 Criminal Code of 2012 apply to this Section.

10 (h) The United States Supreme Court in *District of Columbia*
11 *v. Heller*, 554 U.S. 570, 128 S.Ct. 2783 (2008) has recognized
12 that the Second Amendment to the United States Constitution
13 does not confer an unlimited right and that states may prohibit
14 the carrying of firearms in sensitive places. The Supreme Court
15 stated in the *Heller* decision: "Although we do not undertake an
16 exhaustive historical analysis today of the full scope of the
17 Second Amendment, nothing in our opinion should be taken to
18 cast doubt on longstanding prohibitions on the possession of
19 firearms by felons and the mentally ill, or laws forbidding the
20 carrying of firearms in sensitive places such as schools and
21 government buildings . . ." The Supreme Court also noted in a
22 footnote referencing this statement in the *Heller* decision
23 that: "We identify these presumptively lawful regulatory
24 measures only as examples; our list does not purport to be
25 exhaustive." This recognition was reiterated by the U. S.
26 Supreme Court in *McDonald v. the City of Chicago*, 561 U.S.

1 3025, 130 S.Ct. 3020 (2010), which incorporated the Second
2 Amendment against state action. The Supreme Court again stated:
3 "We made it clear in Heller that our holding did not cast doubt
4 on such longstanding regulatory measures as "prohibitions on
5 the possession of firearms by felons and the mentally ill,"
6 "laws forbidding the carrying of firearms in sensitive places
7 such as schools and government buildings . . . We repeat those
8 assurances here." Further, the federal 7th Circuit Court of
9 Appeals in Moore v. Madigan, 702 F.3d. 933 (7th Cir., 2012)
10 cited the "sensitive place" statement of the Supreme Court in
11 both the Heller and McDonald decisions and concluded: "That a
12 legislature can forbid the carrying of firearms in schools and
13 government buildings means that any right to possess a gun for
14 self-defense outside the home is not absolute, and it is not
15 absolute by the Supreme Court's own terms." Therefore, the
16 General Assembly finds that the places or locations set forth
17 in this Section are sensitive places and the prohibition on the
18 carrying of firearms will promote public safety in these
19 sensitive places."