

DECLARATION OF SEAN A. BRADY

I, Sean A. Brady, declare as follows:

1. I am an attorney representing the Plaintiffs in the matter of *Federal Firearms Licensees of Illinois v. Jay Robert Pritzker* (Case No.: 3:23-CV-00215). I am practicing in this Court pro hac vice. My law firm, Michel & Associates, P.C., is counsel of record for Plaintiffs in this action. I submit this declaration in support of Plaintiffs' reply to the State's opposition to Plaintiffs' second motion for preliminary injunction.

2. On October 17, 2023, our office notified counsel for the State in this matter that Plaintiffs intended to file an amended complaint to challenge the registration requirement and requested the State's position on whether it would oppose. Our office followed up on October 18, 2023, to confirm receipt of that request. That same day Christopher Wells, counsel for the State, responded with a request for additional information. Our office responded to that request same day to Mr. Wells (and his colleagues who were copied on the email) with information, including an explanation that Plaintiffs intended to seek a preliminary injunction.

3. On October 20, 2023, our office provided Mr. Wells (and his colleagues who were copied on the email) Plaintiffs' proposed first amended complaint and renewed our request for the State to say whether it would oppose or not. In response, on October 23, 2023, Mr. Wells requested a telephonic meet and confer with our office. That same day, counsel for the parties held a telephonic meet and confer.

4. In the following days, counsel for the parties met and conferred about the particulars of agreeing to the filing of the amended complaint and briefing schedules for Plaintiffs' anticipated motion for preliminary injunction.

5. On October 27, 2023, Chuck Michel, the senior partner of Michel & Associates, P.C., sent Mr. Wells an email stating that "if you anticipate the State will make a standing argument, we will wrangle up more declarations from individuals to address that. It would be helpful if you can let us know asap, after you have had a chance to review our draft motion, if you believe we have standing issues. That way we can get the additional declarations before we

formally file. You are of course under no obligation to reveal your opposition strategy ahead of time, but this would also save you some pages on the opposition brief which I'm sure you'd prefer to use on the substantive arguments instead of standing." Mr. Wells responded that same day via email, in which he stated that "We will need to see the draft motion before making any final decision, but I'm optimistic we can reach an agreement based on your representations below."

6. On October 30, 2023, counsel for the parties met and conferred via telephone on the particulars of Plaintiffs' anticipated motion for preliminary injunction. One of the State's main concerns was the scope of issues and evidence (experts, witnesses, etc.) that Plaintiffs expected to put forth so that it could meaningfully negotiate a briefing schedule. Plaintiffs' counsel explained what it expected to present, and the following day, our office provided a draft of our motion to Mr. Wells, two weeks before it was filed.

7. At no time prior to filing our motion did the State's counsel inform our office that the State saw standing as an issue. Of course, the State was under no obligation to inform us of its strategy. But given our office's extraordinary openness beyond what the rules require in giving advanced notice of Plaintiffs' amended complaint and preliminary injunction motion, including sharing drafts with them ahead of time, plus the State's concerns over the scope of issues that would need to be addressed, which our office explained, our office was under the reasonable impression that both sides were clarifying ahead of time what issues would need to be litigated to streamline litigation as much as possible. For that reason, our office did not expect that proving up standing at this preliminary stage would be an issue.

8. Attached as **Exhibit A** is a true and correct copy of a table published by the Illinois State Police (ISP) on its website which tracks changes made to its "Frequently Asked Questions" webpage pertaining to the PICA registration requirements. The table is current as of December 4, 2023. It was retrieved from <https://isp.illinois.gov/Home/AssaultWeapons> on the link labeled [FAQ Table of Changes](#).

9. Attached as **Exhibit B** is a true and correct copy of the November 6, 2023, memorandum sent from the ISP to the Joint Committee on Administrative Rules (JCAR) responding to the questions sent by JCAR to the ISP. On pages 2 and 5, the ISP references that it will be amending the proposed rules.

10. Attached as **Exhibit C** is a true and correct copy of JCAR's agenda for its December 12, 2023 meeting. The revisions to the rules pertaining to registration are referenced near the bottom of the 5th page. The agenda was retrieved from JCAR's website at <https://www.ilga.gov/commission/jcar/agenda.asp>, following the link for the December 12 meeting.

11. Attached as **Exhibit D** is a true and correct copy of the ISP's first set of proposed Emergency Amendments to its Emergency Rules submitted to JCAR for consideration at the December 12, 2023 meeting. These were the proposed Emergency Amendments listed on JCAR's website until December 5, 2023.

12. Attached as **Exhibit E** is a true and correct copy of the PICA Identification Guide circulated by the ISP. It was retrieved from the ISP's website on December 5, 2023. <https://isp.illinois.gov/Home/AssaultWeapons>.

13. Attached as **Exhibit F** is a true and correct copy of the ISP's second set of proposed Emergency Amendments to its Emergency Rules submitted to JCAR for consideration at the December 12, 2023 meeting. I first became aware of this latest version as we were finalizing our reply for filing, and I believe it must have been posted online either on December 5, 2023 or December 6, 2023.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Long Beach, California on December 6, 2023.



Sean A. Brady
Declarant

EXHIBIT A

Current Number	Original Number	Date FAQ added	Number Change(s)	Date Number(s) Changed	Date of Amendment(s)	Date Deleted
1	2	1/14/2023	3	5/9/2023	9/13/2023	No
			4	5/11/2023	11/1/2023	
			1	11/1/2023	11/22/2023	
2	2	11/22/2023			No	No
3	3	11/22/2023			No	No
4	2	11/1/2023	4	11/22/2023	No	No
5	6	1/14/2023	7	5/9/2023	9/13/2023	No
			8	5/11/2023		
			9	7/30/2023		
			3	11/1/2023		
			5	11/22/2023		
6	24	2/6/2023	25	5/9/2023	No	No
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			27	7/14/2023		
			28	7/30/2023		
			4	11/1/2023		
			6	11/22/2023		
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40	40	11/22/2023			No	No

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66	1	1/14/2023	2	5/9/2023	9/13/2023	No
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75	75	11/22/2023			No	No

FAQ's that have been removed

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			27	5/11/2023		
			28	7/14/2023		
			29	7/30/2023		11/1/2023
	40	9/28/2023			No	11/1/2023

EXHIBIT B



ILLINOIS STATE POLICE

JB Pritzker
Governor

Brendan F. Kelly
Director

MEMORANDUM IN RESPONSE

TO: Brad Taylor and Kim Schultz
Joint Committee on Administrative Rules

FROM: Suzanne Bond, ^{Sly}Abby Sgro, ^{ALS}and John Thompson
Illinois State Police

DATE: November 6, 2023

RE: Firearm Owner's Identification Card Act (20 Ill. Adm. Code 1230; 47 Ill. Reg. 13846) Proposed Rulemaking implementing P.A. 102-1116

At its October meeting JCAR requested that ISP conduct three public hearings throughout the State regarding ISP's proposed rulemaking implementing P.A. 102-1116, the Protect Illinois Communities Act (PICA Act) (20 Ill. Adm. Code 1230; 47 Ill. Reg. 13846). ISP has completed its three public hearings and reviewed several comments and questions submitted to our public comments email inbox. ISP has updated its FAQs, responded to questions, and is thoroughly reviewing its proposed rule to see where changes or clarification can be added. ISP is committed to providing detailed guidance on our website and within our rule.

On November 1, 2023, JCAR submitted a list of questions to ISP regarding the ISP's proposed rules. ISP has answered the questions presented below **in red**.

General

1. If PA 102-1116 is overturned by a federal court, what will ISP do with the information it has received on endorsement affidavits? Does ISP believe it has the statutory authority to maintain the information?

ISP will abide by any final court orders after all appeals are exhausted. ISP is adding this to the FAQs on its website.

2. How does this rulemaking impact individuals under age 21? Would these individuals be allowed to file endorsement affidavits?

PICA does not limit who can or cannot file an endorsement affidavit. People under 21 years

of age may do so. ISP is adding this to the FAQs on its website and an amendment to its proposed rules.

Section 1230.10 Definitions

3. The rule does not address the definition of magazine; however, the ISP website provides the following guidance: "A 15 round magazine without an extension kit is legal." Can this guidance be placed in rule as well?

Yes, ISP will add this to our proposed rulemaking.

4. What is an "attachment"?

The statute does not use the term attachment. It uses the term "assault weapon attachment" which is defined as any device capable of being attached to a firearm that is specifically designed for making or converting a firearm into any of the firearms listed in the Act. The ISP cannot redefine this term; however, we have included examples of things that are "assault weapon attachments" on our FAQs and will include these in our proposed rule.

5. Are the following items considered "attachments"?

(i) a pistol grip or thumbhole stock;

(ii) any feature capable of functioning as a protruding grip that can be held by the non-trigger hand;

(iii) a folding, telescoping, thumbhole, or detachable stock, or a stock that is otherwise foldable or adjustable in a manner that operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability of, the weapon;

(iv) a flash suppressor

(v) a grenade launcher;

(vi) a shroud attached to the barrel or that partially or completely encircles the barrel, allowing the bearer to hold the firearm with the non-trigger hand without being burned, but excluding a slide that encloses the barrel

Yes. Each of these are examples of "assault weapon attachments." ISP has already added this to the FAQs on its website.

Additionally, does 720 ILCS 5/24-1.9(a)(1)(A) include a "gunstock" or other similar mechanical device on a pump shotgun, rifle, or long gun?

Section a(1)(A) describes semiautomatic rifles. It does not pertain to shotguns. If the "gunstock" in question has one of the features listed in (i), (ii), or (iii) above, it is regulated by PICA. ISP will add this to the FAQs on its website.

6. Sections 1.9 and 1.10 of the Act describe items being "readily modified", "readily assembled", "readily removed", "readily accessible", and "readily restored or converted". Can the Department clarify what is "readily"? Is the general dictionary definition, "in a ready manner: such as without hesitating or without much difficulty" to be used to understand the term or will a standard of time be used? In a recent filing in *Mock v. Garland*, ATF cited 8 hours of time

with a fully equipped machine shop as a standard for being readily restored or converted. Since the rulemaking is silent on this topic, what standard should the public use?

ISP is working to address the definition of some of these terms on our FAQs and will include these in our proposed rule.

Section 1230.15

7. Section 1230.15 (a)(3). This subsection does not address individuals whose FOID Card applications are granted on "appeal" (ISP record review, FOID Card Review Board, or other court action). How can an individual's firearm/firearm ammunition be returned to them upon a successful appeal? Can ISP explain the process for these individuals?

If you are denied a FOID card or your FOID card is revoked/suspended, you can surrender your assault weapon, assault weapon attachment, .50 caliber rifle, or .50 BMG caliber cartridge to law enforcement for safekeeping while seeking relief from such denial. ISP will propose changes to its rule consistent with this.

8. Section 1230.15 (b)(3) and (4). These subsections do not appear to address affidavit exemptions for training or competition at sites other than World Shooting Complex in Sparta. Can individuals participate in basic rifle courses, CMP clinics, Police Training Institutes, security company trainings, youth rifle teams, etc. at locations other than Sparta without completing an affidavit? If so, when would this be permitted?

The exemptions drafted in (b)(3) and (4) are written consistent with the statute, which limits possession to while they are engaged in the specified activities. If they only possess while engaged in those activities meaning the assault weapon is owned by someone else, they don't need an endorsement affidavit. If they own the assault weapon and therefore possess outside of the specified activity, they are still permitted to possess the assault weapon, but they need an endorsement affidavit.

9. Section 1230.15 (b)(4)(B). Commenters believe that this subsection diminishes or undoes the exemptions because individuals typically possess firearms on their private property when not in use. Commenters further believe that this directly contradicts the Act's legislative intent. Many hunters were told that their firearms would be exempt from the Act if used for hunting purposes and on the list in Appendix B. It appears many common shotguns will need to be endorsed. Is this understanding, correct?

The statute says they are exempt while engaged in those activities. The legislature structured subsection (e) using three different sentences and establishing qualifications for each. For example, there is no limitation applied to the exemption for peace officers, qualified law enforcement officers, qualified retired law enforcement officers, wardens, superintendents, etc... but there are limitations applied to "members of the armed services, armed security, private security, etc.... The legislature specifically limited the exception to circumstances like - while performing their official duties or while traveling to or from their places of duty. If the legislator did not intend for those limitations to apply, they should have structured the exemption as they did those for peace officers, etc....

10. Section 1230.15 (b)(4)(B). This Section may benefit from additional examples. Can a firearm

subject to the endorsement affidavit be loaned to someone to use at a gun range? If so, how could the person transport the loaned item to the gun range or to a hunting site? Transport without an endorsement affidavit would result in possession without the endorsement affidavit and therefore is not permitted under the rule, correct? Must the loan exchange occur at the gun range or hunting site? If using a borrowed firearm subject to the endorsement affidavit, must the firearm owner be physically present at the same location while another person uses the firearm? Do these exemptions cover driving a weapon to and from an exempt location? Can an exempt person drive with a weapon subject to the endorsement affidavit? Same question for a non-exempt person if borrowing an item that has been endorsed by the owner.

There is an exemption for hunting that permits possession both while hunting and while traveling to and from so transportation is covered in that instance. There is no exemption for gun ranges. ISP will add this to the FAQs on its website.

11. Section 1230.15 (c). This subsection does not detail how attachments should be listed on the endorsement affidavit. Will ISP be providing more detail on this topic?

The endorsement affidavit portal allows for the entry of the manufacturer, attachment type, model/part number, and a description. The ISP is reviewing its FAQs and proposed rules to determine whether additional clarification is appropriate.

12. Section 1230.15 (c). This subsection does not detail how to endorse 50 BMG ammo and accounting for the reloading of that round. Will an individual with an endorsement affidavit be able to possess a certain number of rounds regardless of if they are reloaded?

The statute regulates the .50 BMG cartridge and is silent on the issue of reloading. The individual will simply indicate the # of cartridges being endorsed. ISP will add this to the FAQs on its website.

13. Section 1230.15 (c). The affiant must affirm that statements in the endorsement affidavit are true and correct, subject to the penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure [735 ILCS 5/1-109]. In some instances, the information requested on the endorsement affidavit may not be known or supporting documentation is missing. Would ISP consider adding an "if known" qualifier to the rule text?

We cannot do so for the statutorily required affirmations, but we could add this qualifier to the paragraph regarding inheritance insofar as the heir may legitimately not know whether an endorsement affidavit had previously been completed. The ISP is reviewing its FAQs and proposed rules to determine whether additional clarification is appropriate.

14. Section 1230.15 (c). Many gun clubs, security companies and other organizations own items now subject to the endorsement affidavit. Typically, the club president or local manager signs for all these firearms when they take over leadership of the organization. Must an endorsement affidavit be updated when a change in leadership occurs? This same issue may also impact collectors and museums.

The statute provides that a person's possession of an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 BMG caliber cartridge device may continue after January 1st so long as they provide an endorsement affidavit prior to that date. The statute does not

expressly require that assault weapons owned by businesses be endorsed. However, the business may voluntarily submit an endorsement affidavit. Assault weapons owned by individuals (even if the person owns a business or is licensed as an FFL) are subject to the endorsement affidavit. The ISP is reviewing FAQs to determine whether additional rules for FFLs specifically should be added to its proposed rules.

15. Section 1230.15 (c). The rule does not appear to contain procedures for law enforcement officers, FFL's, private detectives, etc. who were "exempt" during the allotted endorsement affidavit filing period, to file an endorsement affidavit if that exemption is lost. Can these individuals file an endorsement affidavit in the future if their exemption is lost?

There is no exemption for FFL's and the exemption for private detective is limited to while performing their official duties and during transportation to and from their official duties. If they possess beyond those circumstances, they are required to complete the endorsement affidavit. The ISP encourages people like corrections officers and law enforcement officers to complete the endorsement affidavit before they separate from their employment. If a person loses their exempt status, the ISP's online FOID/FCCL system will permit them to file even after January 1, 2024. This will be addressed through amendments to the proposed rules.

16. Section 1230.15 (c)(2)(D) and (e). Can a "See" statement be added to tie these subsections together?

Yes, ISP will make this change to the proposed rule.

17. Section 1230.15 (c) and (d). The rule does not appear to permit an endorsement affidavit to be filed for items purchased after 1/10/23 or under any of the TROs without perjuring oneself. Is this ISP's intent?

The statute indicates that only items purchased prior to 1/10/23 are subject to the endorsement affidavit provisions; however, if a person who purchased under those circumstances wishes to complete an endorsement affidavit, they will not be prohibited from doing so.

18. Section 1230.15 (c) and (d). The rule does not appear to allow for items to be listed on an endorsement affidavit if an individual's FOID Card is restored per a court order or FOID Review Board decision after 1/1/24. Is this ISP's intent?

If the individual surrendered their items subject to endorsement to law enforcement, they can be returned. If the individual surrendered their items to someone else, they cannot be returned. If an item is surrendered to law enforcement is returned, the individual can complete an endorsement affidavit at that time. Furthermore, you are not required to have a FOID card to submit an endorsement affidavit.

Section 1230.50

19. Section 1230.50 (b) & (c). If a person has their FOID Card suspended or revoked due to a red flag law, clear and present danger, condition of bail or order of protection, parental revocation (for those under 21, etc.), then the person may transfer the firearms to another person (who may otherwise legally accept them) or surrender the firearms to a law enforcement agency. If

they do not trust a law enforcement agency and instead chooses to transfer the firearm to a friend or relative in another state, they cannot retrieve the items or retake possession once the order of protection is lifted or in the case of a DUI the terms of bail or probation are completed – even if the charge is not a disqualifying offense. Thus, the person forfeits their firearms. The same language is repeated in the revocation section. Can a "temporary custody" concept including a Firearms Disposition Record (FDR) be added here?

No, the ISP does not have the statutory authority to create a “temporary custody” option. The statute regulates possession, and “temporary custody” would constitute possession. The option for these people under the statute is to surrender to law enforcement.

20. Section 1230.50 (b). Does this Section permit individuals under age 21 to file an endorsement affidavit? If so, how should that be done? Does a parent or guardian participate in this process?

Neither PICA nor the ISP rules limit who can or cannot file an endorsement affidavit. People under 21 years of age may do so. ISP will add this to the FAQs on its website.

Section 1230.65

21. Section 1230.65(d)(9). Commentors suggest the transfer described in subsection (d)(9) would be illegal without going through an FFL (individual to FFL to individual out-of-state). Can ISP clarify?

This provision is from the statute. ISP cannot clarify what another state’s statutes and rules require. Illinois allows person to person transfers and does not prohibit an Illinois resident from transferring to an FFL for selling to an individual out-of-state. The ISP is reviewing FAQs to determine whether additional rules for FFLs specifically should be added to its proposed rules.

22. Section 1230.65 (d)(10). The ISP website states that an Illinois FFL cannot "purchase" or "take possession of an assault weapon or large capacity ammunition feeding device in Illinois." Does this not contradict 20 Ill. Adm. Code 1230.65 (d)(10) and Section (7)(c) of the Act?

The ISP website will be corrected to acknowledge that an Illinois FFL can purchase or take possession for purposes of transferring to another state. The ISP is reviewing FAQs to determine whether additional rules for FFLs specifically should be added to its proposed rules.

23. Section 1.9 (e) of the Act permits certain exempt individuals to purchase and possess certain firearms (and later in the Act text other items). How will those individuals or entities do so if not through an FFL?

An FFL can obtain additional assault weapons on behalf of persons exempt from the purchase provisions of PICA. The ISP is reviewing FAQs to determine whether additional rules for FFLs specifically should be added to its proposed rules.

24. How do FFLs keep inventory or order firearms for exempt individuals or corporations like law enforcement, security, private detectives, etc.? How do FFLs do business outside the State, if they cannot take possession in Illinois as referenced on the ISP website?

The statute does not make an exception for FFLs to purchase or possess so the ISP does not have the authority to grant this exception through rule. An FFL can obtain additional assault weapons on behalf of persons exempt from the purchase provisions of PICA or for sale to a person in another state or for export. ISP has added this to the FAQs on its website. The ISP is reviewing FAQs to determine whether additional rules for FFLs specifically should be added to its proposed rules.

25. How should FFLs, retailers, etc. register their current inventory?

The ISP is reviewing FAQs to determine whether additional rules for FFLs specifically should be added to its proposed rules.

26. Section 1230.65 (e)(2) and (3), use the term “proof of eligibility”. Can ISP explain what that proof must demonstrate (e.g., action or status?) and provide acceptable examples?

Proof of eligibility means: a copy of a current or retired employment identification card, a letter from the employing agency on official letterhead, or any similar official instrument used to confirm employment and identity. This can be clarified in the rule. ISP will add this to the FAQs on its website.

Section 1230. Appendix A

27. Section 1230. Appendix A (b)(9)

a. Parts can be used for items that are subject to the endorsement affidavit and items that are not subject to the endorsement affidavit. Neither the Act nor the rule explains how multi-purpose parts should be handled. Can ISP clarify?

The ISP will include examples of things that are not considered “assault weapons attachments.”

b. Must any part that is capable of being used in a firearm subject to the endorsement affidavit, also be listed on the endorsement affidavit? Or is it dependent on the marketing or actual use of the item?

The ISP will include examples of things that are not considered “assault weapons attachments.”

c. If parts break and the firearm becomes’ unrepairable within the State, is the remaining option to take the firearm out of State for repairs?

There is a specific exemption within PICA for assault weapons being repaired by licensed firearms dealers and gunsmiths. Further, you can repair your own assault weapon insofar as you do not need to replace parts that would be considered "assault weapon attachments" under the act. Since individuals are not provided an exemption to purchase assault weapon attachments, such parts would need to be replaced by an FFL or gunsmith. ISP has already added this to the FAQs on its website and will address it through its proposed rules.

d. If allowable in-State and an endorsement affidavit exists, can the owner leave the item

with a gunsmith or machinist and take back possession of the item after it is repaired?

Yes. This is specifically permitted by PICA. ISP has added this to the FAQs on its website.

28. Is the intent of this Section to require an endorsement affidavit for the possession of a combination of parts that could produce a complete firearm? If so, then missing any part required to assemble firearm makes the parts issue mute. Correct?

Not necessarily, the statute regulates any device, part, kit, tool, accessory or combination of parts that is designed to and functions to increase the rate of fire of a semiautomatic firearm about the standard rate of fire for semiautomatic firearms that is not equipped with that device, part, or combination of parts. Assault weapons attachments are subject to the endorsement affidavit process. So, any part that alone constitutes an assault weapons attachment is subject to the endorsement affidavit process. ISP will add this to the FAQs on its website.

29. How does firearm get on or off the list? What process will ISP use in determining if a gun meets the definitions.

The ISP does not anticipate changing Appendix A insofar as it was drafted broadly enough to incorporate all assault weapons that meet the statutory definition so that they are subject to the endorsement affidavit process. The ISP has provided a guide and flow chart to help people understand what is and is not regulated by PICA. Appendix A is a list of firearms for which an endorsement affidavit must be submitted.

Section 1230. Appendix B

30. Section 1230. Appendix B(b)(1) references "shotguns as set forth in subsection (a)(3)". Subsection (a)(3) of this Section does not appear to relate to shotguns. Please clarify this cross reference.

The reference is inaccurate. It should read "as set forth in subsection (b)(12) of Appendix A." ISP will make this change to the proposed rule.

General Magazine/Large Capacity Magazine Clarifications

31. A typical AR style magazine is capable of holding 30 rounds of one kind of ammunition. It will only hold 10 rounds of another ammunition that uses the identical magazine (.5.56/223 vs. 450 Socom). Are they legal for sale?

No, if they have the capacity of more than 10 rounds of any type of ammunition, they meet the definition of a "large capacity ammunition feeding device" and are regulated by PICA.

32. Under Section 1.9 of the Act, semi-auto shotguns are limited to a 5-round capacity. Under Section 1.10 of the Act, shotguns (i.e., long guns) are limited to 10 rounds. 12-gauge shotgun shells come in 3 1/2", 3", 2 3/4" and even mini shells of 1 1/2". More than 5 mini shells will fit into a standard 12-gauge tube. There is similar variation with other gauges of shotgun shells. How will ISP determine if one of these items meets the statutory definition?

If the shotgun's fixed magazine tube will accept more than 5-rounds of the maximum identified chambered size round, it is regulated by PICA and subject to the endorsement affidavit provisions. Extension tubes are neither fixed or detachable magazines and are therefore not regulated by PICA. If the shotgun's fixed magazine tube will not accept more than 5 rounds of the maximum identified chambered size round, it is not regulated by PICA unless it has one of the features otherwise regulated – for example a pistol grip or thumbhole stock.

Section 1.10 of PICA does not regulate shotguns but rather regulates large capacity ammunition feeding devices. With respect to magazines, belts, drums, feed strips and other similar devices for shotguns, if it accepts more than 10 rounds of any type of ammunition it is regulated by PICA; however, the endorsement affidavit provisions do not apply to large capacity ammunition feeding devices.

There is a specific exemption for tubular devices designed to accept, and capable of operating only with, .22 caliber rimfire ammunition. ISP will add this to the FAQs on its website and address it through its proposed rules.

EXHIBIT C

JOINT COMMITTEE ON ADMINISTRATIVE RULES
BILANDIC BUILDING
ROOM C-600
CHICAGO, ILLINOIS
11:00 A.M.
DECEMBER 12, 2023

NOTICE: JCAR policy is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rulemaking, they should submit written comments to the JCAR Office at the following address:

Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706
217/785-2254 jcar@ilga.gov

AGENDA

I. Attendance Roll Call

II. Approval of November 7, 2023 Minutes

III. Consideration of Rulemakings/Issues

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

PROPOSED RULEMAKINGS

Agriculture

8-1300-23-14077 BT

1. Cannabis Regulation and Tax Act (8 Ill. Adm. Code 1300)
 - First Notice Published: 47 Ill. Reg. 14077 – 10/6/23
 - Expiration of Second Notice: 1/12/24

Environmental Protection Agency

35-365-23-12155 EMS

2. [Procedures for Issuing Loans from the Water Pollution Control Loan Program](#) (35 Ill. Adm. Code 365)
 - First Notice Published: 47 Ill. Reg. 12155 – 8/18/23
 - Expiration of Second Notice: 1/10/24

35-662-23-12184 EMS

3. [Procedures for Issuing Loans from the Public Water Supply Loan Program](#) (35 Ill. Adm. Code 662)
 - First Notice Published: 47 Ill. Reg. 12184 – 8/18/23
 - Expiration of Second Notice: 1/10/24

35-663-23-11879 EMS

4. [Procedures for Issuing Loans from the Public Water Supply Loan Program to Provide Funding for Lead Service Line Replacement](#) (35 Ill. Adm. Code 663)
 - First Notice Published: 47 Ill. Reg. 11879 – 8/11/23
 - Expiration of Second Notice: 12/23/23

Financial and Professional Regulation

38-185-22-19726 KK

5. [Credit Union Community Reinvestment](#) (38 Ill. Adm. Code 185)
 - First Notice Published: 46 Ill. Reg. 19726 – 12/16/22
 - Expiration of Second Notice: 12/26/23

38-345-22-19794 KK

6. [Bank Community Reinvestment](#) (38 Ill. Adm. Code 345)
 - First Notice Published: 46 Ill. Reg. 19794 – 12/16/22
 - Expiration of Second Notice: 12/26/23

38-385-22-19856 KK

7. [Rules Governing the Request for Reconsideration of Examination Findings](#) (38 Ill. Adm. Code 385)
 - First Notice Published: 46 Ill. Reg. 19856 – 12/16/22
 - Expiration of Second Notice: 12/26/23

38-1055-22-19861 KK

8. [Mortgage Community Reinvestment](#) (38 Ill. Adm. Code 1055)
 - First Notice Published: 46 Ill. Reg. 19861 – 12/16/22
 - Expiration of Second Notice: 12/26/23

68-1450-23-13429 KK

9. Real Estate License Act of 2000 (68 Ill. Adm. Code 1450)
 - First Notice Published: 47 Ill. Reg. 13429 – 9/22/23
 - Expiration of Second Notice: 1/14/24

Healthcare and Family Services

89-140-23-00315 EMS

10. [Medical Payment](#) (89 Ill. Adm. Code 140)
 - First Notice Published: 47 Ill. Reg. 315 – 1/13/23

-Expiration of Second Notice: 1/22/23

89-146-23-11994 EMS

11. [Specialized Health Care Delivery Systems](#) (89 Ill. Adm. Code 146)
 - First Notice Published: 47 Ill. Reg. 11994 – 8/11/23
 - Expiration of Second Notice: 12/16/23

Human Services

59-130-23-13443 EMS

12. [Recovery and Mental Health Tax Credit](#) (59 Ill. Adm. Code 130)
 - First Notice Published: 47 Ill. Reg. 13443 – 9/22/23
 - Expiration of Second Notice: 1/4/24

59-132-23-12626 EMS

13. [Medicaid Community Mental Health Services Program](#) (59 Ill. Adm. Code 132)
 - First Notice Published: 47 Ill. Reg. 12626 – 8/25/23
 - Expiration of Second Notice: 12/31/23

77-2060-23-12628 EMS

14. [Alcoholism and Substance Abuse Treatment and Intervention Licenses](#) (77 Ill. Adm. Code 2060)
 - First Notice Published: 47 Ill. Reg. 12628 – 8/25/23
 - Expiration of Second Notice: 12/31/23

89-50-23-10679 EMS

15. [Child Care](#) (89 Ill. Adm. Code 50)
 - First Notice Published: 47 Ill. Reg. 10679 – 7/21/23
 - Expiration of Second Notice: 1/10/24

89-121-23-12298 EMS

16. [Supplemental Nutrition Assistance Program \(SNAP\)](#) (89 Ill. Adm. Code 121)
 - First Notice Published: 47 Ill. Reg. 12298 – 8/18/23
 - Expiration of Second Notice: 1/3/24

89-730-23-12630 EMS

17. [Illinois Center for Rehabilitation and Education/Community Services for the Blind, Visually Impaired and Deafblind](#) (89 Ill. Adm. Code 730)
 - First Notice Published: 47 Ill. Reg. 12630 – 8/25/23
 - Expiration of Second Notice: 1/10/24

89-750-23-12638 EMS

18. [Role of Residential Educational Facilities Operated by the Illinois Department of Human Services](#) (89 Ill. Adm. Code 750)
 - First Notice Published: 47 Ill. Reg. 12638 – 8/25/23

-Expiration of Second Notice: 1/10/24

Natural Resources

17-670-23-10849 BT

19. [White-Tailed Deer Hunting By Use of Bow and Arrow](#) (17 Ill. Adm. Code 670)
-First Notice Published: 47 Ill. Reg. 10849 – 7/21/23
-Expiration of Second Notice: 12/13/23

17-4170-23-13149 BT

20. [Rules for the Protection, Treatment and Inventory of Unmarked Human Burial Sites and Unregistered Graves](#) (17 Ill. Adm. Code 4170)
-First Notice Published: 47 Ill. Reg. 13149 – 9/15/23
-Expiration of Second Notice: 1/10/24

Public Health

77-250-23-09134 EMS

21. [Hospital Licensing Requirements](#) (77 Ill. Adm. Code 250)
-First Notice Published: 47 Ill. Reg. 9134 – 7/7/23
-Expiration of Second Notice: 1/4/24

77-250-23-11724 EMS

22. [Hospital Licensing Requirements](#) (77 Ill. Adm. Code 250)
-First Notice Published: 47 Ill. Reg. 11724 – 8/4/23
-Expiration of Second Notice: 1/4/24

Revenue

86-100-23-13167 BT

23. [Income Tax](#) (86 Ill. Adm. Code 100)
-First Notice Published: 47 Ill. Reg. 13167 – 9/15/23
-Expiration of Second Notice: 12/20/23

86-130-23-12858 BT

24. [Retailers' Occupation Tax](#) (86 Ill. Adm. Code 130)
-First Notice Published: 47 Ill. Reg. 12858 – 9/1/23
-Expiration of Second Notice: 1/12/24

86-140-23-12928 BT

25. [Service Occupation Tax](#) (86 Ill. Adm. Code 140)
-First Notice Published: 47 Ill. Reg. 12928 – 9/1/23
-Expiration of Second Notice: 1/12/24

86-150-23-12939 BT

26. [Use Tax](#) (86 Ill. Adm. Code 150)
-First Notice Published: 47 Ill. Reg. 12939– 9/1/23
-Expiration of Second Notice: 1/12/24

Secretary of State

- 23-3035-23-13038 KK
27. Illinois State Library Grant Programs (23 Ill. Adm. Code 3035)
-First Notice Published: 47 Ill. Reg. 13038 – 9/8/23
-Expiration of Second Notice: 12/17/23

State Police

- 20-1230-23-04388 BT
28. Firearm Owner's Identification Card Act (20 Ill. Adm. Code 1230)
-First Notice Published: 47 Ill. Reg. 4388 – 4/7/23
-Expiration of Second Notice: 1/14/24

EMERGENCY RULEMAKINGS

Aging

- 89-240-23-15675E EMS
29. [Community Care Program](#) (89 Ill. Adm. Code 240)
-Eff.: 10/18/23; Exp.: 3/15/24

Healthcare and Family Services

- 89-118-23-17206E EMS
30. [Special Eligibility Groups](#) (89 Ill. Adm. Code 118)
-Eff.: 11/13/23; Exp.: 4/10/24

Revenue

- 86-100-23-17214E BT
31. [Income Tax](#) (86 Ill. Adm. Code 100)
-Eff.: 11/6/23; Exp.: 4/3/24

State Police

- 20-1230-23-14038E BT
32. [Firearm Owner's Identification Card Act](#) (20 Ill. Adm. Code 1230)
-Eff.: 9/15/23; Exp.: 2/11/24

PEREMPTORY RULEMAKING

Central Management Services

80-310-23-15712P EMS

33. [Pay Plan](#) (80 Ill. Adm. Code 310)

-Eff.: 10/18/23

EXEMPT RULEMAKING

Pollution Control Board

35-611-23-09557 EMS

34. [Primary Drinking Water Standards](#) (35 Ill. Adm. Code 611)

-Published: 7/14/23 – 47 Ill. Reg. 9551

IV. Announcement of the next JCAR Meeting

V. Adjournment

EXHIBIT D

ILLINOIS STATE POLICE

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Firearm Owner's Identification Card Act
- 2) Code Citation: 20 Ill. Adm. Code 1230
- 3)

<u>Section Numbers:</u>	<u>Emergency Actions:</u>
1230.10	Amendment
1230.15	New Section
1230.50	Amendment
1230.65	New Section
1230.Appendix A	New Section
1230.Appendix B	New Section
- 4) Statutory Authority: Implementing and authorized by Public Act 102-1116, the Firearm Owners Identification Card Act [430 ILCS 65] and authorized by the Criminal Code [720 ILCS 5/24.].
- 5) Effective Date of Emergency Rule: September 15, 2023
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This rulemaking is not set to expire before the end of the 150-day period.
- 7) Date Filed with the Index Department: September 15, 2023
- 8) A copy of the Emergency Amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Public Act 102-1116 created the Protecting Illinois Communities Act which amends provisions of the FOID Act and Illinois Criminal Code and requires rules to be promulgated by the Illinois State Police no later than October 1, 2023.
- 10) A Complete Description of the Subjects and Issues Involved: This rulemaking provides requirements and procedures for the implementation and enforcement of Public Act 102-1116.
- 11) Are there any rulemakings to this Part pending? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
1230.20	Amendment	47 Ill. Reg. 4388; effective April 7, 2023

ILLINOIS STATE POLICE

NOTICE OF EMERGENCY AMENDMENTS

1230.130 New Section 47 Ill. Reg. 4388; effective April 7, 2023

- 12) Statement of Statewide Policy Objectives: These rules will not require a local government to establish, expend, or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 13) Information and questions regarding this rulemaking shall be directed to:

Ms. Kelly M. Griffith
Chief Legal Counsel
Illinois State Police
801 South 7th Street, Suite 1000-S
Springfield, Illinois 62703

(217) 782-7658
ISP.Legal.PublicComments@illinois.gov

The full text of the Emergency Amendments begins on the next page:

ILLINOIS STATE POLICE

NOTICE OF EMERGENCY AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER II: ILLINOIS STATE POLICE

PART 1230
FIREARM OWNER'S IDENTIFICATION CARD ACT

Section

1230.10 Definitions

EMERGENCY

1230.15 [FOID Card and Assault Weapon Electronic Endorsement Affidavit Requirement](#)~~Definitions for Section 1230.75 (Transferred)~~

EMERGENCY

1230.20 Application Procedures

1230.25 Electronic Communication

1230.30 Duration, Renewal, and Expiration of FOID Card

1230.40 Sponsorship of a Minor

1230.45 Firearm Serial Number System to Identify Firearms Reported Stolen

1230.50 Return of FOID Card – Applicant

EMERGENCY

1230.60 Return of Revoked FOID Card – Other

[1230.65 Transfer of Items Regulated by Sections 24-1.9 or 24-1.10 of the Criminal Code 2012](#)

EMERGENCY

1230.70 Record Challenge

1230.75 Request for Relief (Transferred)

1230.80 Judicial Review (Repealed)

1230.90 Certification (Repealed)

1230.100 Reduction of Remittance (Repealed)

1230.110 Retention of Remittance

1230.120 Clear and Present Danger Reporting

[1230.APPENDIX A List of Assault Weapons Subject to an Endorsement Affidavit](#)

EMERGENCY

[1230.APPENDIX B List of Assault Weapons Approved for Hunting Use Expressly Permitted Under the Wildlife Code](#)

EMERGENCY

1230.EXHIBIT A Application for Firearm Owner's Identification Card (Form FOID-1.2) (Repealed)

1230.EXHIBIT B Certification (Repealed)

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NOTICE OF EMERGENCY AMENDMENTS

AUTHORITY: Implementing and authorized by the Firearm Owners Identification Card Act [430 ILCS 65] and authorized by Section 2605-120 of the Civil Administrative Code of Illinois. (Illinois State Police Law) [20 ILCS 2605].

SOURCE: Filed March 8, 1973; codified at 7 Ill. Reg. 9557; amended at 8 Ill. Reg. 21306, effective October 10, 1984; recodified from the Department of Law Enforcement to the Department of State Police at 10 Ill. Reg. 3279; amended at 17 Ill. Reg. 18856, effective October 18, 1993; amended at 22 Ill. Reg. 16629, effective September 8, 1998; amended at 27 Ill. Reg. 10308, effective June 26, 2003; amended at 38 Ill. Reg. 2301, effective December 31, 2013; emergency amendment at 44 Ill. Reg. 6166, effective April 6, 2020, for a maximum of 150 days; emergency expired September 2, 2020; emergency amendment at 44 Ill. Reg. 15819, effective September 3, 2020, for a maximum of 150 days; emergency expired January 30, 2021; emergency amendment at 45 Ill. Reg. 2763, effective February 19, 2021, for a maximum of 150 days; emergency expired July 18, 2021; amended at 45 Ill. Reg. 11201, effective August 30, 2021; amended at 46 Ill. Reg. 1057, effective December 21, 2021; amended at 46 Ill. Reg. 6798, effective April 12, 2022; emergency amendment at 46 Ill. Reg. 13553, effective July 15, 2022, for a maximum of 150 days; amended at 46 Ill. Reg. 19237, effective November 21, 2022; amended at 47 Ill. Reg. 2431, effective February 3, 2023; Sections 1230.15 and 1230.75 transferred to 20 Ill. Adm. Code 3500 at 47 Ill. Reg. 2474; emergency amendment at 47 Ill. Reg. 14038, effective September 15, 2023, for a maximum of 150 days; amended at 47 Ill. Reg. _____, effective _____.

Section 1230.10 Definitions**EMERGENCY**

Terms defined in the Firearm Owners Identification Card Act [430 ILCS 65/1.1] [and Section 24-1.9 and 1.10 of the Criminal Code of 2012 \[720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10\]](#) have the same meanings when used in this Part. The following additional definitions also apply to this Part, ~~with the exception of Section 1230.75~~, unless the context clearly requires a different meaning:

"Act" means Firearm Owners Identification Card Act [430 ILCS 65].

"Active" means the Firearm Owner's Identification Card is active in the online FOID/~~FCCL~~~~ECL~~ system and valid for purposes of acquiring and possessing firearms and firearms ammunition.

"Antique firearm" shall have the meaning ascribed to it in 18 U.S.C. 921(a)(16),

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i.e.:

any firearm, including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured in or before 1898; or

any replica of any firearm described in the previous paragraph if the replica:

is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; or

uses rimfire or conventional centerfire fixed ammunition that is no longer manufactured in the United States and that is not readily available in the ordinary channels of commercial trade; or

any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol that is designed to use black powder or a black powder substitute and that cannot use fixed ammunition.

The term "antique firearm" shall not include any weapon that incorporates a firearm frame or receiver, any firearm that is converted into a muzzle loading weapon, or any muzzle loading weapon that can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock or any combination of these.

"Applicant" means a person who has submitted an application for a Firearm Owner's Identification Card.

"Assault Weapon" means a firearm that meets the definition of an assault weapon as set forth in Section 24-1.9 of the Criminal Code of 2012 [720 ILCS 5/24-1.9(a)(1)], including, but not limited to, those set forth in Appendix A as required by Section 24-1.9 of the Criminal Code of 2012.

"ATF" means the federal Bureau of Alcohol, Tobacco, Firearms and Explosives.

"Criminal Justice System Employee" includes law enforcement officials, courts, State's Attorneys, probation officers, parole officers, and federal law enforcement officials.

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"Department" means the Illinois State Police.

"Designator" means an indication printed on the face of a FOID Card that the card holder has been issued an FCCL.

"Director" means the Director of the Illinois State Police or the Director's designee.

"Endorsement Affidavit" means an affidavit electronically executed through the online FOID/FCCL System that registers an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge, with the Department as required by Section 24-1.9(d) of the Criminal Code of 2012 [720 ILCS 5/24-1.9(d)].

"FCCL" means Firearm Concealed Carry License pursuant to the Firearm Concealed Carry Act [430 ILCS 66], which may be indicated as a Designator printed on the face of a FOID Card.

"FFL" means a person or business who has been issued a Federal Firearms License by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives.

"Felony Indictment" shall mean an indictment for a crime punishable by imprisonment for a term exceeding one year pursuant to 18 U.S.C. 922(d)(1) and (n).

"FOID Card" means the Firearm Owner's Identification Card as defined in Section 6 of the Act, which may include an FCCL Designator printed on the face of the card.

"Having Possessed Such Items Prior to January 10, 2023" means persons who possess one of the prohibited items under the Act, as the result of a sale or transfer with a background check initiated with the Department on or before January 10, 2023, where the sale or transfer was completed after that date pursuant to Section 24-1.9(f) of the Criminal Code of 2012 [720 ILCS 5/24-1.9(f)].

"Heir" means a person who receives property by reason of the death of another whether as heir, legatee, beneficiary, survivor or any other capacity as allowed by the Illinois Probate Act [755 ILCS 5/] and the Illinois rules of intestate succession.

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"Inherit" means to receive a distribution pursuant to intestate succession, will, trust, or other method permitted by law upon the death of the owner.

"Law enforcement officer" means an employee of a government agency who:

is authorized by law to engage in or supervise the prevention, detection, investigation, prosecution or incarceration of any person for any violation of law;

has statutory powers of arrest or custodial detention;

is authorized by the agency to carry a firearm while on duty;

is not the subject of any disciplinary action by the employing agency that could result in termination;

meets the standards established by the agency that require the employee to regularly qualify in the use of a firearm; and

is not prohibited by federal law from possessing a firearm.

"Law enforcement official", for purposes of clear and present danger reporting, means any peace officer, warden, superintendent or keeper of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of a criminal offense, and employees of police laboratories having a department or section of forensic firearm identification.

"Move to Illinois" means to relocate from another state or country with intent to make Illinois the primary domicile as evidenced by an Illinois Driver's License or Illinois State Identification Card.

"Online FOID/FCCL System" means the Department's applicant and person-to-person portal which allows a person to apply for a FOID Card or FCCL and access their FOID Card/FCCL dashboard, as well as determine whether the applicant's FOID or another person's FOID Card is valid and active where permitted by law.

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"Out-of-state resident" means a person who does not qualify for an Illinois driver's license or an Illinois State identification card due to his or her establishment of a primary domicile in another state.

"Peace Officer" shall have the meaning ascribed to it in Section 2-13 of the Criminal Code of 2012 [720 ILCS 5/2-13].

"Protective order" means any orders of protection issued under the Illinois Domestic Violence Act of 1986 [750 ILCS 60], stalking no contact orders issued under the Stalking No Contact Order Act [740 ILCS 21], civil no contact orders issued under the Civil No Contact Order Act [740 ILCS 22], and firearms restraining orders issued under the Firearms Restraining Order Act [430 ILCS 67].

"Purchaser" means any person who is buying or receiving firearms or firearms ammunition as part of a sale or transfer.

"Qualified Law Enforcement Officer" and "Qualified Retired Law Enforcement Officer" shall have the meanings ascribed to those terms in the Law Enforcement Officers Safety Act of 2004 (18 U.S.C. 926B and 926C) and as recognized under Illinois law. (See 720 ILCS 5/24-1.9(e)(2) and 720 ILCS 5/24-1.10(e)(2))

"Seller" means any person who is selling or transferring firearms or firearms ammunition as part of a sale or transfer.

"Transfer" means the permanent relinquishment of ownership of a firearm or other item, where possession of the item is regulated by the Act or Article 24 of the Criminal Code of 2012 [720 ILCS 5/24], to another person regardless of whether consideration or money is received by the seller.

"Unlawful Drug Use" shall mean any unlawful use of or addiction to any controlled substance pursuant to 18 U.S.C. 922(d)(3) and (g)(3).

"Valid" means current and not suspended, revoked, expired, cancelled, invalidated, denied or disqualified.

(Source: Emergency amendment at 47 Ill. Reg. 14038, effective September 15, 2023, for a maximum of 150 days)

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Section 1230.15 FOID Card and Assault Weapon Electronic Endorsement Affidavit Requirement
~~Definitions for Section 1230.75 (Transferred)~~
EMERGENCY

- a) FOID Card Requirement. Pursuant to Section 2 of the Act, no person may acquire or possess any firearm, stun gun, or taser within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his or her name by the Illinois State Police. [430 ILCS 65/2(a)(1)]
- 1) Pursuant to Section 12 of the Act, if an Illinois resident without a FOID Card inherits a firearm or firearm ammunition upon the death of the owner, the provisions of the Act and this Part shall not apply to the person until 60 days after the passing or transfer of the firearm or ammunition. [430 ILCS 65/12]
 - 2) Except as provided in subsection (e) of Section 24-1.9 of the Criminal Code of 2012 and beginning on January 1, 2024, any person, who moves into this State in possession of an assault weapon, assault weapon attachment, .50 caliber rifle, .50 caliber cartridge, or large capacity ammunition feeding device, shall apply for a FOID Card within 60 days after moving to Illinois. [720 ILCS 5/24-1.9(d)]
 - 3) If a FOID Card application is denied, then upon receipt of the denial notice, any person who possesses a firearm or firearm ammunition and applied for a FOID Card upon inheriting or moving to Illinois must transfer the firearm or firearm ammunition to a person authorized to possess the firearm.
- b) Electronic Endorsement Affidavit Requirement. Any person, other than individuals exempt by Section 24-1.9(e) of the Criminal Code of 2012 [720 ILCS 5/24-1.9(d)], in possession of an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge, must electronically file an endorsement affidavit through the online FOID/FCCL system beginning October 1, 2023, but shall be completed no later than January 1, 2024.
- 1) Any person who moves into Illinois in possession of an assault weapon, assault weapon attachment, .50 caliber rifle, .50 caliber cartridge, or large capacity ammunition feeding device, shall complete the endorsement affidavit within 60 days after moving to Illinois. [720 ILCS 5/24-1.9(d)]

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- 2) The electronic endorsement affidavit requirements of this Section do not apply to:
 - A) Peace officers;
 - B) Qualified law enforcement officers and retirees;
 - C) the acquisition and possession by a federal, State, or local law enforcement agency for the purpose of equipping that agency's peace officers; and
 - D) Wardens, superintendents, and keepers of correctional institutions for the detention of persons accused or convicted of an offense. (See 720 ILCS 5/24-1.9(e)(1-4)).

- 3) Exemptions for Official Duties.
 - A) The following persons are not required to complete an electronic endorsement affidavit to possess an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge while the person is performing official duties:
 - i) Armed security personnel in this State at a nuclear energy, storage, weapons, or development site or facility regulated by the federal Nuclear Regulatory Commission;
 - ii) Private security personnel licensed under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004; and
 - iii) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, who are also exempt while traveling to or from their places of duty.
 - B) However, these persons must complete an electronic endorsement affidavit if their possession of these items extends beyond the performance of their official duties. (See 720 ILCS 5/24 1.9(e)).

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4) Other Exemptions.

- A) The following persons are not required to complete an electronic endorsement affidavit under the following circumstances:
- i) Olympic target shooting competitors and coaches in possession of any firearm sanctioned by the International Olympic Committee and by USA Shooting;
 - ii) Nonresidents who are transporting an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge to any other place where the nonresident may lawfully possess and carry that weapon;
 - iii) Persons in possession of an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge at an event at the World Shooting and Recreational Complex at Sparta;
 - iv) Persons in possession of a weapon set forth in Appendix B, if the possession is only for hunting use expressly permitted under the Wildlife Code [520 ILCS 5]; and
 - v) Persons in possession of blank-firing assault weapons if the possession is only for props for a motion picture, television or video production or entertainment event. (See 720 ILCS 5/24 1.9(e)(7)(C)(v)).
- B) However, these persons must have completed an electronic endorsement affidavit if their possession of these items extends beyond the circumstances outlined in subsection (b)(4)(A). For example, if a person owns an assault weapon and hunts with it, their possession extends beyond hunting use; or if a person owns an assault weapon and takes it to an event at the World Shooting and Recreational Complex at Sparta, their possession extends beyond possession at the World Shooting and Recreational Complex at Sparta. As a result, the persons in the above examples would be required to complete an electronic endorsement affidavit. If a person does not own an assault weapon but rather rents or

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borrowed one from a neighbor for hunting or a teammate for a shooting event and returns it upon the conclusion of the purpose, their possession does not extend beyond the permitted circumstances and that person would not be required to complete an electronic endorsement affidavit.

5) Nothing in this Section shall be construed to make lawful the acquisition, transportation, or possession of firearms or firearm ammunition which is otherwise prohibited by law, for example this Act and the Wildlife Code [520 ILCS 5].

c) Electronic Endorsement Affidavit Contents. The endorsement affidavit shall include:

1) The affiant's Firearm Owner's Identification Card number;

2) An affirmation that the affiant:

A) possessed an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge before January 10, 2023; or

B) inherited such items from a person with an endorsement under Section 24-1.9 of the Criminal Code of 2012 [720 ILCS 5/24-1.9] or from a person authorized under Section 24-1.9(e)(1) through (5) of the Criminal Code of 2012 [720 ILCS 5/24-1.9(e)(1)-(5)] to possess such items; or

C) moved into Illinois after January 10, 2023 with such items; or

D) is filing an endorsement affidavit voluntarily;

3) The make, model, caliber, and serial number of each assault weapon or .50 caliber rifle;

4) A warning printed in bold type that states: "Warning: Entering false information on this form is punishable as perjury under Section 32-2 of the Criminal Code of 2012. Entering false information on this form is a violation of the Firearm Owners Identification Card Act." [720 ILCS 5/24-1.9(d)]; and

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- 5) An affirmation that the endorsement affidavit is signed under oath, swearing, affirming, and certifying, that the statements set forth in the endorsement affidavit are true and correct subject to the penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure [735 ILCS 5/1-109].

- d) Electronic Endorsement Affidavit Filing Deadlines. The endorsement affidavit, shall be filed electronically through the online FOID/FCCL system, no later than:
 - 1) January 1, 2024, if the person is an Illinois resident who possessed an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge, prior to January 10, 2023; or
 - 2) 60 days after moving to Illinois, if the person was an out-of-state resident who moved into Illinois after January 10, 2023, and possessed an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge prior to moving to Illinois.

- e) Electronic Endorsement Affidavit Voluntary Compliance. Any person in possession of an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge, who is exempt from the endorsement affidavit requirements of Section 24-1.9(e) of the Criminal Code of 2012 [720 ILCS 5/24-1.9(e)] may electronically file an endorsement affidavit through the online FOID/FCCL system voluntarily at any time.

- f) Penalty. A person convicted of failure to possess a FOID Card as required by Section 2 of the Act or complete an electronic endorsement affidavit as required by Section 24-1.9 of the Criminal Code of 2012, commits a Class A misdemeanor or Class 3 or 4 felony depending upon the circumstances of the violation. (See 430 ILCS 65/14 and 720 ILCS 5/24-1(a)(15)).

(Source: Section transferred to 20 Ill. Adm. 3500.10 at 47 Ill. Reg. 2474; emergency rule added at 47 Ill. Reg. 14038, effective September 15, 2023, for a maximum of 150 days)

Section 1230.50 Return of FOID Card – Applicant
EMERGENCY

- a) Suspension

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- 1) The Department will suspend the FOID Card pursuant to Section 8.3 of the Act, whenever the Department finds that a person to whom a FOID Card was previously issued is disqualified pursuant to:
 - A) Section 8.2 of the Act as the result of a Protective Order and the duration of the disqualification is expected to be less than one year;
 - B) Section 8(n) of the Act as the result of Felony Indictment; or
 - C) Section 8(d) of the Act because the person is an Unlawful Drug Use if the person is prohibited under Illinois law from possessing firearms.

- 2) Upon receiving notice of suspension, the FOID Card holder must comply with the Firearms Disposition Record (FDR) provisions of Section 9.5 of the Act ~~and~~ but shall surrender the FOID Card to the law enforcement agency or person listed on the FDR regardless of whether the FOID Card holder owns or possesses firearms.
 - A) A person subject to Section 9.5 of the Act due to a suspension shall either surrender assault weapons, assault weapon attachments, .50 caliber rifles, and .50 caliber cartridges to a law enforcement agency for the duration of the suspension or transfer such items to a person authorized to purchase and possess such items consistent with the provisions of Sections 24-1.9 and 24-1.10 of the Criminal Code of 2012 [720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10].
 - B) Assault weapons, assault weapon attachments, .50 caliber rifles, .50 caliber cartridges, and large capacity ammunition feeding devices transferred to another person as the result of a suspension may not be returned upon reinstatement of the FOID Card.
 - C) Assault weapons, assault weapon attachments, .50 caliber rifles, .50 caliber cartridges, and large capacity ammunition feeding devices may only be returned by a law enforcement agency to whom such items were surrendered.

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- 3) The suspended FOID Card shall be invalid for the duration of the disqualification and suspension, including but not limited to, prohibiting the possession, purchase, sale, transfer or exchange of firearms and firearms ammunition.
 - 4) The FOID Card holder shall provide written notification to the Department upon conclusion of the disqualification.
 - 5) After verifying the conclusion of the disqualification, the Department will provide written notice and reinstate the FOID Card.
 - 6) The FOID Card holder may appeal the suspension consistent with the provisions of Section 10 of the Act and Section 1230.70 of this Part.
- b) Revocation
- 1) Whenever the Department finds that a person to whom a FOID Card was previously issued is disqualified pursuant to Section 8 or 8.2 of the Act other than as the result of a disqualification as provided in subsection (a)(1), the Department may revoke and seize the FOID Card.
 - 2) Upon receiving notice of revocation, the FOID Card holder must comply with the provisions of Section 9.5 of the Act in its entirety.
 - A) A copy of the required Firearm Disposition Record can be found on the Department's website.
 - B) Individuals whose FOID Cards were confiscated by law enforcement or the courts must submit documentation of the confiscation with the Firearm Disposition Record.
 - C) A person subject to Section 9.5 of the Act due to a revocation shall either surrender assault weapons, assault weapon attachments, .50 caliber rifles, and .50 caliber cartridges to a law enforcement agency for the duration of the revocation or transfer such items to a person authorized to purchase and possess such items consistent with the provisions of Sections 24-1.9 and 24-1.10 of the Criminal Code of 2012 [720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10].

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- i) Assault weapons, assault weapon attachments, .50 caliber rifles, .50 caliber cartridges and large capacity ammunition feeding devices transferred to another person as the result of a revocation may not be returned upon reinstatement of the FOID Card.
 - ii) Assault weapons, assault weapon attachments, .50 caliber rifles, .50 caliber cartridges, and large capacity ammunition feeding devices may only be returned by a law enforcement agency to whom such items were surrendered upon reinstatement of the FOID Card.
 - 3) The FOID Card holder may appeal the revocation consistent with the provisions of Section 10 of the Act and Section 1230.70 of this Part.
- c) Cancelled. Pursuant to Section 8.4 of the Act, individuals who are not prohibited by State or federal law from acquiring or possessing a firearm or firearm ammunition may cancel their FOID Cards for administrative purposes.
- 1) The Department will, at the FOID Card holder's request, cancel a FOID Card whenever an individual reports to the Department that:
 - A) they have surrendered their Illinois driver's license or Illinois Identification Card to another jurisdiction;
 - B) their FOID Card has been lost, stolen, or destroyed; or
 - C) they no longer wish to possess a FOID Card.
 - 2) If an applicant's payment is rejected due to insufficient funds and the applicant fails to pay all required fees, then the Department will cancel the applicant's FOID Card.
 - 3) FOID Cards that are cancelled are not subject to the requirements of Section 9.5 of the Act but must be destroyed or surrendered to law enforcement.
- d) Notwithstanding the provisions of this Section, the Department will comply with any court order to the contrary that is not void as a matter of law.

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(Source: Emergency amendment at 47 Ill. Reg. 14038, effective September 15, 2023, for a maximum of 150 days)

Section 1230.65 Transfer of Items Regulated by Sections 24-1.9 or 24-1.10 of the Criminal Code of 2012
EMERGENCY

- a) All transfers of an assault weapon, assault weapon attachment, .50 caliber rifle, .50 caliber cartridge, or large capacity ammunition feeding device, shall be made in accordance with Sections 24-1.9 and 24-1.10 of the Criminal Code of 2012 [720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10].
- b) If a person is in possession of an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge, and the person fails to comply with any applicable electronic endorsement affidavit filing requirements, the person shall either surrender the possession of the items to a law enforcement agency or transfer possession of the items to a person authorized to purchase and possess such items consistent with the provisions of Sections 24-1.9 and 24-1.10 of the Criminal Code of 2012 [720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10].
- c) If a person's FOID Card is revoked, suspended or cancelled while in possession of an assault weapon, assault weapon attachment, .50 caliber rifle, .50 caliber cartridge, or large capacity ammunition feeding device, the person shall either surrender possession to a law enforcement agency or transfer possession of the items to a person authorized to purchase and possess such items consistent with the provisions of Sections 24-1.9 and 24-1.10 of the Criminal Code of 2012 [720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10].
- d) If transfer of an assault weapon, assault weapon attachment, .50 caliber rifle, .50 caliber cartridge, or large capacity ammunition feeding device is required, transfer shall be made to:
 - 1) Peace officers;
 - 2) Qualified law enforcement and retirees;
 - 3) Federal, State, or local law enforcement agencies;

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- 4) Wardens, superintendents, and keepers of correctional institutions;
 - 5) Armed security personnel in this State at a nuclear energy, storage, weapons, or development site or facility regulated by the federal Nuclear Regulatory Commission;
 - 6) Private security personnel licensed under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 [225 ILCS 447];
 - 7) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard;
 - 8) Any Department or Agency of the United States government;
 - 9) An individual residing in and maintaining possession in another state; or
 - 10) An FFL for export to another state.
- e) Whenever an assault weapon, assault weapon attachment, .50 caliber rifle, .50 caliber cartridge, or large capacity ammunition feeding device is transferred to a person authorized to purchase and possess such items consistent with the provisions of Sections 24-1.9 and 24-1.10 of the Criminal Code of 2012 [720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10], the person or FFL making the transfer shall confirm the identify and eligibility of the person receiving the items.
- 1) The person or FFL making the transfer must obtain a copy of a current or retired employment identification card, a letter from the employing agency on official letterhead, or any similar official instrument used to confirm employment and identity.
 - 2) A copy of the proof of eligibility must be maintained as a part of the transfer record required by Section 3(b) of the Act.
 - 3) If the transfer is completed by an FFL, a copy of the proof of eligibility shall be attached to the ATF Form 4473.

(Source: Emergency rule added at 47 Ill. Reg. 14038, effective September 15, 2023, for a maximum of 150 days)

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Section 1230.APPENDIX A List of Assault Weapons Subject to an Endorsement Affidavit EMERGENCY

- a) This list is consistent with the definition of "assault weapon" as set forth in Section 24-1.9 of the Criminal Code of 2012, and includes but is not limited to, the copies, duplicates, variants, and altered facsimiles of the assault weapons identified in paragraphs (J), (K), and (L) of subdivision (1) of subsection (a). [720 ILCS 5/24-1.9]

- b) This list is not intended to permit the possession of a firearm that meets the definition of assault weapon as defined by Subsection 24-1.9(a)(1) unless the person in possession has complied with the endorsement affidavit requirements of the Act.
 - 1) A semiautomatic rifle that has the capacity to accept a detachable magazine or that may be readily modified to accept a detachable magazine, if the firearm has one or more of the following:
 - A) a pistol grip or thumbhole stock;
 - B) any feature capable of functioning as a protruding grip that can be held by the non-trigger hand;
 - C) a folding, telescoping, thumbhole, or detachable stock, or a stock that is otherwise foldable or adjustable in a manner that operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability of, the weapon;
 - D) a flash suppressor;
 - E) a grenade launcher;
 - F) a shroud attached to the barrel or that partially or completely encircles the barrel, allowing the bearer to hold the firearm with the non-trigger hand without being burned, but excluding a slide that encloses the barrel.

 - 2) A semiautomatic rifle that has a fixed magazine with the capacity to accept more than 10 rounds, except for an attached tubular device

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designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

- 3) A semiautomatic pistol that has the capacity to accept a detachable magazine or that may be readily modified to accept a detachable magazine, if the firearm has one or more of the following:
 - A) a threaded barrel;
 - B) a second pistol grip or another feature capable of functioning as a protruding grip that can be held by the non-trigger hand;
 - C) a shroud attached to the barrel or that partially or completely encircles the barrel, allowing the bearer to hold the firearm with the non-trigger hand without being burned, but excluding a slide that encloses the barrel;
 - D) a flash suppressor;
 - E) the capacity to accept a detachable magazine at some location outside of the pistol grip; or
 - F) a buffer tube, arm brace, or other part that protrudes horizontally behind the pistol grip and is designed or redesigned to allow or facilitate a firearm to be fired from the shoulder.
- 4) A semiautomatic pistol that has a fixed magazine with the capacity to accept more than 15 rounds.
- 5) Any shotgun with a revolving cylinder.
- 6) A semiautomatic shotgun that has one or more of the following:
 - A) a pistol grip or thumbhole stock;
 - B) any feature capable of functioning as a protruding grip that can be held by the non-trigger hand;
 - C) a folding or thumbhole stock;

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- D) a grenade launcher;
 - E) a fixed magazine with the capacity of more than 5 rounds; or
 - F) the capacity to accept a detachable magazine.
- 7) Any semiautomatic firearm that has the capacity to accept a belt ammunition feeding device.
- 8) Any firearm that has been modified to be operable as an assault weapon as defined in this Section.
- 9) Any part or combination of parts designed or intended to convert a firearm into an assault weapon, including any combination of parts from which an assault weapon may be readily assembled if those parts are in the possession or under the control of the same person.
- 10) All of the following rifles, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon:
- A) All AK types, including the following:
 - i) AK, AK47, AK47S, A-74, AKM, AKS, ARM, MAK90, MISR, NHM90, NHM91, SA85, SA93, Vector Arms AK-47, VEPR, WASR-10, and WUM.
 - ii) IZHMASH Saiga AK.
 - iii) MAADI AK47 and ARM.
 - iv) Norinco 56S, 56S2, 84S, and 86S.
 - v) Poly Technologies AK47 and AKS.
 - vi) SKS with a detachable magazine.
 - B) All AR types, including the following:

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- i) [AR-10](#)
- ii) [AR-15](#)
- iii) [Alexander Arms Overmatch Plus 16.](#)
- iv) [Armalite M15 22LR Carbine.](#)
- v) [Armalite M15-T.](#)
- vi) [Barrett REC7.](#)
- vii) [Beretta AR-70.](#)
- viii) [Black Rain Ordnance Recon Scout.](#)
- ix) [Bushmaster ACR.](#)
- x) [Bushmaster Carbon 15.](#)
- xi) [Bushmaster MOE series.](#)
- xii) [Bushmaster XM15.](#)
- xiii) [Chiappa Firearms MFour rifles.](#)
- xiv) [Colt Match Target rifles.](#)
- xv) [CORE Rifle Systems CORE15 rifles.](#)
- xvi) [Daniel Defense M4A1 rifles.](#)
- xvii) [Devil Dog Arms 15 Series rifles.](#)
- xviii) [Diamondback DB15 rifles.](#)
- xix) [DoubleStar AR rifles.](#)
- xx) [DPMS Tactical rifles.](#)

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- xxi) DSA Inc. ZM-4 Carbine.
- xxii) Heckler & Koch MR556.
- xxiii) High Standard HSA-15 rifles.
- xxiv) Jesse James Nomad AR-15 rifle.
- xxv) Knight's Armament SR-15
- xxvi) Lancer L15 rifles.
- xxvii) MGI Hydra Series rifles.
- xxviii) Mossberg MMR Tactical rifles.
- xxix) Noreen Firearms BN 36 rifle.
- xxx) Olympic Arms.
- xxxi) POF USA P415.
- xxxii) Precision Firearms AR rifles.
- xxxiii) Remington R-15 rifles.
- xxxiv) Rhino Arms AR rifles.
- xxxv) Rock River Arms LAR-15 or Rock River Arms LAR-47.
- xxxvi) Sig Sauer SIG516 rifles and MCX rifles.
- xxxvii) Smith & Wesson M&P15 rifles.
- xxxviii) Stag Arms AR rifles.
- xxxix) Sturm, Ruger & Co. SR556 and AR-556 rifles.

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- xl) Uselton Arms Air-Lite M-4 rifles.
- xli) Windham Weaponry AR rifles.
- xlii) WMD Guns Big Beast.
- xliii) Yankee Hill Machine Company, Inc. YHM-15 rifles.
- C) Barrett M107A1.
- D) Barrett M82A1.
- E) Beretta CX4 Storm.
- F) Calico Liberty Series.
- G) CETME Sporter.
- H) Daewoo K-1, K-2, Max 1, Max 2, AR 100, and AR 110C.
- I) Fabrique Nationale/FN Herstal FAL, LAR, 22 FNC, 308 Match, L1A1 Sporter, PS90, SCAR, and FS2000.
- J) Feather Industries AT-9.
- K) Galil Model AR and Model ARM.
- L) Hi-Point Carbine.
- M) HK-91, HK-93, HK-94, HK-PSG-1, and HK USC.
- N) IWI TAVOR, Galil ACE rifle.
- O) Kel-Tec Sub-2000, SU-16, and RFB.
- P) SIG AMT, SIG PE-57, Sig Sauer SG 550, Sig Sauer SG 551, and SIG MCX.
- Q) Springfield Armory SAR-48.

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- R) Steyr AUG.
- S) Sturm, Ruger & Co. Mini-14 Tactical Rifle M-14/20CF.
- T) All Thompson rifles, including the following:
 - i) Thompson M1SB.
 - ii) Thompson T1100D.
 - iii) Thompson T150D.
 - iv) Thompson T1B.
 - v) Thompson T1B100D.
 - vi) Thompson T1B50D.
 - vii) Thompson T1BSB.
 - viii) Thompson T1-C.
 - ix) Thompson T1D.
 - x) Thompson T1SB.
 - xi) Thompson T5.
 - xii) Thompson T5100D.
 - xiii) Thompson TM1.
 - xiv) Thompson TM1C.
- U) UMAREX UZI rifle.
- V) UZI Mini Carbine, UZI Model A Carbine, and UZI Model B Carbine.

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- W) Valmet M62S, M71S, and M78.
 - X) Vector Arms UZI Type.
 - Y) Weaver Arms Nighthawk.
 - Z) Wilkinson Arms Linda Carbine.
- 11) All of the following pistols, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon thereof:
- A) All AK types, including the following:
 - i) Centurion 39 AK pistol.
 - ii) CZ Scorpion pistol.
 - iii) Draco AK-47 pistol.
 - iv) HCR AK-47 pistol.
 - v) IO Inc. Hellpup AK-47 pistol.
 - vi) Krinkov pistol.
 - vii) Mini Draco AK-47 pistol.
 - viii) PAP M92 pistol.
 - ix) Yugo Krebs Krink pistol.
 - B) All AR types, including the following:
 - i) American Spirit AR-15 pistol.
 - ii) Bushmaster Carbon 15 pistol.
 - iii) Chiappa Firearms M4 Pistol GEN II.

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- iv) CORE Rifle Systems CORE15 Roscoe pistol.
- v) Daniel Defense MK18 pistol.
- vi) DoubleStar Corporation AR pistol.
- vii) DPMS AR-15 pistol.
- viii) Jesse James Nomad AR-15 pistol.
- ix) Olympic Arms AR-15 pistol.
- x) Osprey Armament MK-18 pistol.
- xi) POF USA AR pistols.
- xii) Rock River Arms LAR 15 pistol.
- xiii) Uselton Arms Air-Lite M-4 pistol.

- C) Calico pistols.
- D) DSA SA58 PKP FAL pistol.
- E) Encom MP-9 and MP-45.
- F) Heckler & Koch model SP-89 pistol.
- G) Intratec AB-10, TEC-22 Scorpion, TEC-9, and TEC-DC9.
- H) IWI Galil Ace pistol, UZI PRO pistol.
- D) Kel-Tec PLR 16 pistol.
- J) All MAC types, including the following:
 - i) MAC-10.

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- ii) MAC-11.
- iii) Masterpiece Arms MPA A930 Mini Pistol, MPA460 Pistol, MPA Tactical Pistol, and MPA Mini Tactical Pistol.
- iv) Military Armament Corp. Ingram M-11.
- v) Velocity Arms VMAC.
- K) Sig Sauer P556 pistol.
- L) Sites Spectre.
- M) All Thompson types, including the following:
 - i) Thompson TA510D.
 - ii) Thompson TA5.
- N) All UZI types, including Micro-UZI.
- 12) All of the following shotguns, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon thereof:
 - A) DERYA Anakon MC-1980, Anakon SD12.
 - B) Doruk Lethal shotguns.
 - C) Franchi LAW-12 and SPAS 12.
 - D) All IZHMASH Saiga 12 types, including the following:
 - i) IZHMASH Saiga 12.
 - ii) IZHMASH Saiga 12S.
 - iii) IZHMASH Saiga 12S EXP-01.
 - iv) IZHMASH Saiga 12K.

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- v) IZHMASH Saiga 12K-030.
 - vi) IZHMASH Saiga 12K-040 Taktika.
 - E) Streetsweeper.
 - F) Striker 12.
- b) This list shall be available on the Illinois State Police website and shall be updated on the website no later than October 1, 2024, and every October 1st thereafter.

(Source: Emergency rule added at 47 Ill. Reg. 14038, effective September 15, 2023, for a maximum of 150 days)

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Section 1230.APPENDIX B List of Assault Weapons Approved for Hunting Use Expressly Permitted Under the Wildlife Code
EMERGENCY

- a) As used in this Appendix B:
- 1) "Centerfire" means a gun that will only fire a round that contains the primer in the center of the cartridge and not in the rim of the cartridge. [520 ILCS 5/1.2aa]
 - 2) "Migratory game birds" means all wild species of ducks, geese, swans, doves, pigeons, cranes, rails, coots, gallinules, woodcocks, and snipes consistent with 50 CFR 20.11.
 - 3) "Near" means adjacent, nearby, or in close proximity.
 - 4) "Single shot" means a gun that is either manufactured or modified to only be capable of holding a total of one round in the magazine and chamber combined. Firearms shall be considered single shot if there is no magazine in possession of or near a hunter in the field, and the firearm can only hold a total of one round. Assault rifles may be modified to be a single shot firearm, for example by removing the internal magazine springs and follower, using a plug to block the magazine tube, using a "0 round" magazine, or otherwise modifying the receiver or internal magazine of the rifle. "Single shot" does not include:
 - A) A rifle in the possession of a person who is also in possession of or in close proximity to a magazine that would allow the rifle to be capable of holding more than one round; or
 - B) A revolver. A gun shall be considered single shot if there is no magazine in the possession of or in close proximity to a hunter in the field and the gun can only hold a total of one round. [520 ILCS 5/1.2bb]
- b) This Appendix sets forth those weapons that are approved for hunting use expressly permitted under the Wildlife Code [520 ILCS 5] and was compiled in consultation with the Department of Natural Resources. [720 ILCS 5/24-1.9] This list is not exhaustive and is not intended to prohibit hunting with a firearm that

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otherwise meets the definition of assault weapon as defined by Section 24-1.9(a)(1) of the Criminal Code of 2012 [720 ILCS 5/24-1.9(a)(1)] if such firearm is in compliance with the hunting requirements within the Wildlife Code.

- 1) Shotguns as set forth in subsection (a)(3) are permitted for hunting cock pheasant, Hungarian partridge, bobwhite quail, wild turkey, crow, and migratory game birds if the shotgun meets the gauge or caliber, ammunition, and number of rounds limitations pursuant to the Wildlife Code and as set forth by the Illinois Department of Natural Resources in Title 17 of the Illinois Administrative Code.
 - 2) All assault weapons set forth in Section 1230.Appendix A are permitted for hunting raccoon, opossum, striped skunk, red fox, gray fox, bobcat, squirrels, and woodchuck (groundhog), coyote, cottontail and swamp rabbit, and wild swine if the weapon meets the gauge or caliber, ammunition, and number of rounds limitations pursuant to the Wildlife Code and as set forth by the Illinois Department of Natural Resources in Title 17 of the Illinois Administrative Code.
 - 3) All assault weapons set forth in Section 1230.Appendix A are permitted for hunting white tailed deer if the weapon meets the gauge or caliber, ammunition and centerfire single shot limitations pursuant to Section 2.25 of the Wildlife Code and as set forth by the Illinois Department of Natural Resources in Title 17 of the Illinois Administrative Code. Hunters may not be in possession of or near a magazine that can alter the rifle to no longer meet the definition of single shot.
 - 4) No assault weapon set forth in Section 1230.Appendix A is permitted for hunting beaver, badger, river otter, weasel, mink and muskrat. For additional information regarding trapping of such wildlife please refer to the Wildlife Code and the administrative rules adopted by the Illinois Department of Natural Resources in Title 17 of the Illinois Administrative Code.
- c) Notwithstanding subsection (b), all assault weapons approved for hunting are subject to existing laws under the Wildlife Code [520 ILCS 5] and rules under Title 17 of the Illinois Administrative Code, including, but not limited to, the number of rounds permitted in, a magazine and chamber combined; the Illinois Department of Natural Resources site specific rules; caliber of weapon, type of

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ammunition, and circumstances under which the weapon can be used to hunt a specific species; and the season when wildlife may be taken. (See also 17 Ill. Adm. Code 510, 530, 550, 570, 590, 650, 660, 675, 680, 690, 710, 715, 730, and 740).

- d) Notwithstanding subsections (b) and (c), possession of assault weapons must be compliant with the Protecting Illinois Communities Act (P.A. 102-1116) and the administrative rules required by such Act, including but not limited to the electronic endorsement affidavit requirement as set forth in Section 1230.15(b)(3).
- e) This list shall be updated annually in rule and will be available and updated regularly on the Illinois State Police website.

(Source: Emergency rule added at 47 Ill. Reg. 14038, effective September 15, 2023, for a maximum of 150 days)

EXHIBIT E

State of Illinois



Assault Weapon Identification Guide




As listed or described in Illinois Compiled Statutes 720 ILCS 5/24-1.9

The purpose of this guide is to assist Law Enforcement Officers, Firearms Dealers, and the general public in the identification of assault weapons, as defined in the recently enacted Protect Illinois Communities Act. The Illinois State Police has prepared this guide in accordance with 720 ILCS 5/24-1.9(d)(3).

Version 2023.10.01

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(a) Definitions. In this Section:		
(1) “Assault weapon” means any of the following...		
(A) A semiautomatic rifle that has the capacity to accept a detachable magazine or that may be readily modified to accept a detachable magazine, if the firearm has one or more of the following:		
Red arrows point to the prohibited feature. Images depict representative examples of the prohibited feature; other configurations exist.		
(A)(i) a pistol grip or thumbhole stock;		
(A)(i)	pistol grip	
(A)(i)	thumbhole stock	
(A)(ii) any feature capable of functioning as a protruding grip that can be held by the non-trigger hand;		
(A)(ii)	Protruding grip	

(A)(iii) a folding, telescoping, thumbhole, or detachable stock, or a stock that is otherwise foldable or adjustable in a manner that operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability of, the weapon;


<p>(A)(iii)</p>	<p>Folding stock</p>	
<p>(A)(iii)</p>	<p>Telescoping stock</p>	

(A)(iii)	Thumbhole stock	 <p>Pictured: US M1 Carbine with folding "paratrooper" stock (folded in lower image)</p>
(A)(iii)	Detachable stock	 <p>* Drum magazine optional WWW.TOMCATGUN.COM</p>

(A)(iv) a flash suppressor;

(A)(iv)	Flash suppressor	
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(A)(v) a grenade launcher;

(A)(v)	Grenade launcher	 <p>Tac-D Ordnance Group Remade, FL, USA</p>
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(A)(vi) a shroud attached to the barrel or that partially or completely encircles the barrel, allowing the bearer to hold the firearm with the non-trigger hand without being burned, but excluding a slide that encloses the barrel.

(A)(vi)	Shroud	
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(B) A semiautomatic rifle that has a fixed magazine with the capacity to accept more than 10 rounds, except for an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

(B)

Fixed magazine, capacity of more than 10 rounds



Pictured: SKS with fixed, 20 round capacity magazine.

(C) A semiautomatic pistol that has the capacity to accept a detachable magazine or that may be readily modified to accept a detachable magazine, if the firearm has one or more of the following:

(C)(i) a threaded barrel;

C)(i)	Threaded barrel	
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(C)(ii) a second pistol grip or another feature capable of functioning as a protruding grip that can be held by the non-trigger hand;



C)(ii)	Second pistol grip (or other protruding grip)	
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(C)(iii) a shroud attached to the barrel or that partially or completely encircles the barrel, allowing the bearer to hold the firearm with the non-trigger hand without being burned, but excluding a slide that encloses the barrel;

(C)(iii)	Shroud	
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(C)(iv) a flash suppressor;

(C)(iv)	Flash suppressor	
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(C)(v) the capacity to accept a detachable magazine at some location outside of the pistol grip; or		
(C)(v)	Capacity to accept a detachable magazine at some location outside of the pistol grip	
(C)(vi) a buffer tube, arm brace, or other part that protrudes horizontally behind the pistol grip and is designed or redesigned to allow or facilitate a firearm to be fired from the shoulder.		
(C)(vi)	Buffer tube	
(C)(vi)	Arm brace	

<p>(C)(vi)</p>	<p>Other part that protrudes horizontally behind pistol grip</p>	
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(D) A semiautomatic pistol that has a fixed magazine with the capacity to accept more than 15 rounds.





(D)




Fixed magazine with capacity to accept more than 15 rounds



Pictured: Mauser, C96 "Broomhandle" (w/ fixed 20 round magazine)

(E) Any shotgun with a revolving cylinder.		
(E)	A revolving cylinder	 <p>Pictured: SRM Arms SRM 1216</p>

(F) A semiautomatic shotgun that has one or more of the following:		
(F)(i) a pistol grip or thumbhole stock;		
(F)(i)	Thumbhole stock	
(F)(ii) any feature capable of functioning as a protruding grip that can be held by the non-trigger hand;		
(F)(ii)	Feature capable of functioning as protruding grip	
(F)(iii) a folding or thumbhole stock;		
(F)(iii)	Folding stock	
(F)(iii)	Thumbhole stock	

(F)(iv) a grenade launcher;		
(F)(iv)	Grenade launcher	 <p>Pictured: Saiga 12 gauge semiautomatic shotgun with 37 mm flare launcher attached under the barrel. Grenade launcher will look similar.</p>
(F)(v) a fixed magazine with the capacity of more than 5 rounds; or		
(F)(v)	Fixed magazine with capacity of more than 5 rounds	 <p>Pictured: Tavor TS12 – three fixed magazine tubes, each holding up to five 2 3/4" 12 gauge shells</p>
(F)(vi) the capacity to accept a detachable magazine.		
(F)(vi)	Capacity to accept a detachable magazine	


(G) Any semiautomatic firearm that has the capacity to accept a belt ammunition feeding device.

(G)

Any semiautomatic firearm that has capacity to accept a belt ammunition feeding device



Pictured: Belt-fed, semiautomatic, RPD rifle

(H) Any firearm that has been modified to be operable as an assault weapon as defined in this Section.		
(H)	Any firearm that has been modified to be operable as an assault weapon [as defined by 720 ILCS 5/24-1.9 (a)(1)]	 <p data-bbox="505 489 1068 520">Unmodified Ruger, model 10/22 (not restricted)</p> <p data-bbox="505 732 1409 798">Ruger, model 10/22, with aftermarket collapsible stock, pistol grip, and large capacity magazine (restricted)</p>

(I) Any part or combination of parts designed or intended to convert a firearm into an assault weapon, including any combination of parts from which an assault weapon may be readily assembled if those parts are in the possession or under the control of the same person.

(I)

Combination of parts designed or intended to convert a firearm into an assault weapon.






Semiautomatic SKS Rifle with fixed, ten-round capacity magazine (not restricted on its own)



Combination of parts: Semiautomatic SKS rifle, plus pistol grip collapsible stock, plus detachable magazine, plus flash suppressor (combination of parts is restricted)



Semiautomatic SKS with above listed parts installed (restricted)



Statutory List of Restricted AK Types		
(J) All of the following rifles, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon:		
(i) All AK types, including the following:		
(J)(i)(I) AK, AK47, AK47S, AK-74, AKM, AKS, ARM, MAK90, MISR, NHM90, NHM91, SA85, SA93, Vector Arms AK-47, VEPR, WASR-10, and WUM.		
In each instance, a representative image is provided; however, these firearms may be found in various configurations.		
(J)(i)(I)	AK	 <p>“AK” is a general term for a class of rifles based on the original Kalashnikov-designed AK-47, an example of which is pictured here.</p>
(J)(i)(I)	AK47	
(J)(i)(I)	AK47S	 <p>“S” variants of the AK series of rifle have a downward folding stock. Pictured is an AKS-47 rifle.</p>

(J)(i)(I)	AK-74	 A photograph of an AK-74 assault rifle, featuring a black polymer body and a distinctive curved orange magazine. The rifle is shown from a side profile against a dark, textured background.
(J)(i)(I)	AKM	 A photograph of an AKM assault rifle, characterized by its black metal receiver and a curved black magazine. It has a wooden stock and handguard. The rifle is shown from a side profile against a plain white background.
(J)(i)(I)	AKS	 A photograph of an AKS assault rifle, which is a subcompact variant of the AKM. It features a black metal receiver, a curved black magazine, and a wooden handguard. A tan fabric sling is attached to the rifle. The rifle is shown from a side profile against a plain white background.
(J)(i)(I)	(Maadi) ARM	 A photograph of a (Maadi) ARM assault rifle, featuring a black metal receiver and a curved black magazine. It has a wooden stock and handguard. The rifle is shown from a side profile against a plain white background.
(J)(i)(I)	MAK90	 A photograph of a MAK90 assault rifle, which is a compact variant of the AKM. It features a black metal receiver and a curved black magazine. It has a wooden stock and handguard. The rifle is shown from a side profile against a plain white background.

(J)(i)(I)	(Maadi) MISR	
(J)(i)(I)	NHM90 (with thumbhole stock)	
(J)(i)(I)	Norinco NHM91	
(J)(i)(I)	FEG SA85	
(J)(i)(I)	Arsenal (Bulgaria) SA93	
(J)(i)(I)	Vector Arms AK-47 (AKS)	




(J)(i)(I)	VEPR (FM- AK47-11)	
(J)(i)(I)	WASR-10 with flash suppressor	
(J)(i)(I)	WUM (Romanian WUM1)	
(J)(i)(II) IZHMAH Saiga AK.		
(J)(i)(II)	IZHMAH Saiga AK	
(J)(i)(III) MAADI AK47 and ARM.		
(J)(i)(III)	Maadi AK- 47 with side folding stock	

(J)(i)(III)	Maadi ARM	
(J)(i)(IV) Norinco 56S, 56S2, 84S, and 86S.		
(J)(i)(IV)	Norinco 56S	
(J)(i)(IV)	Norinco 56S2	
(J)(i)(IV)	Norinco 84S	
(J)(i)(IV)	Norinco 86S	

(J)(i)(V) Poly Technologies AK47 and AKS.		
(J)(i)(V)	Poly Technologies AK 47	
(J)(i)(V)	Poly Technologies AKS	
(J)(i)(VI) SKS with a detachable magazine.		
(J)(i)(VI)	SKS with detachable magazine	

Other "AK-Type" Rifles as defined by the Protecting Illinois Communities Act	
Palmetto State Armory (PSA) PSAK-47 GF3	 A black and tan PSAK-47 GF3 rifle, featuring a tan polymer stock and handguard, a black receiver, and a curved magazine.
Century Arms VSKA	 A black Century Arms VSKA rifle with a black polymer stock and handguard, a black receiver, and a curved magazine.
Kalashnikov USA KR-103	 A black Kalashnikov USA KR-103 rifle with a black polymer stock and handguard, a black receiver, and a curved magazine.
Riley Defense RAK-47-C	 A Riley Defense RAK-47-C rifle with a black receiver and magazine, and a wooden stock and handguard.
Zastava M70 ZPAP	 A black Zastava M70 ZPAP rifle with a black polymer stock and handguard, a black receiver, and a curved magazine.
Bulgarian Arsenal SLR-107	 A black Bulgarian Arsenal SLR-107 rifle with a black polymer stock and handguard, a black receiver, and a curved magazine.

<p>Hungarian FEG (SA-85M)</p>	 A side-profile photograph of a Hungarian FEG (SA-85M) assault rifle. The rifle features a black metal body with a curved magazine, a wooden handguard, and a wooden pistol grip. It has a long barrel with a front sight and a rear sight.
<p>FB Radom Beryl M762</p>	 A side-profile photograph of an FB Radom Beryl M762 assault rifle. The rifle is entirely black with a curved magazine, a black handguard, and a black pistol grip. It has a long barrel with a front sight and a rear sight.
<p>WBP Mini Jack</p>	 A side-profile photograph of a WBP Mini Jack assault rifle. The rifle has a black metal body with a curved magazine, a wooden handguard, and a wooden pistol grip. It has a long barrel with a front sight and a rear sight.

Statutory List of AR Types		
(J)(ii) all AR types, including the following:		
In each instance, a representative image is provided; however, these firearms may be found in various configurations.		
(J)(ii)(I) AR-10.		
(J)(ii)(I)	DPMS LR-243 AR-10	
(J)(ii)(II) AR-15.		
(J)(ii)(II)	Colt LE6920 Series AR-15, 16" barrel, with collapsible stock, vertical fore grip, and flash suppressor	
(J)(ii)(III) Alexander Arms Overmatch Plus 16.		
(J)(ii)(III)	Alexander Arms Overmatch Plus 16	

(J)(ii)(IV) Armalite M-15 22LR Carbine.		
(J)(ii)(IV)	Armalite M-15 22LR Carbine	
(J)(ii)(V) Armalite M15-T.		
(J)(ii)(V)	Armalite M15-T	
(J)(ii)(VI) Barrett REC7.		
(J)(ii)(VI)	Barrett REC7	
(J)(ii)(VII) Beretta AR-70.		
(J)(ii) (VII)	Beretta AR70 with flash suppressor	

(J)(ii)(VIII) Black Rain Ordnance Recon Scout.		
(J)(ii)(VIII)	Black Rain Ordnance Recon Scout	
(J)(ii)(IX) Bushmaster ACR.		
(J)(ii)(IX)	Bushmaster ACR	
(J)(ii)(X) Bushmaster Carbon 15.		
(J)(ii)(X)	Bushmaster Carbon 15	
(J)(ii)(XI) Bushmaster MOE series.		
(J)(ii)(XI)	Bushmaster MOE series	

(J)(ii)(XII) Bushmaster XM15.		
(J)(ii)(XII)	Bushmaster XM15-E2S, 16" barrel, with collapsible stock and flash suppressor	
(J)(ii)(XIII) Chiappa Firearms MFour rifles.		
(J)(ii)(XIII)	Chiappa Firearms MFour rifles	
(J)(ii)(XIV) Colt Match Target rifles.		
(J)(ii)(XIV)	Colt Match Target rifles	
(J)(ii)(XV) CORE Rifle Systems CORE15 rifles.		
(J)(ii)(XV)	CORE Rifle Systems CORE15 rifles	



(J)(ii)(XVI) Daniel Defense M4A1 rifles.		
(J)(ii)(XVI)	Daniel Defense M4A1 with collapsible stock and flash suppressor	
(J)(ii)(XVII) Devil Dog Arms 15 Series rifles.		
(J)(ii)(XVII)	Devil Dog Arms 15 series rifle	
(J)(ii)(XVIII) Diamondback DB15 rifles.		
(J)(ii)(XVIII)	Diamondback DB15 rifles	
(J)(ii)(XIX) DoubleStar AR rifles.		
(J)(ii)(XIX)	DoubleStar AR rifles	

(J)(ii)(XX) DPMS Tactical rifles.		
(J)(ii)(XX)	DPMS Tactical Rifles	
(J)(ii)(XXI) DSA Inc. ZM-4 Carbine.		
(J)(ii)(XXI)	DSA Inc. ZM-4 Carbine	
(J)(ii)(XXII) Heckler & Koch MR556.		
(J)(ii)(XXII)	Heckler & Koch MR556	
(J)(ii)(XXIII) High Standard HSA-15 rifles.		
(J)(ii)(XXIII I)	High Standard HSA-15 rifles	

(J)(ii)(XXIV) Jesse James Nomad AR-15 rifle.		
(J)(ii)(XXIV) V)	Jesse James Nomad AR-15 rifle	
(J)(ii)(XXV) Knight's Armament SR-15.		
(J)(ii)(XXV) V)	Knight's Armament SR-15	
(J)(ii)(XXVI) Lancer L15 rifles.		
(J)(ii)(XXVI) VI)	Lancer L15 rifles	
(J)(ii)(XXVII) MGI Hydra Series rifles.		
(J)(ii)(XXVII) VII)	MGI Hydra Series rifle	

(J)(ii)(XXVIII) Mossberg MMR Tactical rifles.		
(J)(ii)(XXVIII)	Mossberg MMR Tactical rifles	
(J)(ii)(XXIX) Noreen Firearms BN 36 rifle.		
(J)(ii)(XXIX)	Noreen Firearms BN 36 rifle	
(J)(ii)(XXX) Olympic Arms.		
(J)(ii)(XXX)	Olympic Arms AR-15 with collapsible stock and flash suppressor	
(J)(ii)(XXXI) POF USA P415.		
(J)(ii)(XXXI)	POF USA P415	
(J)(ii)(XXXII) Precision Firearms AR rifles.		
(J)(ii)(XXXII)	Precision Firearms AR rifles	

(J)(ii)(XXXIII) Remington R-15 rifles.		
(J)(ii)(XX XIII)	Remington R-15 rifles	
(J)(ii)(XXXIV) Rhino Arms AR rifles.		
(J)(ii)(XX XIV)	Rhino Arms AR rifles	
(J)(ii)(XXXV) Rock River Arms LAR-15 or Rock River Arms LAR-47.		
(J)(ii)(XX XV)	Rock River Arms LAR-15 with collapsible stock and flash suppressor	
(J)(ii)(XX XV)	Rock River Arms LAR-47	

(J)(ii)(XXXVI) Sig Sauer SIG516 rifles and MCX rifles.		
(J)(ii)(XX XVI)	Sig Sauer SIG516 rifles	
(J)(ii)(XX XVI)	Sig Sauer MCX rifles	
(J)(ii)(XXXVII) Smith & Wesson M&P15 rifles.		
(J)(ii)(XX XVII)	Smith & Wesson M&P Sport 2 AR15 with collapsible stock, vertical foregrip, and flash suppressor	
(J)(ii)(XXXVIII) Stag Arms AR rifles.		
(J)(ii)(XX XVIII)	Stag Arms rifles	

(J)(ii)(XXXIX) Sturm, Ruger & Co. SR556 and AR-556 rifles.		
(J)(ii)(XXIX)	Sturm, Ruger & Co. SR556 rifles	
(J)(ii)(XXIX)	Sturm, Ruger & Co. SR556 rifles	
(J)(ii)(XL) Uselton Arms Air-Lite M-4 rifles.		
(J)(ii)(XL)	Uselton Arms Air-Lite M-4 rifles	
(J)(ii)(XLI) Windham Weaponry AR rifles.		
(J)(ii)(XLI)	Windham Weaponry AR rifles	
(J)(ii)(XLII) WMD Guns Big Beast.		
(J)(ii)(XLII)	WMD Guns Big Beast	

(J)(ii)(XLIII) Yankee Hill Machine Company, Inc. YHM-15 rifles.		
(J)(ii)(XLIII I)	Yankee Hill Machine Company, Inc. YHM- 15 rifles	

Other “AR-Type” Rifles as defined by the Protecting Illinois Communities Act	
Anderson AM-15 BR	 A black AR-style rifle with a long barrel, a handguard with a textured grip, and a folding stock.
Ruger AR-556 MPR with M-LOK rail	 A black AR-style rifle with a handguard featuring M-LOK slots and a folding stock.
Springfield Armory Saint Victor	 A black AR-style rifle with a tan handguard, a tan stock, and a tan magazine.
Radical Firearms RF-15 SOCOM	 A black AR-style rifle with a handguard featuring M-LOK slots and a folding stock.

<p>Ruger AR-556 MPR</p>	 A black AR-style rifle with a long, perforated handguard and a flat-top receiver.
<p>Ruger AR-556 NATO M4 Flat-Top</p>	 A black AR-style rifle with a handguard featuring a Picatinny rail and a flat-top receiver.
<p>Springfield Saint 5.56 NATO</p>	 A black AR-style rifle with a handguard featuring a Picatinny rail and a flat-top receiver. The word "SAINT" is visible on the magazine.
<p>American Tactical OMNI Hybrid Maxx</p>	 A black AR-style rifle with a long, perforated handguard and a flat-top receiver. The word "OMNI" is visible on the magazine.
<p>Daniel Defense DDM4 V7</p>	 A tan-colored AR-style rifle with a long, perforated handguard and a flat-top receiver.

<p>Palmetto State Armory (PSA) PA-15</p>	 A black AR-15 style rifle with a standard handguard and a long barrel.
<p>Aero Precision AC-15</p>	 A black AR-15 style rifle with a textured handguard and a long barrel.
<p>Bravo Company MID-16 Mod O</p>	 A black AR-15 style rifle with a handguard featuring a Picatinny rail and a long barrel.
<p>FN America FN 15 Patrol Rifle</p>	 A black AR-15 style rifle with a handguard featuring a Picatinny rail and a long barrel.
<p>Geiselle Automatics Super Duty series</p>	 A black AR-15 style rifle with a handguard featuring a Picatinny rail and a long barrel.
<p>Lead Star Arms Grunt Rifle</p>	 A black AR-15 style rifle with a handguard featuring a Picatinny rail and a long barrel. The word "GRUNT" is visible on the side of the receiver.

<p>LMT Defense SPM16</p>	 A black LMT Defense SPM16 rifle, shown from a side profile. It features a black upper receiver, a black lower receiver, a black magazine, and a black handguard. The rifle has a black stock and a black trigger guard.
<p>LWRC International IC-SPR</p>	 A LWRC International IC-SPR rifle, shown from a side profile. It features a tan upper receiver, a black lower receiver, a black magazine, and a tan handguard. The rifle has a black stock and a black trigger guard.
<p>ZRO Delta Ready Series</p>	 A ZRO Delta Ready Series rifle, shown from a side profile. It features a black upper receiver, a black lower receiver, a black magazine, and a black handguard. The rifle has a black stock and a black trigger guard.





(J)(iii) Barrett M107A1.		
(J)(iii)	Barrett M107A1, 50 BMG caliber	
(J)(iv) Barrett M82A1.		
(J)(iv)	Barrett M82A1, 50 BMG caliber	
(J)(v) Beretta CX4 Storm.		
(J)(v)	Beretta CX4 Storm	
(J)(vi) Calico Liberty Series.		
(J)(vi)	Calico Liberty Series 50 Carbine with 50 round magazine	
(J)(vii) CETME Sporter.		
(J)(vii)	Century Arms CETME Sporter	

(J)(viii) Daewoo K-1, K-2, Max 1, Max 2, AR 100, and AR 110C.		
(J)(viii)	Daewoo K-1	
(J)(viii)	Daewoo K-2	
(J)(viii)	Daewoo Max 1	
(J)(viii)	Daewoo Max 2	
(J)(viii)	Daewoo AR 100	
(J)(viii)	Daewoo AR 110C	

(J)(ix) Fabrique Nationale/FN Herstal FAL, LAR, 22 FNC, 308 Match, L1A1 Sporter, PS90, SCAR, and FS2000.		
(J)(ix)	Fabrique Nationale FAL	
(J)(ix)	Fabrique Nationale LAR	
(J)(ix)	Fabrique Nationale 22 FNC	
(J)(ix)	Fabrique Nationale 308 Match	
(J)(ix)	Century Arms Fabrique Nationale FAL L1A1 Sporter	
(J)(ix)	Fabrique Nationale PS90	

(J)(ix)	FN SCAR	
(J)(ix)	Fabrique Nationale FS2000	
(J)(x) Feather Industries AT-9.		
(J)(x)	Feather Industries AT-9	
(J)(xi) Galil Model AR and Model ARM.		
(J)(xi)	Galil Model AR	
(J)(xi)	Galil Model ARM	






(J)(xii) Hi-Point Carbine.		
(J)(xii)	Hi-Point Carbine with vertical foregrip	
(J)(xiii) HK-91, HK-93, HK-94, HK-PSG-1, and HK USC.		
(J)(xiii)	Heckler & Koch HK91	
(J)(xiii)	Heckler & Koch HK93	
(J)(xiii)	Heckler & Koch HK94	
(J)(xiii)	Heckler & Koch-PSG-1	

(J)(xiii)	Heckler & Koch USC	
(J)(xiv) IWI TAVOR, Galil ACE rifle.		
(J)(xiv)	IWI TAVOR, Galil ACE rifle	
(J)(xv) Kel-Tec Sub-2000, SU-16, and RFB.		
(J)(xv)	Kel-Tec Sub-2000 (shown fully extended and folded for storage)	
(J)(xv)	Kel-Tec SU-16 (shown with bipod fully extended and folded for storage)	

(J)(xv)	Kel-Tec RFB	
(J)(xvi) SIG AMT, SIG PE-57, Sig Sauer SG 550, Sig Sauer SG 551, and SIG MCX.		
(J)(xvi)	SIG AMT	
(J)(xvi)	SIG PE-57	
(J)(xvi)	SIG SG 550	
(J)(xvi)	SIG SG 551	
(J)(xvi)	SIG MCX	

(J)(xvii) Springfield Armory SAR-48.		
(J)(xvii)	Springfield Armory SAR-48	
(J)(xviii) Steyr AUG.		
(J)(xviii)	Steyr AUG	
(J)(xix) Sturm, Ruger & Co. Mini-14 Tactical Rifle M-14/20CF.		
(J)(xix)	Sturm, Ruger & Co. Mini-14 Tactical/20 CF	
(J)(xx) All Thompson rifles, including the following:		
(J)(xx)(I) Thompson M1SB.		
(J)(xx)(I)	Thompson M1SB	
(J)(xx)(II) Thompson T1100D.		
(J)(xx)(II)	Thompson T1100D	

(J)(xx)(III) Thompson T150D.		
(J)(xx) (III)	Thompson T150D	
(J)(xx)(IV) Thompson T1B.		
(J)(xx) (IV)	Thompson T1B	
(J)(xx)(V) Thompson T1B100D.		
(J)(xx) (V)	Thompson T1B100D	
(J)(xx)(VI) Thompson T1B50D.		
(J)(xx) (VI)	Thompson T1B50D	
(J)(xx)(VII) Thompson T1BSB.		
(J)(xx) (VII)	Thompson T1BSB	

(J)(xx)(VIII) Thompson T1-C.		
(J)(xx) (VIII)	Thompson T1-C	
(J)(xx)(IX) Thompson T1D.		
(J)(xx) (IX)	Thompson T1D	
(J)(xx)(X) Thompson T1SB.		
(J)(xx)(X)	Thompson T1SB	
(J)(xx)(XI) Thompson T5.		
(J)(xx) (XI)	Thompson T5	
(J)(xx)(XII) Thompson T5100D.		
(J)(xx) (XII)	Thompson T5100D	

(J)(xx)(XIII) Thompson TM1.		
(J)(xx)(XIII)	Thompson TM1	
(J)(xx)(XIV) Thompson TM1C.		
(J)(xx)(XIV)	Thompson TM1C	
(J)(xxi) UMAREX UZI rifle.		
(J)(xxi)	UMAREX UZI Rifle	
(J)(xxii) UZI Mini Carbine, UZI Model A Carbine, and UZI Model B Carbine.		
(J)(xxii)	UZI Mini Carbine	

(J)(xxii)	UZI Model A Carbine	
(J)(xxii)	UZI Model B Carbine	
(J)(xxiii) Valmet M62S, M71S, and M78.		
(J)(xxiii)	Valmet M62S	
(J)(xxiii)	Valmet M71S	
(J)(xxiii)	Valmet M78	

(J)(xxiv) Vector Arms UZI Type.		
(J)(xxiv)	Vector Arms UZI type	
(J)(xxv) Weaver Arms Nighthawk.		
(J)(xxv)	Weaver Arms Nighthawk	
(J)(xxvi) Wilkinson Arms Linda Carbine.		
(J)(xxvi)	Wilkinson Arms Linda Carbine	

<p>(K) All of the following pistols, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon thereof:</p>		
<p>(K)(i) All AK types, including the following:</p>		
<p>(K)(i)(I) Centurion 39 AK pistol.</p>		
<p>(K)(i)(I)</p>	<p>Centurion 39 AK pistol</p>	
<p>(K)(i)(II) CZ Scorpion pistol.</p>		
<p>(K)(i)(II)</p>	<p>CZ Scorpion pistol</p>	
<p>(K)(i)(III) Draco AK-47 pistol.</p>		
<p>(K)(i)(III)</p>	<p>Draco AK-47 pistol</p>	

(K)(i)(IV) HCR AK-47 pistol.		
(K)(i)(IV)	HCR AK-47 pistol	No Image Available
(K)(i)(V) IO Inc. Hellpup AK-47 pistol.		
(K)(i)(V)	IO Inc. Hellpup AK-47 pistol	
(K)(i)(VI) Krinkov pistol.		
(K)(i)(VI)	(Arsenal SLR106) Krinkov pistol	
(K)(i)(VII) Mini Draco AK-47 pistol.		
(K)(i)(VII)	Mini Draco AK-47 pistol	

(K)(i)(VIII) PAP M92 pistol.		
(K)(i)(VIII)	(Zastava) PAP M92 pistol	
(K)(i)(IX) Yugo Krebs Krink pistol.		
(K)(i)(IX)	Krebs Custom Krink pistol	



Other “AK-Type” Pistols as defined by the Protecting Illinois Communities Act	
Palmetto State Armory (PSA) AK-P MOE	
Zastava PAP M85	
Century Arms RAS	
Arsenal SAM7K-44	





Charles Daly PAK-9



Kalashnikov USA KP-9




(K)(ii) All AR types, including the following:		
(K)(ii)(I) American Spirit AR-15 pistol.		
(K)(ii)(I)	American Spirit AR-15 pistol	
(K)(ii)(II) Bushmaster Carbon 15 pistol.		
(K)(ii)(II)	Bushmaster Carbon 15 pistol with padded buffer tube	
(K)(ii)(III) Chiappa Firearms M4 Pistol GEN II.		
(K)(ii)(III)	Chiappa Firearms M4 Gen II pistol	

(K)(ii)(IV) CORE Rifle Systems CORE15 Roscoe pistol.		
(K)(ii)(IV)	CORE Rifle Systems CORE15 Roscoe pistol	 (10.5" barrel) with pistol brace
(K)(ii)(V) Daniel Defense MK18 pistol.		
(K)(ii)(V)	Daniel Defense Mk18 pistol	 (10.3" barrel) with pistol brace
(K)(ii)(VI) DoubleStar Corporation AR pistol.		
(K)(ii)(VI)	DoubleStar Corporation	 ARP7 pistol with pistol brace
(K)(ii)(VII) DPMS AR-15 pistol.		
(K)(ii)(VII)	DPMS AR-15 pistol	

(K)(ii)(VIII) Jesse James Nomad AR-15 pistol.		
(K)(ii)(VIII)	Jesse James Nomad AR-15 pistol	
(K)(ii)(IX) Olympic Arms AR-15 pistol.		
(K)(ii)(IX)	Olympic Arms (OA-93) AR-15 pistol	
(K)(ii)(X) Osprey Armament MK-18 pistol.		
(K)(ii)(X)	Osprey Armament Mk-18 pistol	 <p data-bbox="506 1623 1149 1656">Pictured: Daniel Defense, Mk-18, AR-style pistol</p>

(K)(ii)(XI) POF USA AR pistols.		
(K)(ii)(XI)	POF USA AR pistols	
(K)(ii)(XII) Rock River Arms LAR 15 pistol.		
(K)(ii)(XII)	Rock River Arms LAR 15 pistol with pistol brace	
(K)(ii)(XIII) Uselton Arms Air-Lite M-4 pistol.		
(K)(ii)(XIII)	Uselton Arms Air-Lite M-4 pistol	

Other “AR-Type” Pistols as defined by the Protecting Illinois Communities Act	
Palmetto State Armory (PSA) Marauder MOE	
Bravo Company (BCM) Recce-11	
Sig Sauer PMCX Spear-LT	
Battle Arms Development Workhorse	

<p>F-1 Firearms FDR-15</p>	 A black, compact assault rifle with a short barrel and a handguard featuring a Picatinny rail. It has a black polymer stock and a black grip.
<p>LMT Defense MARS-L</p>	 A black assault rifle with a handguard that has a Picatinny rail. It features a black polymer stock and a black magazine.
<p>CORE Rifle Systems 300 BLK Truck Gun</p>	 A black assault rifle with a long barrel and a handguard with a Picatinny rail. It has a black polymer stock and a black magazine. The word "CORE" and "300 BLK" are visible on the receiver.
<p>Diamondback DB15 Pistol</p>	 A black assault rifle with a handguard that has a Picatinny rail. It features a black polymer stock and a black magazine.
<p>Radical Firearms FP7 series</p>	 A black assault rifle with a handguard that has a Picatinny rail. It has a black polymer stock and a black grip.

Springfield Armory
Saint pistol



(K)(iii) Calico pistols.		
(K)(iii)	Calico M950	
(K)(iv) DSA SA58 PKP FAL pistol.		
(K)(iv)	DSA SA58 PKP FAL	
(K)(v) Encom MP-9 and MP-45.		
(K)(v)	Encom MP-9	



(K)(vi) Heckler & Koch model SP-89 pistol.



(K)(vii) Intratec AB-10, TEC-22 Scorpion, TEC-9, and TEC-DC9.




<p>(K)(vii)</p>	<p>Intratec Tec-22</p>	
<p>(K)(vii)</p>	<p>Intratec Scorpion</p>	
<p>(K)(vii)</p>	<p>Intratec TEC-9</p>	





(K)(viii) IWI Galil Ace pistol, UZI PRO pistol.



(K)(ix) Kel-Tec PLR 16 pistol.		
(K)(ix)	Kel-Tec PLR 16	
(K)(x) All MAC types, including the following:		
(K)(x)(I) MAC-10.		
(K)(x)(I)	MAC-10	 (Cobray M-10 pictured)

(K)(x)(II) MAC-11.		
(K)(x)(II)	MAC-11	 <p>(Cobray M-11/Nine pictured)</p>
(K)(x)(III) Masterpiece Arms MPA A930 Mini Pistol, MPA460 Pistol, MPA Tactical Pistol, and MPA Mini Tactical Pistol.		
(K)(x)(III)	Masterpiece Arms MPA930 Mini Pistol	

<p>(K)(x)(III)</p>	<p>Masterpiece Arms MPA460 Pistol</p>	 A black, compact handgun with a short barrel and a Picatinny rail on top. It has a textured grip and a trigger guard.
<p>(K)(x)(III)</p>	<p>Masterpiece Arms MPA Tactical Pistol</p>	 A black, compact handgun with a long barrel and a Picatinny rail on top. It has a textured grip and a trigger guard. The number "815327" is visible on the slide, and "Masterpiece Arms" and "Coner, GA" are visible on the frame.

<p>(K)(x)(III)</p>	<p>Masterpiece Arms MPA Mini Tactical Pistol</p>	 <p>A black semi-automatic pistol with a compact design. The slide is marked with the number 'F10137' and 'Masterpiece Arms'. The grip has a textured, rubberized surface. A magazine is shown below the pistol, and a separate cylindrical component, likely a suppressor, is shown to the right.</p>
<p>(K)(x)(III)</p>	<p>Masterpiece Arms MPA30T</p>	 <p>A black semi-automatic pistol with a more traditional design than the MPA Mini. The slide is marked with the MPA logo, 'MPA30T', and 'Masterpiece Arms'. The grip has a textured, rubberized surface. A suppressor is mounted on the barrel.</p>

(K)(x)(IV) Military Armament Corp. Ingram M-11.

(K)(x)(IV) Military Armament Corp. Ingram M-11



(K)(x)(V) Velocity Arms VMAC.

(K)(x)(V) Velocity Arms VMAC9





(K)(xi) Sig Sauer P556 pistol.		
(K)(xi)	Sig Sauer P556 pistol	
(K)(xii) Sites Spectre.		
(K)(xii)	Sites Spectre HC	
(K)(xiii) All Thompson types, including the following:		
(K)(xiii)(I) Thompson TA510D.		
(K)(xiii)(I)	All Thompson types: Thompson TA510D (with 10 round drum magazine)	

(K)(xiii)(II) Thompson TA5.		
(K)(xiii)(II)	All Thompson types: Thompson TA5 (with 50 round drum magazine)	
(K)(xiv) All UZI types, including Micro-UZI.		
(K)(xiv)	All UZI types, including Micro-UZI (pictured with stock/brace folded)	

(L) All of the following shotguns, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon thereof:

(L)(i) DERYA Anakon MC-1980, Anakon SD12.

(L)(i)	DERYA Anakon MC-1980	 <p>Pictured: Derya Arms, Anakon semiautomatic shotgun, model number unknown</p>
(L)(i)	DERYA Anakon SD-12	 <p>Note: Derya Arms is a Turkish firearms manufacturer. There is no evidence of production of a model SD-10. Pictured is a Hatsan Arms (another Turkish manufacturer), model Escort SD12, semiautomatic shotgun.</p>

(L)(ii) Doruk Lethal shotguns.

(L)(ii)	Doruk Lethal series (Lethal-1 pictured)	
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(L)(iii) Franchi LAW-12 and SPAS 12.

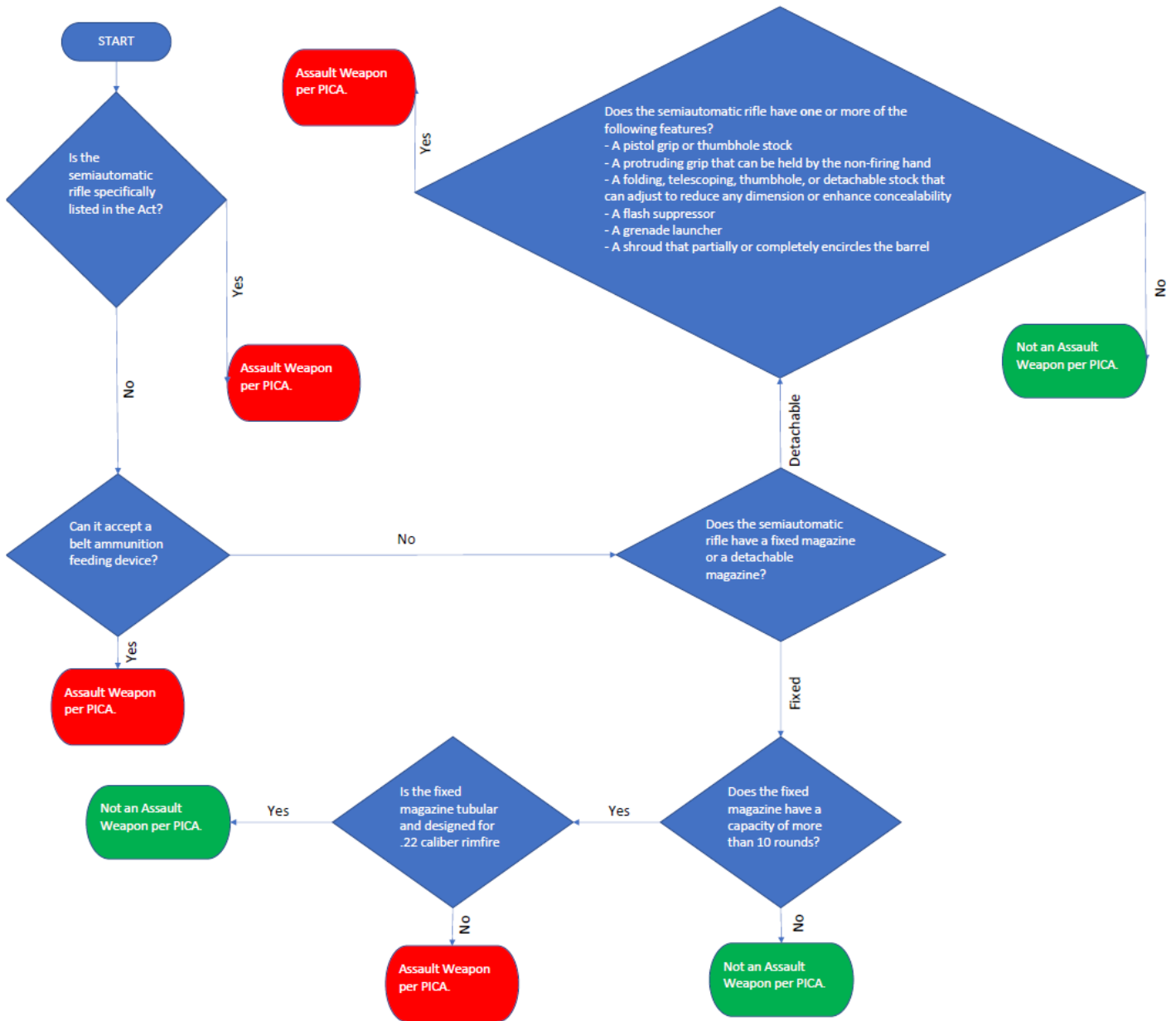
(L)(iii)	Franchi LAW-12	
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(L)(iii)	Franchi SPAS 12	
(L)(iv) All IZHMAH Saiga 12 types, including the following:		
(L)(iv)(I) IZHMAH Saiga 12.		
(L)(iv)(I)	IZHMAH Saiga 12	
(L)(iv)(II) IZHMAH Saiga 12S.		
(L)(iv)(II)	IZHMAH Saiga 12S	
(L)(iv)(III) IZHMAH Saiga 12S EXP-01.		
(L)(iv)(III)	IZHMAH Saiga 12S EXP-01	

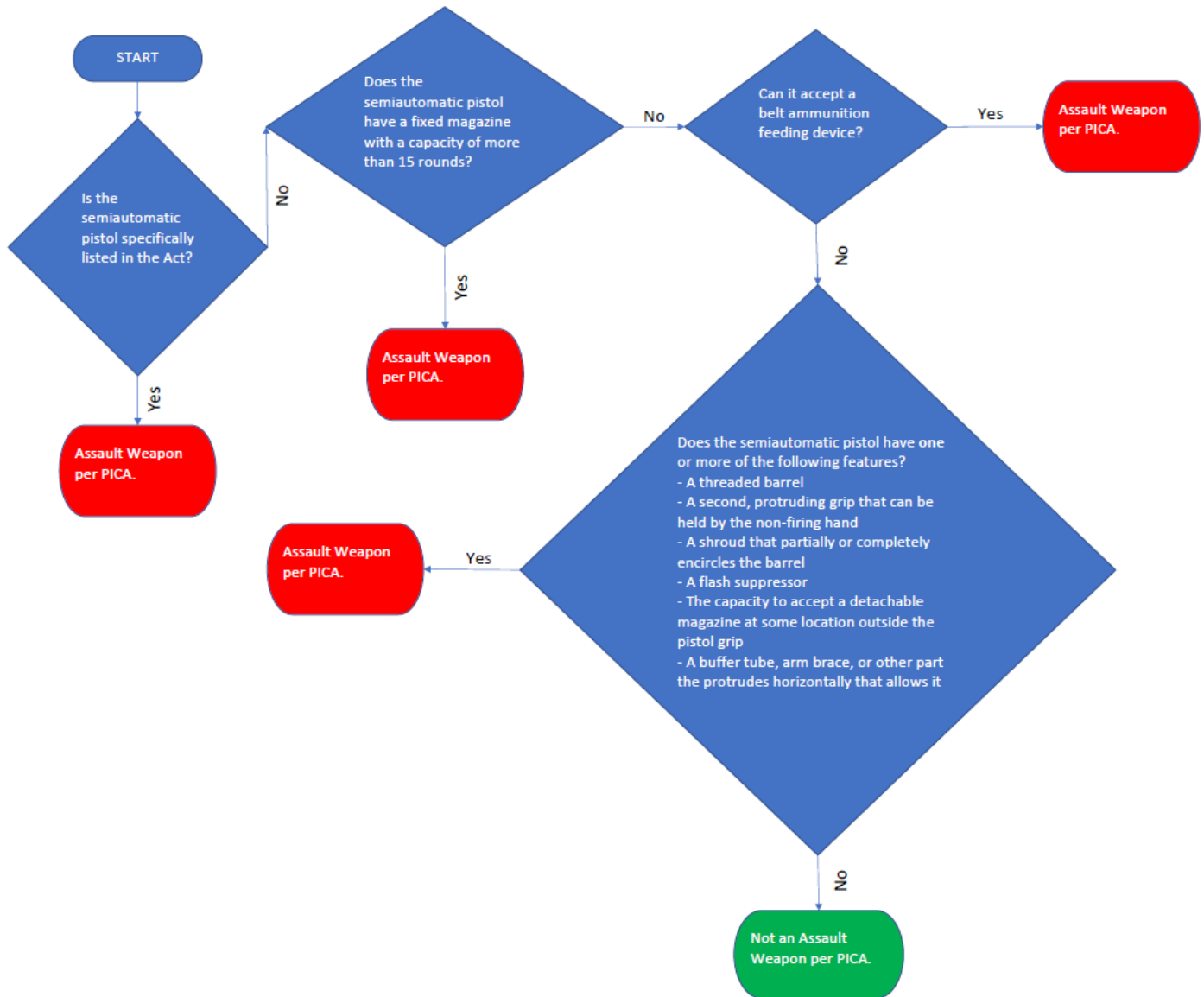
(L)(iv)(IV) IZHMAISH Saiga 12K.		
(L)(iv)(IV)	All IZHMAISH Saiga 12 types: Saiga 12K	
(L)(iv)(V) IZHMAISH Saiga 12K-030.		
(L)(iv)(V)	All IZHMAISH Saiga 12 types: Saiga 12K 030	
(L)(iv)(VI) IZHMAISH Saiga 12K-040 Taktika.		
(L)(iv)(VI)	All IZHMAISH Saiga 12 types: Saiga 12K 040 Takita	
(L)(v) Streetsweeper.		
(L)(v)	(Cobray) Streetsweeper	

(L)(vi) Striker 12.		
(L)(vi)	(Penn Arms) Striker 12	

Semiautomatic Rifles – Feature Flowchart



Semiautomatic Pistols – Feature Flowchart



Shotguns – Feature Flowchart



EXHIBIT F



ILLINOIS STATE POLICE
Office of the Director

JB Pritzker
Governor

Brendan F. Kelly
Director

December 1, 2023

Ms. Kim Schultz
Executive Director
Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706

Dear Ms. Schultz:

Re: Firearm Owner's Identification Card Act (20 Ill. Adm. Code 1230)

Enclosed is the Second Notice for the above-captioned proposed rulemaking. Please contact Justina Schacht at (217) 782-9356 if you have any questions or require additional information.

Thank you for your attention to this matter.

Respectfully,

A handwritten signature in cursive script that reads "Suzanne L.G. Bond".

Suzanne Bond
Acting Chief Legal Counsel

SB:js
Enclosures

ILLINOIS STATE POLICE

SECOND NOTICE OF PROPOSED RULEMAKING

- 1) Name of Agency: Illinois State Police
- 2) Title and Illinois Administrative Code Citation: Firearm Owner's Identification Card Act
20 Ill. Adm. Code 1230
- 3) Date of First Notice: September 29, 2023 47 Ill. Reg. 13846
- 4) Text and Location of Any Changes During First Notice Period: See Attached Exhibit K
- 5) Response to Recommendations Made by the Administrative Code Unit: ISP believes it has addressed all issues raised by JCAR members and staff within its statutory authority.
- 6) Incorporation by Reference Pursuant to Section 5-75 of the Illinois Administrative Procedure Act: This rulemaking does not include an incorporation by reference.
- 7) Final Regulatory Flexibility and Small Business Analysis: The proposed rules have no effect on small businesses.
 - A) A summary of the issues raised by small businesses during the first notice period.

None.
 - B) A description of actions taken on any alternatives to the proposed rulemaking suggested by small businesses during the first notice period, including reason for rejecting any alternatives not utilized.

None.
- 8) Consideration of Small Businesses, Not for Profit Corporations and Small Municipalities:
The proposed rules have no effect on small businesses or not-for-profit corporations.
- 9) Evaluation of the Comments Received During the First Notice Period:

The Illinois State Police created a public comment inbox to receive comments via email. We received approximately 500 total emails – of these, 329 included only the following message: “Dear Illinois State Police, I am writing to say that I support the Protect Illinois Communities Act rules. They are carefully and clearly drafted to implement the new law as the legislature intended. The law protects our children, families, and communities from senseless acts of gun violence.” The remaining 148

comments were from approximately 142 individuals and approximately 6 organizations. The public comments received by the November 20, 2023, deadline are attached as Exhibit C, 1 – 5.¹ Comments submitted that were read into the record at the public hearing are not included but have been taken into consideration in updating the FAQs and suggesting changes to the proposed rules. The attachments are available to view by clicking on the attachment link.

A) A list of all persons or organizations making comments on the proposed rulemaking.

See Exhibit C, 1 – 5.

More than 50 substantive suggestions or questions were received – 4 of these were from organizations and the remainder were from individuals. The organizations commenting were the Illinois State Rifle Association, FFLs of Illinois, Illinois Carry, and Illinois Federation of Outdoor Resources. Other comments may have been submitted by organizations but were not identified as such.

More than 340 comments were received either voicing support for the rules or opposition to the rules but not making any substantive suggestions or asking any questions. The Strengthening Chicago's Youth organization wrote in support and Auditing Transparency wrote in opposition of the rules but did not make substantive suggestions or ask any questions.

More than 50 comments were received that were unrelated to the rule – either because they were about the statute or the FOID process more generally– for example, a significant number of comments were received that raise concerns regarding the constitutionality of PICA but not commenting on the rules themselves. Copies of all comments received are provided as Exhibit C.

B) A list of specific criticisms, suggestions, and comments raised by interested persons, and the agency's analysis of each of these criticisms, suggestions and comments.

The ISP received approximately 500 comments. As indicated above the vast majority of these were either non-substantive or were unrelated to the proposed rules. The following is a summarization of the substantive criticisms, suggestions, and comments received from interested parties either during the public comment period or the public hearings – where possible, the comment is provided verbatim and summarized where it was either taken from the public hearings or multiple comments regarding the same topic were received. In response to these comments, the ISP added 26 FAQs and amended another 16 FAQs. Where individuals or organizations suggested regulatory language it was taken into consideration and proposed changes were made to the proposed rules including but not limited to the addition of 12 definitions.

¹ Please note that several people submitted their comments multiple times and there were technical difficulties with messages subject to quarantine accordingly there are potentially duplicates that were not included.

Criticisms, Suggestions, and Comments	Agency's Analysis
<p>Under Definitions on Page 4, "Assault Weapon" means a firearm that meets the definition of an assault weapon as set forth in Section 24-1.9 of the Criminal Code of 2012 [720 ILCS 5/24-1.9(a)(1)], including, but not limited to, those set forth in Appendix A (emphasis added) as required by Section 24-1.9 of the Criminal Code of 2012."</p>	<p>This definition was written prior to us amending Appendix A at the request of JCAR. The "but not limited to" language should be removed from the definition. I think perhaps the definition should simply say - "Assault Weapon" means a firearm that meets the definition of an assault weapon as set forth in Section 23-1.9 of the Criminal Code of 2012 [720 ILCS 5/24-1.9(a)(1)]. For additional guidance see Appendix A.</p>
<p>Appendix A restates the entirety of the definitions outlined in PA 102-1116. What possibly could be added to the definitions / appendix as an "assault weapon" that isn't already contained in the law which is requested in Appendix A? Will additional firearms be brought before JCAR before being added to Appendix A? Will FOID card holders be made aware of these additions, or will they find out when they get charged for not registering a firearm that wasn't in Appendix A to begin with?</p>	<p>The ISP has no intention of expanding the definition of "assault weapon" to include anything that "isn't already contained in the law."</p>
<p>Under Definitions on Page 5, "Endorsement Affidavit" means an affidavit electronically executed through the online FOID/FCCL System that registers an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge, with the Department as required by Section 24- 1.9(d) of the Criminal Code of 2012 [720 ILCS 5/24-1.9(d)].</p> <p>There is no definition of attachment in the rules and a vague definition in PA 102-1116, how are citizens to follow the law? If they don't possess</p>	<p>The ISP has proposed the following definition to our administrative rules:</p> <p>"Assault Weapon Attachment" means any device capable of being attached to a firearm that is specifically designed for making or converting a firearm into any of the firearms listed in the Act. For example,</p> <ul style="list-style-type: none"> a) a pistol grip or thumbhole stock; b) any feature capable of functioning as a protruding grip that can be held by the non-trigger hand; c) a folding, telescoping, thumbhole, or detachable stock, or a

a firearm, but have an item that could be used as an attachment, do they have to register it? Airsoft guns, which are used in recreation similar to paintball tournaments, share attachment styles with common semiauto firearms. If a person has a secondary grip for an airsoft firearm, is it now considered an assault weapon attachment because it can be attached to a semi auto firearm as a 2nd grip?

stock that is otherwise foldable or adjustable in a manner that operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability of, the weapon;

- d) a flash suppressor;
- e) a grenade launcher;
- f) barrel shroud;
- g) a threaded barrel; and
- h) a buffer tube, arm brace, or other part that protrudes horizontally behind the pistol grip and is designed or redesigned to allow or facilitate a firearm to be fired from the shoulder.

Assault weapon attachments do not include integral parts or components of an assault weapon but rather are supplementary or other items not specifically designed for a firearm, for example items specifically designed for an airsoft gun. If a person were to attach parts specifically designed for an airsoft gun to a firearm thereby bringing the firearm within the definition of assault weapon under PICA, the firearm, not the attachment, would be regulated.

Below is a non-exhaustive list of examples of items that are not assault weapon attachments:

- Scopes and scope mounts
- Red dot sights, holographic sights, and their mounts
- Laser sighting devices
- Flashlights or other lighting devices
- Slings and sling mounts
- Aftermarket stocks that do not otherwise meet the criteria in (1)(a).
- Picatinny rails (used for attaching devices to the exterior of a firearm)

- Bayonets and bayonet mounts
- Belt clips / minimalistic holsters (pistols)

The ISP is also proposing the following amendments to our rules:

A person who has submitted an endorsement affidavit for an assault weapon or .50 caliber rifle that as manufactured has features that if removed would constitute assault weapon attachments is only required to submit an endorsement affidavit for the assault weapon or .50 caliber rifle.

If a person has submitted an endorsement affidavit for an assault weapon or .50 caliber rifle that as manufactured has features that if removed would constitute assault weapon attachments and subsequently removes items that separately constitute assault weapon attachments and retains possession, the person shall submit an updated endorsement affidavit.

Bolt, lever, or pump action firearms are not subject to the endorsement affidavit provisions of PICA even if as manufactured the firearm has features that if removed would constitute assault weapon attachments; however, if items that constitute assault weapon attachments are removed from a bolt, lever, or pump action firearm, the person in possession shall submit an endorsement affidavit for the specified assault weapon attachments upon removal regardless of when they were purchased lawfully as a part of the firearm.

<p>With regards to .50 Cal cartridges, the ISP has an affidavit which requires you to state the manufacturer and quantity of cartridges in your possession. However, if you expend the cartridge but reload the casing with new powder & projectile, does the affidavit still cover the cartridge? Do you have to file a new affidavit every time you reload casings? Also, several manufacturers utilize similar components in their cartridges. How will ISP verify manufacturers if the ammunition is not in the original box?</p>	<p>The statute regulates the .50 BMG cartridge and is silent on the issue of reloading. The individual will simply indicate the # of cartridges being endorsed.</p>
<p>These vague definitions make the rules unenforceable for ISP and nearly impossible for citizens to comply with.</p>	<p>The ISP has made every effort to provide clarity where it is possible to do so without exceeding our statutory authority. ISP has continued to provide additional through these rule changes by providing further definitions. The ISP proposed 12 additional definitions in response to comments received.</p>
<p>"Having Possessed Such Items Prior to January 10, 2023" means persons who possess one of the prohibited items under the Act, as the result of a sale or transfer with a background check initiated with the Department on or before January 10, 2023, ... This means ISP will not recognize any purchase that took place after January 10, 2023, because of various temporary restraining orders which were in effect during 2023. This means that Illinois is not following the lawful orders of judges which were given during 2023 and is forcing citizens to dispose of lawfully obtained property.</p> <p>There were numerous legal purchases of firearms which meet the definition of "assault weapon" outlined in PA 102-1116 that occurred after January</p>	<p>The referenced orders were a temporary action by the courts to stay enforcement of a provision until the merits of an argument can be heard. When the courts vacated the TROs and preliminary injunction, they took no action to extend the enactment date of the Protect Illinois Communities Act. Only the legislature or the courts can change the enactment date of a law. The ISP was not even granted any statutory authority to create a grace period much less extend or delay the enactment date. The ISP will amend its rules to address this concern if this is addressed by the court or legislature in the future. While the purchases were made during a period when the law could not be enforced, the parties purchasing such weapons did so</p>

<p>10, 2023, due to various judicial orders. Does the State of Illinois intend to force those that purchased these firearms legally to dispose of them prior to January 1, 2024, since they will not allow them to be registered? – While this was answered at the hearing, we are requesting a formal written response.</p>	<p>based on a non-final, temporary order that was always subject to being overruled - as actually happened. Acting based on such an order was inherently risky. Individuals who made affected purchases during this period continue to have the option to return or relinquish those items. They may lawfully possess such items until January 1, 2024, at which time items regulated by PICA that were purchased during a TRO or preliminary injunction may no longer be lawfully possessed in Illinois absent further action by a court or the legislature.</p>
<p>Section 1230.15 a) 2) “Except as provided in subsection (e) of Section 24-1.9 of the Criminal Code of 2012 and beginning on January 1, 2024, any person, who moves into this State in possession of an assault weapon, assault weapon attachment, .50 caliber rifle, .50 caliber cartridge, or large capacity ammunition feeding device, shall apply for a FOID Card within 60 days after moving to Illinois. [720 ILCS 5/24-1.9(d)]”</p> <p>Section 1230.15 b) 1) “Any person who moves into Illinois in possession of an assault weapon, assault weapon attachment, .50 caliber rifle, .50 caliber cartridge, or large capacity ammunition feeding device, shall complete the endorsement affidavit within 60 days after moving to Illinois. [720 ILCS 5/24-1.9(d)]”</p> <p>These two sections together create a situation where someone is admitting possession of a firearm without a valid FOID, and it gives a ready-made list for seizure to the ISP should the individual have their FOID application denied, which</p>	<p>These two provisions are taken directly from PICA - "Except as provided in subsection (e) and beginning on January 1, 2024, any person who moves into this State in possession of an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge shall, within 60 days, apply for a Firearm Owners Identification Card and complete an endorsement application as outlined in subsection (d)."</p>

<p>requires transfer of the firearms per 1230.15 a) 3). We believe this is a violation of citizens' 5th Amendment rights.</p>	
<p>Section 1230.15 b) "Electronic Endorsement Affidavit Requirement. Any person, other than individuals exempt by Section 24-1.9(e) of the Criminal Code of 2012 [720 ILCS 5/24-1.9(d)], in possession of an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge, must electronically file an endorsement affidavit through the online FOID/FCCL system beginning October 1, 2023, but shall be completed no later than January 1, 2024."</p> <p>Again, the same issues are present here as under the lack of definitions for assault weapon attachment and .50 caliber cartridge as covered earlier.</p>	<p>As shown above, the ISP added a definition for "assault weapon attachment." The PICA already defines ".50 caliber cartridge."</p> <p>".50 caliber cartridge" means a cartridge in .50 BMG caliber, either by designation or actual measurement, that is capable of being fired from a centerfire rifle. The term ".50 caliber cartridge" does not include any memorabilia or display item that is filled with a permanent inert substance or that is otherwise permanently altered in a manner that prevents ready modification for use as live ammunition or shotgun ammunition with a caliber measurement that is equal to or greater than .50 caliber.</p> <p>The ISP lacks the authority to redefine terms already defined by the legislature.</p>
<p>Section 1230.15 B) 4) A) Lays out various possession exemptions for Olympics, Sparta, non-residents, hunting & movies, (omitted for brevity) Section 1230.15 B) 4) B) "However, these persons must have completed an electronic endorsement affidavit if their possession of these items extends beyond the circumstances outlined in subsection (b)(4)(A). For example, if a person owns an assault weapon and hunts with it, their possession extends beyond hunting use; or if a person owns an assault weapon and takes it to an event at the World Shooting and Recreational Complex at Sparta, their possession extends beyond</p>	<p>The PICA states they are exempt while engaged in those activities. The legislature structured subsection (e) using three different sentences and establishing qualifications for each. For example, there is no limitation applied to the exemption for peace officers, qualified law enforcement officers, qualified retired law enforcement officers, wardens, superintendents, etc... but there are limitations applied to "members of the armed services, armed security, private security, etc. The legislature specifically limited the exception to circumstances like - while performing their official duties or</p>

<p>possession at the World Shooting and Recreational Complex at Sparta. As a result, the persons in the above examples would be required to complete an electronic endorsement affidavit. If a person does not own an assault weapon but rather rents or borrows one from a neighbor for hunting or a teammate for a shooting event and returns it upon the conclusion of the purpose, their possession does not extend beyond the permitted circumstances and that person would not be required to complete an electronic endorsement affidavit.”</p> <p>This section renders the exemptions laid out in the previous section as moot for the majority of cases as individuals likely possess the firearms on their private property when not in use. This directly contradicts the legislative intent that was expressed during debate in hearings and on the floor of the General Assembly.</p> <p>Many hunters were told that their firearms would be exempt from the requirements of PA 102-1116 if used for hunting purposes per the list that is supposed to be generated by ISP in conjunction with IDNR. That is not the case here. It appears many common shotguns will need to be registered and this will require a great deal of public education should these rules be implemented.</p>	<p>while traveling to or from their places of duty.</p>
<p>Section 1230.50 Return of FOID Card – Applicant “2) Upon receiving notice of suspension, the FOID Card holder must comply with the Firearms Disposition Record (FDR) provisions of Section 9.5 of the Act and shall</p>	<p>ISP cannot locate any authority in the statute which permits those transfers. Absent statutory authority, ISP does not see a manner to permit these transfers in administrative rules. If there is legal authority that we have</p>

surrender the FOID Card to the law enforcement agency or person listed on the FDR regardless of whether the FOID Card holder owns or possesses firearms.

A) A person subject to Section 9.5 of the Act due to a suspension shall either surrender assault weapons, assault weapon attachments, .50 caliber rifles, and .50 caliber cartridges to a law enforcement agency for the duration of the suspension or transfer such items to a person authorized to purchase and possess such items consistent with the provisions of Sections 24-1.9 and 24-1.10 of the Criminal Code of 2012 [720 ILCS 5/24-1.9 and 720 ILCS 5/24-1.10].

B) Assault weapons, assault weapon attachments, .50 caliber rifles, .50 caliber cartridges, and large capacity ammunition feeding devices transferred to another person as the result of a suspension may not be returned upon reinstatement of the FOID Card.

C) Assault weapons, assault weapon attachments, .50 caliber rifles, .50 caliber cartridges, and large capacity ammunition feeding devices may only be returned by a law enforcement agency to whom such items were surrendered.”

In sections B & C, if a person has their FOID suspended or revoked, and then transfers their assault weapons to someone other than law enforcement, and then their FOID is eventually reinstated, the Assault weapons may not be transferred back to them. This is a taking and unconstitutional. This is probably the most egregious section of these emergency rules. The State is forcing

missed or did not consider, please let us know.

The ISP does not intend to force the permanent transfer of private property but rather is attempting to educate the public that if they want to retain possession, they must surrender to law enforcement pending the reinstatement of their FOID card. They are trying to avoid having a private party unwittingly transfer a firearm that then cannot be transferred back.

The ISP is proposing the following additional language as well:

“Notwithstanding any other provision to the contrary, any assault weapon surrendered to law enforcement for safekeeping pursuant to a FOID Card suspension or revocation based upon a protective order as defined by Section 1.1 and required by Section 8.2 of the Act, may, at the request of the owner, be transferred to an FFL of the owner’s choosing so that the assault weapon may be sold by the FFL on behalf of the owner consistent with PICA and shall not be destroyed unless the owner fails to make such a request within 180 days of the suspension or revocation.”

<p>the permanent transfer of private property.</p>	
<p>Does this include firearms with revolving cylinders that are capable of shooting both pistol and shotgun calibers from the same cylinder, such as those chambered in .45 long colt and .410 shot?</p>	<p>If the firearm in question is a shotgun with a revolving cylinder it is regulated regardless of the chamber size. Pistols with revolving cylinders are not regulated by the PICA.</p>
<p>With relation to part (v), How does the ISP define capacity? Is it by the stated capacity of the tube magazine by chamber size, or is it by the maximum capacity of the tube magazine? A 12ga Semi- Auto Shotgun with a 3 ½” chamber size holds 5 - 3 ½” sized shells but is capable of holding 6 - 2 ¾” shells, which puts it over the 5 round maximum stated in the law. Additionally, almost all of these shotguns can utilize the new 1 ¾” mini shell size which puts nearly all semi auto shotguns as over the 5 round maximum stated in law.</p>	<p>“Capacity” means the total number of rounds that can be used of the maximum identified chambered sized round.</p>
<p>ISP stated in today’s meeting that Magazine Tube Extensions do not count as detachable magazines, is that still their opinion? A magazine tube extension would allow for greater than 5rd capacity on a semi automatic shotgun, and “assault weapon” under (a)(1)(F)(v) which seems to fit this definition. Does the ISP consider Magazine Tube Extensions to be assault weapons attachments? If so do they have to be registered? Even if a person does not possess the firearm that said attachment would fit?</p>	<p>The ISP does not consider a magazine tube extension to be a detachable magazine insofar as it cannot be loaded outside of the firearm. However, it is an assault weapon attachment subject to the endorsement affidavit process. The requirement to file an endorsement affidavit for assault weapon attachments is not dependent upon the person also owning an assault weapon.</p>
<p>Furthermore, it is possible for non-firearms “weapons” such as airsoft guns utilize attachments such as forward grips (secondary grips) that can attach to modern firearms, making those firearms fall under the definition of “assault weapon”.</p>	<p>Assault weapon attachments do not include integral parts, components of an assault weapon, or other items not specifically designed for a firearm, for example items specifically designed for an airsoft gun. Rather</p>

<p>Would those grips be considered assault weapons attachments that need to be registered? Even if the attachment owner doesn't own a firearm that could be "converted" into an "assault weapon" with it?</p>	<p>they are supplementary items that can be attached to assault weapons. See also FAQ #17 Is an endorsement affidavit needed for items/attachments specifically designed for airsoft guns? To be an assault weapon attachment, the item must be specifically designed for a firearm. Items specifically designed for airsoft guns are not assault weapon attachments. If a person were to attach parts specifically designed for an airsoft gun to a firearm thereby bringing it within the definition of assault weapon under PICA, the firearm would be regulated.</p>
<p>Will the ISP and IDNR be developing a list of applicable weapons that are exempt from the requirements of PA 102-1116 as called for in this section? If Sections 1230.15 B) 4) A) & 1230.15 B) 4) B) are to followed as written, could the ISP give an example of someone solely possessing and using a firearm for hunting use which would allow the exemptions of section A to apply to them? Would the weapon have to be stored on hunting ground with a timed lock that only opens during hunting season? Does that satisfy the exemptions listed?</p>	<p>Appendix B was drafted in consultation with IDNR, ISP discussed this concern with IDNR in an effort to provide further clarification. IDNR confirmed that no additional guidance can be provided.</p>
<p>Will the ISP allow for the return of firearms as provided for in the FOID card Act, or will they stay with this new methodology listed in these proposed rules?</p>	<p>The ISP will allow for the return of firearms other than assault weapons as provided for in the FOID Card Act. The possession of assault weapons is regulated by PICA and is more limited than the provisions of the FOID Card Act.</p>
<p>What does the cross reference to a3 refer to? IFOR cannot find an a3 reference that makes the rest of the appendix relevant. Furthermore, the "exemptions" created by this</p>	<p>This citation is in error and the proposed rules have corrected the reference to (b)(12) of the Appendix A.</p>

<p>appendix are rendered moot by Section 1230.15 B) 4) B)</p>	
<p>If it is the intent of this appendix to allow for hunting purposes, then IFOR asks for this appendix to simply state that “assault weapons” are legal for hunting as long as they meet the capacity limits and caliber requirements set out in Wildlife code.</p>	<p>The plain language of the statute does not provide an across the board exemption for hunters. The interested party was asked whether there is floor debate regarding Appendix B; however, no reference could be provided.</p>
<p>Are the FAQs static or will they be changed?</p>	<p>The FAQs are updated as needed. A table of the changes made has also been provided.</p>
<p>The ISP was asked to provide further clarification regarding firearms owned by clubs, organizations, businesses, etc...</p>	<p>Clubs, organizations, businesses, or companies, including but not limited to Federal Firearms Licensees doing business as a sole proprietor, partnership, corporation, or limited liability corporation, that own items subject to the endorsement affidavit provisions of PICA do not need to complete endorsement affidavits for the inventory of their businesses. However, Federal Firearms Licensees, must comply with the endorsement affidavit provisions of PICA for their personal possessions unless the person is eligible for another exemption. Further, the ISP proposed the following rule change: Clubs, organizations, business, or companies, including but not limited to Federal Firearms Licensees doing business as a sole proprietor, partnership, corporation, or limited liability corporation, that own items subject to the endorsement affidavit provisions of PICA. i.) If the leadership of such club, organization, business, or company changes but the ownership of the items does not change, no action is required on behalf of the club, organization, business, or company. However, if ownership transfers, the</p>

	<p>transfer must be consistent with PICA.</p> <p>ii.) Members or owners of clubs, organizations, businesses, or companies, including but not limited to Federal Firearms Licensees, must comply with the endorsement affidavit provisions of PICA for their personal possessions unless the person is eligible for another exemption.</p> <p>Persons who are exempt from the endorsement affidavit provisions pursuant to this subparagraph are required to file an electronic endorsement affidavit should the circumstances giving rise to the exemption change.</p>
<p>There is no such thing in Illinois as a “licensed firing range.” Please clarify: will the department view it as a violation for customers to lawfully use their legally possessed firearms at our non-licensed ranges?</p>	<p>The ISP is proposing the following rule: “Properly licensed firing range” means an area that contains shooting stations or firing lines, target areas, and other related components for discharging firearms at a target in a sporting event, for practice or instruction in the use of a firearm, or for the testing of a firearm, which meets the requirements set forth in Section 5 of the Premises Liability Act 740 ILCS 130/5, as well as any applicable rules as set forth by the unit of local government with jurisdiction. It also includes licensed shooting preserves and public hunting areas operated or licensed by the Department of Natural Resources. Section 1230.65 Possession and Transfer of Items Regulated by Sections 24-1.9 or 24-1.10 of the Criminal Code of 2012</p> <p>g) A person who has completed endorsement affidavit(s), may possess the items set forth in the endorsement affidavit(s) in any of the</p>

	<p>locations set forth in 720 ILCS 5/24-1.9(d) including</p> <ol style="list-style-type: none"> 1) on private property owned or immediately controlled by the person; 2) on private property that is not open to the public with the express permission of the person who owns or immediately controls such property; 3) while on the premises of a licensed firearms dealer or gunsmith for the purpose of lawful repair; 4) while engaged in the legal use of the assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge at a properly licensed firing range or sport shooting competition venue; or 5) while traveling to or from these locations, provided that the assault weapon, assault weapon attachment, or .50 caliber rifle is unloaded and the assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge is enclosed in a case, firearm carrying box, shipping box, or other container.
<p>Does a person need a FOID if they own an attachment but not a firearm and need to file an endorsement affidavit?</p>	<p>No, see FAQ #33.</p> <p>How do I complete an endorsement affidavit for my assault weapon attachment if I do not have a FOID card?</p> <p>A FOID card is not required to complete the endorsement affidavit for an Assault Weapon Attachment only. You may access the Firearms Services Bureau Applicant Portal at https://www.ispfsb.com/Public/Login.aspx and complete the user registration. Once completed, while you are signed into your dashboard you will be able to disclose your Assault Weapon Attachment. Tutorial videos on how to complete the disclosure processes are posted to</p>

	<p>the Department’s website at https://isp.illinois.gov/Foid/AppInstructions.</p>
<p>Members of the Armed Forces are often issued magazines, and "assault weapons" attachments and can bring them home. Does a Service-member need to register their issued attachment?</p> <p>Reserve and National Guard Soldiers are required to maintain proficiency with our rifle, yet often only get one chance a year to fire. Some members in the Reserve and Guard have personal AR15 style rifles that while it isn’t the same weapon, has similarities to help increase proficiency. Is there any provision for military members and their personal weapons similar to law enforcement?</p>	<p>See FAQ #41. Are members of the Armed Services exempt from the purchase & possession of the Protect Illinois Communities Act? Assault weapons</p> <ul style="list-style-type: none"> • used by persons like members of Armed Services or Reserve Forces of the U.S. or Illinois National Guard, armed security at nuclear energy sites, and licensed private security personnel in the performance of their official duties, • transported to and from their official duties, • secured at home or their place of business, or • possessed for the purposes of attending training approved by a licensed Illinois private detective agency or security contractor agency or the military, including travel to and from such training, <p>are exempt from the endorsement provisions so long as the person possesses a valid firearm control card, where applicable, and valid firearm owner's identification card, for the duration of their employment. Any person no longer employed by such an agency and not having an active firearm control card, shall file an electronic endorsement affidavit prior to separation from the employment giving rise to the exemption.</p>
<p>Are pump action or lever action shotguns with a grip or telescoping</p>	<p>Pursuant to 720 ILCS 5/24-1.9, assault weapon does not include a</p>

<p>stock now "assault weapons". If so, it would contradict the emergency rules and the statute as all the "assault weapons" are semi-automatic or a .50 cal rifle, it says nothing about manually operated firearms.</p> <p>If a bolt action firearm uses a AR-15 style lower receiver, does it need to be registered?</p>	<p>firearm that is manually operated by bolt, pump, lever, or slide action, unless the firearm is a shotgun with a revolving cylinder. This is true even if, as manufactured, the bolt, pump, lever, or slide action firearm has features that if removed would constitute assault weapon attachments.</p>
<p>Why has the ISP waited 9 months to release emergency rules versus going through the traditional public hearing when these questions could have been asked months ago?</p> <p>why did the department elect to jam emergency rules in the 11th hour?</p>	<p>PICA was enacted on January 10, 2023. By January 20, 2023, a TRO had been entered barring enforcement. Several additional TROs and injunctions barring enforcement were entered between February and April 2023. As of August 15, 2023, no TROs or injunctions remained in place. Since the filing of rules is an act of enforcement, the ISP filed emergency and proposed rules on or about September 15, 2023 after these matters were resolved.</p>
<p>Will an assault weapon need to be registered in addition to EVERY attachment it has on it? I see a lot of confusion because more weapons are registered than attachments. One would think it would be the other way around because each semi-automatic rifle would need a minimum of 1 attachment. There are nearly 3 to 1 more rifles than attachments registered.</p> <p>I thought pistol grips are a standard thing that are put on all modern rifles. Do I have to register standard grips that came with the rifle as an accessory? Can you please clarify and define what is the difference between the standard grips that come with all modern rifles and the pistol grips that need to be registered as an accessory under PICA?</p>	<p>No, see FAQ #35. Do I need to complete an endorsement affidavit for my assault weapon and every assault weapon attachment on it? A person who has submitted an endorsement affidavit for an assault weapon or .50 caliber rifle that as manufactured has features that if removed would constitute assault weapon attachments is only required to submit an endorsement affidavit for the assault weapon or .50 caliber rifle. If a person has submitted an endorsement affidavit for an assault weapon or .50 caliber rifle that as manufactured has features that if removed would constitute assault weapon attachments and subsequently removes items that separately constitute assault weapon attachments and retains possession, the person shall submit an updated</p>

<p>Under PICA does filing a single Endorsement Affidavit for an Assault Weapon (Rifle) cover all of the components of that rifle that would also be considered Assault Weapons Attachments, or do those components also require individual Endorsement Affidavits?</p> <p>If one were to register an AR-15 that has a flash hider, threaded barrel, pistol grip, vertical foregrip, and a collapsible stock via the FOID portal affidavit do they also need to register the flash hider, threaded barrel, pistol grip, vertical foregrip and collapsible stock separately and additionally to comply with PICA?</p>	<p>endorsement affidavit. If a person owns multiple assault weapons and/or assault weapon attachments, an endorsement affidavit must be completed for each individual item unless the item has the same exact make and model number. For those items with the same exact make and model number, one endorsement affidavit can be completed with a note added in the description listing the relevant quantity.</p>
<p>If one is to inherit an assault weapon, attachment, or .50 cal rifle, or .50 cal rifle round as defined by Public Act 102-1116 2023 that is not registered by a family member or given from a family member from another state after the January 1st, 2024, deadline. Will the ISP Affidavit remove or modify the declaration of what some see as self-incrimination that the item was obtained before January 10th, 2023, under penalty of perjury? That family member who owned the firearm previously may not be able to be prosecuted. Will this be prosecutable from the person who inherited trying to abide by the law?</p>	<p>The affirmation has been updated to affirm that the person submitting either possessed or initiated a purchase prior to January 10th; inherited such items; moved to IL after Jan 10th with such items; or am filing the endorsement affidavit out voluntarily. While the ISP is bound by the statute and cannot change the affirmation as suggested, these modifications should address the concern raised.</p>
<p>What is the definition of a revolving cylinder? The picture under the assault weapons identification guide pictures a SRM 1216 has a detachable magazine that is revolving-like, yet it has a detachable magazine. Does this include firearms such as the MTS 255 or Colt Shotgun Model</p>	<p>The Act does not specifically regulate anything with a revolving cylinder other than a shotgun. Any shotgun with a revolving cylinder is an assault weapon. With respect to rifles and pistols, the starting point is whether they are semi-automatic. If so, then the next issue is whether they have a feature</p>

<p>1855 or similar models? You also have several revolvers that fire .410 and would constitute an "assault weapon."</p>	<p>that is regulated. "Revolving Cylinder" is NOT a regulated feature for rifles and shotguns. The ISP believes its guide and the flowcharts provided for further guidance.</p>
<p>What is a barrel shroud? Public Act 102-1116 2023, Sec. 24-1.9 Sub-Sec 1 (A) VI states "shroud attached to the barrel or that partially or completely encircles the barrel, allowing the bearer to hold the firearm with the non-trigger hand without being burned, but excluding a slide that encloses the barrel." What is a slide that encloses a barrel? A barrel slide is generally only regarded on a handgun, not a long-gun. This is very confusing and again the average law enforcement officer will not know the difference. For example, an M1 Carbine with a standard stock comes in 2 pieces. The top-handguard is a separate piece. Would that constitute a barrel shroud? Many rifles that don't have the scary attachments have a top handguard in 2 pieces, to include the K43, SVT40, M1A/M14, RSC 1917/1918, or M1 Garand. Not only does a top-handguard prevent the shooter from getting burned, but it is also essential for the firearm to function and safely for many firearms.</p>	<p>See FAQ #10. Is a forestock considered a "barrel shroud" and therefore regulated by PICA? No. A shroud is not an integral component of the stock, but rather a separate piece. For example, the wooden forestock on a base model Ruger 10/22 does not constitute a shroud. See ISP's guide. Other examples of forestocks not constituting shrouds would be the base model M1 Carbine, M1 Garand, and Savage, Model 850, assuming they have no other features regulated by the PICA and/or have not been modified to include any regulated features or attachments. For additional information regarding the definitions of barrel shroud, flash suppressor, muzzle brake, and stock, please refer to the ISP's proposed rules.</p>
<p>Many people are confused about whether a handguard (which also shields the hand from being burned by the barrel) would constitute a "barrel shroud" and also become an assault weapon attachment. I don't think it does based on your illustrative picture in the guide but some are unsure. Can you give us further clarity here?</p>	<p>See FAQ #25. Is a handguard considered a shroud pursuant to PICA? No.</p>

<p>Do complete AR15 uppers (Upper receiver/ barrel/ bolt) need to be listed under pica? There is no serial number on the upper receiver and different uppers are attached to a single lower for different reasons (match, practice, use of iron sights vs scope)</p>	<p>AR-15 rifles are prohibited by the PICA. If the upper receiver has an assault weapon attachment an endorsement affidavit is required.</p>
<p>If an FFL has a NFA item in their inventory does that need to be registered? Examples would be fully automatic machine guns, suppressors Etc? Those items are already registered with ATF</p>	<p>It would depend on the item. See FAQ #1. What firearms are regulated under Public Act 102-1116, the Protect Illinois Communities Act (PICA) and is the list of assault weapons listed in Appendix A exhaustive? PICA regulates the possession of assault weapons (among other things) and sets forth a definition convey which firearms are included in the Act. The definition of "assault weapon" included in PICA is very broad including any firearm, part, or combination of parts designed to or intended to operate as an assault weapon as defined in the Act. For additional information, please refer to 720 ILCS 5/24-1.9(a)(1) and the ISP's guide. Appendix A is not exhaustive but rather sets forth those "assault weapons" that are eligible for the endorsement affidavit process and exemption. To ensure that any "assault weapon" (as defined by PICA) which was possessed on January 10, 2023, is incorporated into the endorsement affidavit process and exemption, the ISP mimicked the legislature's language. See FAQ #14. What is an " assault weapon attachment"? The statute defines the term "assault weapon attachment" as any device capable of being attached to a firearm that is specifically designed for</p>

	<p>making or converting a firearm into an assault weapon as defined in the Act.</p>
<p>Can the ISP allow the endorsement affidavit upon request to be submitted in writing?</p>	<p>The statute specifically provides for an “electronic endorsement affidavit.” However, the ISP has a number of customer service kiosks that can assist people with the electronic endorsement process.</p>
<p>If an FFL in Illinois can only obtain prohibited items on behalf of a person exempt from the purchase provisions of PICA but not maintain any items in inventory, how can an Illinois resident transfer the prohibited item to an FFL in Illinois?</p>	<p>See FAQ #61. Can an FFL still take possession of and transfer regulated firearms to out-of-state FFLs to liquidate their left- over stock? Yes. FFLs can still transfer regulated firearms to out-of-state FFLs and can take possession of regulated firearms for the purposes of transferring to an out-of-state FFL.</p>
<p>Do FFLs have to register "assault weapons" and are all FFLs banned from obtaining any assault weapon parts without having an "exempt person" already lined up as a buyer? aka Can FFLs stock/order assault weapons or parts?</p>	<p>See FAQs #50 – 61. As an FFL, can I maintain an inventory of regulated items for sale? Yes, an FFL can “maintain” their inventory of assault weapons they had as of January 10, 2023 and can sell to exempt customers. Please refer to section 720 ILCS 5/24-1.9 and 1.10. How should FFLs, retailers, etc. register their current inventory? Federal Firearms Licensees doing business as a sole proprietor, partnership, corporation, or limited liability corporation, that own items subject to the endorsement affidavit provisions of PICA do not need to complete endorsement affidavits for the inventory of their businesses. However, Federal Firearms Licensees, must comply with the endorsement affidavit provisions of PICA for their personal possessions unless the person is eligible for another exemption.</p>

	<p>Can an FFL still take possession of and transfer regulated firearms to out-of-state FFLs to liquidate their left- over stock?</p> <p>Yes. FFLs can still transfer regulated firearms to out-of-state FFLs and can take possession of regulated firearms for the purposes of transferring to an out-of-state FFL.</p>
<p>If a person has a Pistol Caliber Carbine (PCC) chambered in 9mm, it is considered a rifle. Along with being a rifle, it has a magazine capacity limit of 10 rounds. However, almost all PCC's use handgun magazines. How does the ISP plan to enforce the 10 rnd capacity limit on PCC rifle magazines when they are really handgun magazines that have a 15 rnd limit?</p>	<p>Please refer to the ISP PICA Identification Guide on our website for specific details. A rifle magazine is limited to 10 rounds and a pistol magazine is limited to 15 rounds.</p>
<p>How can law abiding citizens obtain replacement parts for "grand fathered" "assault weapons" to keep these lawfully protected arms in reliable and functioning order?</p> <p>Can I repair my assault weapon if it becomes damaged?</p>	<p>See FAQ #8.</p> <p>Can I repair my assault weapon if it becomes damaged?</p> <p>Yes, there is a specific exemption within PICA for assault weapons being repaired by licensed firearms dealers and gunsmiths. Further, you can repair your own assault weapon insofar as you do not need to replace parts that would be considered "assault weapon attachments" under the act. Since individuals are not provided an exemption to purchase assault weapon attachments, such parts would need to be replaced by an FFL or gunsmith. Pursuant to the provisions of 720 ILCS 24-1.9(d) and 720 ILCS 24-1.10(d), assault weapons, .50 caliber rifles, and large capacity ammunition feeding devices may be temporarily surrendered to an FFL or gunsmith for repairs regardless of the duration of the repairs. Any FFL or gunsmith making repairs pursuant to these</p>

	<p>provisions may order the parts necessary to complete such repairs and return the items to their owner upon completion of the repairs. Repairs shall not include the purchase of additional assault weapon attachments beyond those necessary to make the item functional again.</p>
<p>How does ISP justify the illegal taking spelled out on ISP website FAQ #39</p>	<p>The PICA states if an assault weapon was transferred to the FFL, then it cannot be transferred back to the previous owner unless the previously owner is subject to one of the narrow exemptions listed in section 720 ILCS 5/24-1.9.</p>
<p>Lever Action firearms are exempt from the term "Assault Weapon" however, Bond arms makes a lever action gun that takes AR patterned uppers. (See attached picture) Is this gun legal since it is a lever action firearm?</p>	<p>See FAQ #12. Are bolt, pump, lever, or slide action firearms regulated under PICA? Pursuant to 720 ILCS 5/24-1.9, assault weapon does not include a firearm that is manually operated by bolt, pump, lever, or slide action, unless the firearm is a shotgun with a revolving cylinder. This is true even if, as manufactured, the bolt, pump, lever, or slide action firearm has features that if removed would constitute assault weapon attachments.</p>
<p>It is my understanding a serialized, stripped lower receiver for an AR 15 pattern firearm falls under the scope of the Protect Illinois Communities Act and requires an endorsement affidavit be submitted. Reviewing the endorsement affidavit form available on the ISP FOID website, two of the required fields are "Weapon Type" and "Caliber," but neither would be known about this regulated item until it would be assembled into a functional firearm. It could become either a rifle or pistol and be chambered for any of a number of calibers. How does the ISP suggest</p>	<p>Although a stripped lower receiver is considered a "firearm," submitting the "Accessories" affidavit in the Portal would seem to solve this issue.</p> <p>The affirmation for "Weapon" (firearm) and "Accessories" (assault weapon attachments) are the same.</p>

<p>an affidavit for such an item be completed by an individual as to not open themselves up to a claim of entering false information and legal ramifications that could result?</p>	
<p>The Illinois State Police FAQ #21 (Who is included in the “qualified law enforcement officers” as an exempt group from the assault weapon/large capacity ammunition regulation?) does not address retired law enforcement as it does in the Act (see above). The FAQ should also include a statement that the exemption also applies to retired law enforcement so there is no room for FFLs misinterpreting the Act.</p>	<p>See FAQs #37 and #38. Who is included in the “qualified law enforcement officers and qualified retired law enforcement officers” as an exempt group from the assault weapon/large capacity ammunition regulation? 720 ILCS 5/24-1.9(e)(2)(assault weapon ban) and 720 ILCS 5/241.10(e)(2)(large capacity ammunition ban) define “qualified law enforcement officers and qualified retired law enforcement officers” to mean any employee of a governmental agency who—</p> <ol style="list-style-type: none"> 1.is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest or apprehension; 2.is authorized by the agency to carry a firearm; 3.is not the subject of any disciplinary action by the agency which could result in suspension or loss of police powers; 4.meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm; 5.is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and 6.is not prohibited by Federal law from receiving a firearm. <p>An individual or FFL should require proof that the buyer meets these conditions prior to transferring a</p>

	<p>regulated weapon or large capacity ammunition device.</p> <p>What is needed for proof of eligibility? Proof of eligibility means: a copy of a current or retired employment identification card, a letter from the employing agency on official letterhead, or any similar official instrument used to confirm employment and identity.</p>
<p>If an ar-15 is retrofitted with a 10 round fixed magazine that requires disassembly of the firearm to install the fixed magazine, is it exempt from registration?</p>	<p>See FAQ #1.</p> <p>What firearms are regulated under Public Act 102-1116, the Protect Illinois Communities Act (PICA) and is the list of assault weapons listed in Appendix A exhaustive? PICA regulates the possession of assault weapons (among other things) and sets forth a definition convey which firearms are included in the Act. The definition of "assault weapon" included in PICA is very broad including any firearm, part, or combination of parts designed to or intended to operate as an assault weapon as defined in the Act. For additional information, please refer to 720 ILCS 5/24-1.9(a)(1) and the ISP's guide.</p> <p>Appendix A is not exhaustive but rather sets forth those "assault weapons" that are eligible for the endorsement affidavit process and exemption. To ensure that any "assault weapon" (as defined by PICA) which was possessed on January 10, 2023, is incorporated into the endorsement affidavit process and exemption, the ISP mimicked the legislature's language.</p> <p>An AR-15 is explicitly prohibited by the PICA.</p>
<p>If a person owns more than one of the regulated items and fails to</p>	<p>See FAQ #30.</p>

<p>register each item, is each item a separate offence?</p>	<p>What happens if a person does not submit the required endorsement affidavit for their assault weapon(s) and/or devices(s) but retains possession of regulated items after January 1, 2024? Failing to complete and submit the required endorsement affidavit while in possession of items regulated by PICA after January 1, 2024, is a violation of Illinois law – specifically, the FOID Act and the Criminal Code of 2012 – unless the individual is exempt. The sentencing ranges are set forth in 430 ILCS 65/14 and 720 ILCS 5/24-1(b). Persons who violate these requirements may be arrested and charged.</p>
<p>Do my stripped lowers require an endorsement affidavit?</p>	<p>See FAQ #5. Are lower receivers on the regulated list? Yes, receivers designed or intended to convert a firearm into an assault weapon are prohibited. Please refer to section 720 ILCS 5/24-1.9(a)(3).</p>
<p>The ISRA expressed concern about Red Flag Laws.</p>	<p>The ISP addressed this in the proposed amendments to the rules. See specifically, 1230.15a)3), 1230.50a)2)C)iii), 1230.50b)2)C)iii), and 1230.65c)</p>
<p>Section 1230.15 b) “Electronic Endorsement Affidavit Requirement. Any person, other than individuals exempt by Section 24-1.9(e) of the Criminal Code of 2012 [720 ILCS 5/24-1.9(d)], in possession of an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge, must electronically file an endorsement affidavit through the online FOID/FCCL system beginning October 1, 2023, but shall be completed no later than January 1, 2024.”</p>	<p>As shown above, the ISP added a definition for "assault weapon attachment." The PICA already defines “.50 caliber cartridge.” “.50 caliber cartridge" means a cartridge in .50 BMG caliber, either by designation or actual measurement, that is capable of being fired from a centerfire rifle. The term ".50 caliber cartridge" does not include any memorabilia or display item that is filled with a permanent inert substance or</p> <p>5</p>

<p>Again, the same issues are present here as under the lack of definitions for assault weapon attachment and .50 caliber cartridge as covered earlier.</p>	<p>that is otherwise permanently altered in a manner that prevents ready modification for use as live ammunition or shotgun ammunition with a caliber measurement that is equal to or greater than .50 caliber. The ISP lacks the authority to redefine terms already defined by the legislature.</p>
<p>The ISRA proposed that we consider broader language for security personnel and the exemption related to them.</p>	<p>The ISP proposed amended language at 1230.15b)3)B) Assault weapons used by persons exempt under subparagraph A) of subsection 1230.15 b)3) in the performance of their official duties, transported to and from their official duties, secured at home or their place of business, or possessed for the purposes of attending training approved by a licensed Illinois private detective agency or security contractor agency or the military, including travel to and from such training, shall be exempt from the endorsement affidavit provisions, so long as the person possesses a valid firearm control card, where applicable, and valid firearm owner's identification card, for the duration of their employment. Any person no longer employed by such an agency or not having an active firearm control card, where applicable, shall file an electronic endorsement affidavit prior to separation from the employment giving rise to the exemption.</p>
<p>Pawn Shop owners don't know what to do on Jan 1 about firearms in their possession. They are not the owners and cannot give the firearm back to the owner.</p>	<p>See FAQ #62. If an FFL, who owns an auction service, pawn shop, or store front, has taken an AR 15 or assault weapon into their inventory on consignment or as collateral prior to the signing of the bill, can the FFL now transfer the weapon back to the previous owner?</p>

	<p>No. If an assault weapon was transferred to the FFL, then it cannot be transferred back to the previous owner unless the previously owner is subject to one of the narrow exemptions listed in section 720 ILCS 5/24-1.9. Pawn shops may sell the assault weapons to a person exempt from the purchase provisions of PICA or to an FFL for purposes of transferring out of state. Nothing in PICA regulates the distribution of proceeds from the sale of assault weapon surrendered as collateral.</p>
<p>I own two rifles that have been stored in another state at a sport/gun range that I regularly shoot at that's an FFL. Considering they are not within the State of Illinois when this law was enacted, do I have to register them?</p>	<p>PICA regulates items possessed within Illinois.</p>
<p>I am requesting that, well prior to the January 2024 registration deadline, the ISP confirm that weapon "internal small parts" as described above (screws, springs, coil or spring pins, extractors, firing pins, buttons, washers, trigger parts, etc.) are not considered "assault weapon attachments." I furthermore request, in this same immediate time frame, the ISP provides additional and specific examples and guidance in the FAQ as to what other parts fall under this category "assault weapon attachments." Finally, and most importantly, I request that the ISP provides a clear regulation indicating which "parts" or types of parts are considered "assault weapon attachments and the parts or types of parts that are not "assault weapon attachments" since the existing law (or emergency rule) does not provide a clear, unambiguous list, guide or</p>	<p>See FAQ #16. What are examples of items that are not considered "assault weapon attachments"? (Please note this is not an exhaustive list.) Assault weapon attachments do not include integral parts, components of an assault weapon, or other items not specifically designed for a firearm, for example items specifically designed for an airsoft gun. Rather they are supplementary items that can be attached to assault weapons.</p> <ul style="list-style-type: none"> • Scopes and scope mounts • Red dot sights, holographic sights, and their mounts • Laser sighting devices • Flashlights or other lighting devices • Slings and sling mounts • Aftermarket stocks that do not otherwise meet the criteria in (1)(a). • Picatinny rails (used for attaching devices to the exterior of a firearm) • Bayonets and bayonet mounts

<p>framework for determining what parts are so regulated.</p>	<ul style="list-style-type: none"> • Belt clips / minimalistic holsters (pistols)
<p>I would like to know who has access to the database when a person registers their weapon? If the Supreme Court takes up this law and seems it illegal, what happens to the information in the database?</p>	<p>The Illinois State Police has access to the database. The current security measures in place are compliant with – and often exceed -- all FBI Criminal Justice Information Services (CJIS) Data Security Addendum standards. During the 2021 cyber intrusion attempt, the current system itself was not breached. Personal data gained from an earlier IDES breach was exploited to begin limited system access, but no accounts were entered. Since then, additional safeguards were added and protocols were updated to strengthen identity confirmation. The Illinois State Police will follow the rulings of the courts regarding what happens if the law is ruled unconstitutional.</p>
<p>If a pistol, which is not a restricted or assault weapon per PICA, is legally owned and not required to be registered, what should the owner do if they possess a part for the weapon which could make it subject to PICA's guidelines of a restricted weapon?</p>	<p>See FAQ #34. Do I need to complete an endorsement affidavit if I possess an assault weapon attachment but no assault weapon? Yes, even possession of an assault weapon attachment alone requires the completion of an endorsement affidavit.</p>
<p>If the person has an extended magazine (17 round, 20 round or 28 round) for competition shooting. with International Practical Shooting Assc (IPSE) or United States Practical Shooting Assc (USPSA) groups, as long as they register them they will be grandfathered in and allowed to keep them?</p>	<p>See FAQs #36 and 71. Do I need to complete an endorsement affidavit if I possess a large capacity ammunition feeding device? No. The endorsement affidavit only applies to assault weapons, assault weapon attachments, .50 caliber rifles, or .50 BMG caliber cartridge devices. Can Illinois residents keep the large capacity ammunition feeding device they currently own?</p>

	<p>Yes. If, they legally owned it prior to January 11, 2023, and abide by the limitations within the Act as to where it may be possessed. See 720 ILCS 5/24-1.9(d).</p>
<p>What does “readily” mean?</p>	<p>The ISP has proposed a definition to address this question. See also FAQ #19.</p> <p>Sections 1.9 and 1.10 of the Act describe items being "readily modified", "readily assembled", "readily removed", "readily accessible", and "readily restored or converted". Can the Department clarify what is "readily"? Is the general dictionary definition, "in a ready manner: such as without hesitating or without much difficulty" to be used to understand the term or will a standard of time be used? In a recent filing in <i>Mock v. Garland</i>, ATF cited 8 hours of time with a fully equipped machine shop as a standard for being readily restored or converted. Since the rulemaking is silent on this topic, what standard should the public use?</p> <p>“Readily assembled, modified, restored or converted” shall mean any assembly, modification, restoration, or conversion beyond those that would be required in regular maintenance that is fairly or reasonably efficient, quick, and easy, and does not require special knowledge or skill, additional parts or tools, or significant expense. Readily assembled, modified, restored or converted shall not include assembly, modifications, restorations, or conversions that would damage or destroy the firearm or cause it to malfunction.</p>
<p>Is a gunstock an assault weapon attachment?</p>	<p>See FAQ #18.</p>

	<p>Does 720 ILCS 5/24-1.9(a)(1)(A) include a "gunstock" or other similar mechanical devices?</p> <p>If the "gunstock" in question has one of the features listed below, it is regulated by PICA.</p> <ul style="list-style-type: none"> • a pistol grip or thumbhole stock; • any feature capable of functioning as a protruding grip that can be held by the non-trigger hand; • a folding, telescoping, thumbhole, or detachable stock, or a stock that is otherwise foldable or adjustable in a manner that operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability of, the weapon;
<p>Do I have to complete an endorsement affidavit for parts?</p>	<p>See FAQ #20.</p> <p>Is an endorsement affidavit required for the possession of a combination of parts whether the combination of parts could produce a complete firearm or not?</p> <p>If the parts or combination of parts are designed to and function to increase the rate of fire of a semiautomatic firearm about the standard rate of fire for semiautomatic firearms that are not equipped with that part or combination of parts, they are regulated by PICA. Only assault weapons, assault weapon attachments, .50 caliber rifles, and .50 caliber cartridges are subject to the endorsement affidavit process. Assault weapons do not include integral parts or components of an assault weapon but rather are supplementary. So, any item that alone constitutes an assault weapons attachment is subject to the endorsement affidavit process.</p>
<p>How is capacity determined?</p>	<p>See FAQ #21.</p>

	<p>Under Section 1.9 of the Act, semi-auto shotguns are limited to a 5-round capacity. Under Section 1.10 of the Act, shotguns (i.e., long guns) are limited to 10 rounds. 12-gauge shotgun shells come in 3 ½", 3", 2 ¾" and even mini shells of 1 ½". More than 5 mini shells will fit into a standard 12-gauge tube. How is the capacity size determined?</p> <p>“Capacity” means the total number of rounds that can be used of the maximum identified chambered sized round.</p> <p>If the shotgun’s fixed magazine tube will accept more than 5-rounds of the maximum identified chambered size round, it is regulated by PICA and subject to the endorsement affidavit provisions. Extension tubes are neither fixed or detachable magazines and are therefore not regulated by PICA. If the shotgun’s fixed magazine tube will not accept more than 5 rounds of the maximum identified chambered size round, it is not regulated by PICA unless it has one of the features otherwise regulated – for example a pistol grip or thumbhole stock.</p> <p>Section 1.10 of PICA does not regulate shotguns but rather regulates large capacity ammunition feeding devices. With respect to magazines, belts, drums, feed strips and other similar devices for shotguns, if it accepts more than 10 rounds of any type of ammunition it is regulated by PICA; however, the endorsement affidavit provisions do not apply to large capacity ammunition feeding devices.</p> <p>There is a specific exemption for tubular devices designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.</p>
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<p>Is a handguard a shroud?</p>	<p>See FAQ #25. Is a handguard considered a shroud pursuant to PICA? No.</p>
<p>What do exempt persons do if they lose their exemption?</p> <p>Concerning our current and retired law enforcement officers specifically, but also others on the list of who may be exempt from the ban on purchasing and possessing prohibited firearms/magazines/parts, the question I am getting from members is, are these same individuals exempt from the requirement to register personal firearms/magazines/parts they possess now and/or in the future? The question arises because although corrections officers are exempt from the purchase and possession prohibition, FAQ #22 says they must register their firearms because they might not always qualify for the exemption. Wouldn't that be the same for others who are exempted by virtue of their employment?</p>	<p>See FAQ #40. The rule does not appear to contain procedures for law enforcement officers, FFL's, private detectives, etc. who were "exempt" during the allotted endorsement affidavit filing period, to file an endorsement affidavit if that exemption is lost. Can these individuals file an endorsement affidavit in the future if their exemption is lost? There is no exemption for FFL's. Persons who are exempt from the endorsement affidavit provisions pursuant to an exemption in 24-1.9(e) are required to file an electronic endorsement affidavit should the circumstances giving rise to the exemption change. The ISP encourages people like corrections officers and law enforcement officers to complete the endorsement affidavit before they separate from their employment. If a person loses their exempt status, the ISP's online FOID/FCCL system will permit them to file even after January 1, 2024.</p>
<p>Can people under 21 file an endorsement affidavit?</p>	<p>Yes, this was addressed in the proposed rules. See also FAQ #45. Are individuals under the age of 21 be allowed to submit endorsement affidavits? PICA does not limit who can or cannot file an endorsement affidavit. People under 21 years of age may do so.</p>
<p>On the State Police Webpage under FAQ 45 there is the question of magazines with removable base plates, that can be converted to hold more than 15 rounds for pistols. ISP</p>	<p>A 15-round magazine without an extension kit is legal. A 15-round magazine with an extension kit would be illegal. Additionally, a definition for "Readily assembled,</p>

<p>stated a 15-round magazine without an extension kit is legal.</p>	<p>modified, restored or converted” has been added to mean any assembly, modification, restoration, or conversion beyond those that would be required in regular maintenance that is fairly or reasonably efficient, quick, and easy, and does not require special knowledge or skill, additional parts or tools, or significant expense. Readily assembled, modified, restored or converted shall not include assembly, modifications, restorations, or conversions that would damage or destroy the firearm or cause it to malfunction.</p>
<p>At Friday’s public hearing, Todd Vandermyde somewhat tongue-in-cheek but also serious asked if he will have to register is Star Wars Light Saber because some of its parts are the same parts or similar to parts on the banned list. Your answer was yes. That leads to the question of AirSoft toys/guns that also use similar parts. Will children and young teens, at risk of felony charges, be required to register these toys or their parts?</p>	<p>To be an assault weapon attachment, the item must be specifically designed for a firearm. Items specifically designed for airsoft guns are not assault weapon attachments. If a person were to attach parts specifically designed for an airsoft gun to a firearm thereby bringing it within the definition of assault weapon under PICA, the firearm would be regulated. This has been clarified within the definition of Assault Weapon Attachment within our proposed rules.</p>
<p>The ISP received several comments regarding options available in the endorsement affidavit form.</p>	<p>These comments have been addressed by making changes to the electronic endorsement affidavit form and did not require amendments to the proposed rules.</p>

A copy of any specific responses provided are attached as Exhibit C, 1 – 5.

- C) Any changes made to the rules by the agency as a result of criticisms, suggestions, and comments made by interested persons.

With the exception of one error that we corrected in 1230.15(f), the remainder of the proposed changes are in response to comments received by the ISP.

- D) The names of all the persons or organizations requesting a public hearing and the date of any public hearings held on the proposed rulemaking:

The Illinois State Rifle Association and the FFLs of Illinois requested public hearings. Additionally, the JCAR co-chairs asked that ISP hold three public hearings throughout the state rather than the mandatory singular hearing. Accordingly, public hearings were held on:

- Thursday, November 2, 2023, at 9:30 a.m., Stratton Building, in Springfield, Illinois, and via WebEx
- Friday, November 3, 2023, at 9:30 a.m., Bilandic Building, Chicago, Illinois, and via WebEx
- Monday, November 6, 2023 at 9:30 a.m., Caseyville Community Center, Caseyville, Illinois, and via WebEx

10) Justification and Rationale for the Rulemaking: This rulemaking provides requirements and procedures for implementing and enforcing Public Act 102-1116.

A) Citations to changes in Illinois laws that require the rulemaking.

None.

B) Explanation of changes in agency policies and procedures that required the rulemaking.

None.

C) Citations to federal laws, rules or regulations, or funding requirements that required the rulemaking.

None.

D) Citations and copies of court orders or decisions that required the rulemaking.

None.

E) A complete explanation of any other reasons for the rulemaking.

None.

11) Agency Respondent to Committee Questions:

Ms. Suzanne Bond
Acting Chief Legal Counsel
Illinois State Police
801 South 7th Street, Suite 1000-S
Springfield, Illinois 62703

Telephone: (217) 782-7658

- 12) State Mandates Act Analysis: See Attached Exhibit A.
- 13) Economic and Budgetary Effects of the Rulemaking: See Attached Exhibit B.
- 14) Any New or Revised Forms: No new or revised form is referenced in the proposed rulemaking.

Section 220.EXHIBIT A State Mandates Act Questionnaire

State Mandates Act Questionnaire

Agency: Illinois State Police
Part/Title: Firearm Owners ID Card (20 Ill. Adm. Code 1230)
Illinois Register Citation: 47 Ill. Reg. 13846; effective September 29, 2023

1. Does this rulemaking affect any of the following:
- | | |
|--|--|
| <input checked="" type="checkbox"/> Municipality | <input type="checkbox"/> Other Unit of Local Govt. |
| <input checked="" type="checkbox"/> County | <input type="checkbox"/> School District |
| <input checked="" type="checkbox"/> Township | <input type="checkbox"/> Community College Dist. |
2. Does this rule require any of the above entities to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues?
Yes No Number of units affected

If yes, please estimate the amount of additional expenditures necessitated by this rulemaking per unit of government: \$

Note: If the dollar amount, or total number of units affected is unknown, please outline and attach to this form an explanation of the steps taken by the agency to determine the approximate expense of the rulemaking, and the number of units affected.

If no, please explain why the rule does not necessitate such additional expenditures.

3. Were any alternatives that do not necessitate additional expenditures considered?
Yes No N/A

If yes, please list these alternatives and explain why they were rejected.

4. What are the policy objectives of the rulemaking? (Please be specific)

The purpose of the rulemaking is to implement and enforce the provisions of the Protect Illinois Communities Act, Public Act 102-1116.

5. Please explain why the policy objectives of this rule cannot be achieved in the absence of the rule or through a rule that does not create a State Mandate.

Public Act 102-1116 requires ISP to implement rules that meet the objective of the statute.

Section 220.EXHIBIT B Agency Analysis of Economic and Budgetary Effects of Proposed Rulemaking

**AGENCY ANALYSIS OF ECONOMIC AND BUDGETARY EFFECTS
OF PROPOSED RULEMAKING**

Agency: Illinois State Police
Part/Title: Firearm Owner's Identification Card Act (20 Ill. Adm. Code 1230)
Illinois Register Citation: 47 Ill. Reg. 13846; effective September 29, 2023

Please attempt to provide as dollar-specific responses as possible and feel free to add any relevant narrative explanation.

1. Anticipated effect on State expenditures and revenues.
 - (a) Current cost to the agency for this program/activity.
\$100,000 (approx.) was the associated cost to create the ability for Illinois residents to complete the endorsement affidavit process within the Firearms Application Portal.
 - (b) If this rulemaking will result in an increase or decrease in cost, specify the fiscal year in which this change will first occur and the dollar amount of the effect.
FY 24 \$
There may be administrative costs for additional enhancements to the Portal. The administrative cost for these enhancements would require an understanding of the scope of work and hours required before an associated cost can be given.
 - (c) Indicate the funding source including Fund and appropriation lines, for this program/activity.
Firearms Services Fund
 - (d) If an increase or decrease in the costs of another State agency is anticipated, specify the fiscal year in which this change will first occur and the estimated dollar amount of the effect.
N/A
 - (e) Will this rulemaking have any effect on State revenues or expenditures not already indicated above? Specify effects and amounts.
N/A
2. Economic effect on persons affected by the rulemaking.
 - (a) Indicate the economic effect and specify the persons affected:
Positive Negative X No effect

(Source: Amended at 18 Ill. Reg. 4758, effective March 14, 1994)

Persons affected FFLs, Illinois residents

Dollar amount per person Unknown, as FSB did not track how many firearms that are now regulated by PICA were sold on a regular basis prior to the passage of the Act, or how many are owned by Illinois residents.

Total Statewide cost Unknown, as FSB did not track how many firearms that are now regulated by PICA were sold on a regular basis prior to the passage of the Act, or how many are owned by Illinois residents.

- (b) If an economic effect is predicted, please briefly describe how the effect will occur. (Example Additional continuing education courses will require an expenditure of approximately \$100 per year for course fees by 10,000 licensed professionals.)

Illinois residents who desire to purchase a firearm now regulated by PICA will be unable to do so. The money spent by those residents would have gone to local businesses, FFLs, and firearm manufactures within Illinois. This revenue will no longer occur, and the State of Illinois will lose revenue.

- (c) Will the rulemaking have an indirect effect that may result in increased administrative costs? Will there be any change in requirements such as filing, documentation reporting or completion of forms? Compare to current requirements.

While there is no cost for Illinois residents to complete the endorsement affidavit process within the Firearms Application Portal, there may be administrative costs for additional enhancements to the Portal. The administrative cost for these enhancements would require an understanding of the scope of work and hours required before an associated cost can be given.

EXHIBIT K

Agency: Illinois State Police

Rulemaking: 20 Ill. Adm. Code 1230 (47 Ill. Reg. 13846)

Changes:

1. At line 18, before “Transfer” add “Possession and”.
2. At line 103-104, change “including, but not limited to, those set forth in Appendix A as required by Section 24 1.9 of the Criminal Code of 2012” with “For additional guidance see Appendix A.”.
3. After line 105, add:

“Assault weapon attachment” means any device capable of being attached to a firearm that is specifically designed for making or converting a firearm into any of the firearms listed in the Act. For example:

a pistol grip or thumbhole stock;

any feature capable of functioning as a protruding grip that can be held by the non- trigger hand;

a folding, telescoping, thumbhole, or detachable stock, or a stock that is otherwise foldable or adjustable in a manner that operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability of, the weapon;

a flash suppressor;

a grenade launcher;

barrel shroud;

a threaded barrel; and

a buffer tube, arm brace, or other part that protrudes horizontally behind the pistol grip and is designed or redesigned to allow or facilitate a firearm to be fired from the shoulder.”.

“Assault weapon attachments” do not include integral parts, components of an assault weapon, or other items not specifically designed for a firearm, for example items specifically designed for an airsoft gun. Rather they are supplementary items that can be attached to assault weapons. If a person were to attach parts specifically designed for an airsoft gun to a firearm thereby bringing the firearm within the definition of assault weapon under PICA, the firearm, not the attachment, would be regulated.”.

4. After line 107, add:

““Barrel shroud” means a component added to the rifle that was not part of the original design that is attached to the barrel or that partially or completely encircles the barrel, allowing the bearer to hold the firearm with the non-trigger hand without being burned. Barrel shroud does not include a handguard that is designed as part of the stock regardless of whether the stock is a one-piece wood or plastic unit or a multi-piece set.

“Capacity” means the total number of rounds that can be used at the maximum identified chambered sized round.”.

5. After line 136, add:

“Flash suppressor” means a muzzle attachment designed to reduce muzzle flash. A flash suppressor may also be referred to as a flash hider but does not include a muzzle brake.”.

6. After line 154, add:

“Large capacity ammunition feeding device” means:

a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of any type of ammunition for long guns and more than 15 rounds of any type of ammunition for handguns; or

any combination of parts from which a device described in paragraph (a) can be assembled.

"Large capacity ammunition feeding device" does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition or a tubular magazine that is contained in a lever-action firearm or any device that has been made permanently inoperable.”.

7. After line 182, add:

“Muzzle brake” means an attachment or feature of the muzzle end of the barrel that uses the propellant combustion gas with the desired effect of redirecting the recoil. A muzzle brake may also be known as a compensator.”.

8. After line 195 add:

“PICA” means the Protect Illinois Communities Act, Public Act 102-1116.

“Proof of eligibility” for purposes of transferring an assault weapon, assault weapon attachment, .50 caliber rifle, .50 caliber cartridge, or large capacity ammunition feeding device to a person authorized to purchase and possess such items consistent with the provisions of Sections 24-1.9 and 24-1.10 of the Criminal Code of 2012 [720 ILCS 5] means a copy of a current or retired employment identification card, a letter from the employing agency on official letterhead, or any similar official instrument used to confirm employment and identity.

“Properly licensed firing range” means an area that contains shooting stations or firing lines, target areas, and other related components for discharging firearms at a target in a sporting event, for practice or instruction in the use of a firearm, or for the testing of a firearm, which meets the requirements set forth in Section 5 of the Premises Liability Act [740 ILCS 130/5], as well as any applicable rules as set forth by the unit of local government with jurisdiction. It also includes licensed shooting preserves and public hunting areas operated or licensed by the Department of Natural Resources.”.

9. After line 205, add:

“Readily assembled, modified, restored or converted” means any assembly, modification, restoration, or conversion beyond those that would be required in regular maintenance that is fairly or reasonably efficient, quick, and easy, and does not require special knowledge or skill,

additional parts or tools, or significant expense. Readily assembled, modified, restored or converted shall not include assembly, modifications, restorations, or conversions that would damage or destroy the firearm or cause it to malfunction.”.

10. After line 213, add:

““Stock” means the wood or plastic component(s) to which the metal parts of a firearm are attached to enable the shooter to hold the firearm, including but not limited to the fore stock.”.

11. At line 341, change “a firearm or firearm ammunition” with “an assault weapon, assault weapon attachment, .50 caliber rifle, .50 caliber cartridge, or large capacity ammunition feeding device”.

12. At lines 250-251, change “must transfer the firearm or firearm ammunition” with “shall either surrender the item(s) to a law enforcement agency while seeking relief from such denial or transfer the items”.

13. Change line 252 to “purchase and possess the items consistent with the provisions of Sections 24-1.9 and 24-1.10 of the Criminal Code of 2012 [720 ILCS 5]. If the owner surrenders possession to a law enforcement agency and intends to appeal the denial so that the assault weapon(s) may be returned if the appeal is successful, the owner shall notify the law enforcement agency of their intent at the time of surrender. Notwithstanding any other provision to the contrary, any assault weapon surrendered to law enforcement for safekeeping pursuant to a FOID Card application denial may, at the request of the owner, be transferred to an FFL of the owner’s choosing if the appeal is unsuccessful so that the assault weapon(s) may be sold by the FFL on behalf of the owner consistent with PICA and shall not be destroyed unless the owner fails to make such a request within 180 days of the denial.”.

14. At line 257, after “cartridge,” add “including but not limited to individuals under age 21,”.

15. At line 265, add:

“A) A person who has submitted an endorsement affidavit for an assault weapon or .50 caliber rifle that as manufactured has features that if removed would constitute assault weapon attachments is only required to submit an endorsement affidavit for the assault weapon or .50 caliber rifle.

B) If a person has submitted an endorsement affidavit for an assault weapon or .50 caliber rifle that as manufactured has features that if removed would constitute assault weapon attachments and subsequently removes items that separately constitute assault weapon attachments and retains possession, the person shall submit an updated endorsement affidavit.

C) Bolt, lever, or pump action firearms are not subject to the endorsement affidavit provisions of PICA even if as manufactured the firearm has features that if removed would constitute assault weapon attachments; however, if items that constitute assault weapon attachments are removed from a bolt, lever, or pump action firearm, the person in possession shall submit an endorsement affidavit for the specified assault weapon attachments upon removal regardless of when they were purchased lawfully as a part of the firearm.”.

16. Change lines 266-279 to:

“2) Electronic Endorsement Affidavit Exemptions.

A) The electronic endorsement affidavit requirements of this Section do not apply to:

- i) Peace officers;
 - ii) Qualified law enforcement officers and retirees;
 - iii) the acquisition and possession by a federal, State, or local law enforcement agency for the purpose of equipping that agency's peace officers; and
 - iv) Wardens, superintendents, and keepers of correctional institutions for the detention of persons accused or convicted of an offense. (See 720 ILCS 5/24-1.9(e)(1-4).)
 - v) Clubs, organizations, business, or companies, including but not limited to Federal Firearms Licensees doing business as a sole proprietor, partnership, corporation, or limited liability corporation, that own items subject to the endorsement affidavit provisions of PICA.
 - If the leadership of such club, organization, business, or company changes but the ownership of the items does not change, no action is required on behalf of the club, organization, business, or company. However, if ownership transfers, the transfer must be consistent with PICA.
 - Members or owners of clubs, organizations, businesses, or companies, including but not limited to Federal Firearms Licensees, must comply with the endorsement affidavit provisions of PICA for their personal possessions unless the person is eligible for another exemption.
- B) Persons who are exempt from the endorsement affidavit provisions pursuant to this subsection (b)(2) are required to file an electronic endorsement affidavit should the circumstances giving rise to the exemption change.”.

17. Change lines 300-302 to:

“B) Assault weapons used by persons exempt under Section 1230.15(b)(3)(A) in the performance of their official duties, transported to and from their official duties, secured at home or their place of business, or possessed for the purposes of attending training approved by a licensed Illinois private detective agency or security contractor agency or the military, including travel to and from such training, shall be exempt from the endorsement affidavit provisions, so long as the person possesses a valid firearm control card, where applicable, and valid firearm owner's identification card, for the duration of their employment. Any person no longer employed by such an agency or not having an active firearm control card, where applicable, shall file an electronic endorsement affidavit prior to separation from the employment giving rise to the exemption.”.

18. At line 357, after “number” add “when available”.

19. At line 372, after “voluntarily” add “(see subsection (e))”.

20. At line 406, after “voluntarily” add “(see subsection (c)(2)(D))”.

21. At line 408, change “A person convicted of failure to possess” to “Possession of a firearm without”.

22. At line 409, change “complete” to “possession of an assault weapon without having completed”.
23. At line 410, change “commits” to “is”.
24. After line 465, add:
 - “iii) If the owner surrenders possession to a law enforcement agency and intends to appeal the suspension so that the assault weapon(s) can be returned if the appeal is successful, the owner shall notify the law enforcement agency of their intent at the time of surrender. Notwithstanding any other provision to the contrary, any assault weapon surrendered to law enforcement for safekeeping pursuant to a FOID Card suspension based upon a protective order as defined by Section 1.1 and required by Section 8.2 of the Act, may, at the request of the owner, be transferred to an FFL of the owner’s choosing if the appeal is unsuccessful so that the assault weapon(s) may be sold by the FFL on behalf of the owner consistent with PICA and shall not be destroyed unless the owner fails to make such a request within 180 days of the suspension.”.
25. After line 516, add:
 - “iii) If the owner surrenders possession to a law enforcement agency and intends to appeal the revocation so that the assault weapon(s) can be returned if the appeal is successful, the owner shall notify the law enforcement agency of their intent at the time of surrender. Notwithstanding any other provision to the contrary, any assault weapon surrendered to law enforcement for safekeeping pursuant to a FOID Card revocation based upon a protective order as defined by Section 1.1 and required by Section 8.2 of the Act, may, at the request of the owner, be transferred to an FFL of the owner’s choosing if the appeal is unsuccessful so that the assault weapon(s) may be sold by the FFL on behalf of the owner consistent with PICA and shall not be destroyed unless the owner fails to make such a request within 180 days of the revocation.”.
26. At line 547, before “**Transfer**” add “**Possession and**”.
27. At line 569, after the period add “If the owner surrenders possession to a law enforcement agency and intends to appeal the revocation or suspension so that the assault weapon(s) can be returned if the appeal is successful, the owner shall notify the law enforcement agency of their intent at the time of surrender. Notwithstanding any other provision to the contrary, any assault weapon surrendered to law enforcement for safekeeping pursuant to a FOID Card suspension or revocation based upon a protective order as defined by Section 1.1 and required by Section 8.2 of the Act, may, at the request of the owner, be transferred to an FFL of the owner’s choosing if the appeal is unsuccessful so that the assault weapon(s) may be sold by the FFL on behalf of the owner consistent with PICA and shall not be destroyed unless the owner fails to make such a request within 180 days of the suspension or revocation.”.
28. At line 598, after “state” add “or for sale to exempt individuals”.
29. After line 617 add:
 - “f) A person in possession of an assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge consistent with the exemptions set forth in 720 ILCS 5/24-1.9(e)(i) through (v) for shooting competition events and practice, non-residents, hunting consistent with the Wildlife Code, and entertainment props, are not required to provide proof of an endorsement affidavit while engaged in the conduct set forth in the exemptions.”.

- g) A person who has completed endorsement affidavit(s), may possess the items set forth in the endorsement affidavit(s) in any of the locations set forth in 720 ILCS 5/24- 1.9(d) including:
- 1) on private property owned or immediately controlled by the person;
 - 2) on private property that is not open to the public with the express permission of the person who owns or immediately controls such property;
 - 3) while on the premises of a licensed firearms dealer or gunsmith for the purpose of lawful repair;
 - 4) while engaged in the legal use of the assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge at a properly licensed firing range or sport shooting competition venue; or
 - 5) while traveling to or from these locations, provided that the assault weapon, assault weapon attachment, or .50 caliber rifle is unloaded and the assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge is enclosed in a case, firearm carrying box, shipping box, or other container.
- h) Pursuant to the provisions of 720 ILCS 24-1.9(d) and 720 ILCS 24-1.10(d), assault weapons, .50 caliber rifles, and large capacity ammunition feeding devices may be temporarily surrendered to an FFL or gunsmith for repairs regardless of the duration of the repairs. Any FFL or gunsmith making repairs pursuant to these provisions may order the parts necessary to complete such repairs and return the items to their owner upon completion of the repairs regardless of the duration of the repairs so long as the repairs do not include the purchase of additional assault weapon attachments beyond those necessary to make the item functional again.”.
30. At line 680, after “rounds” add “of the maximum identified chambered size round”.
31. At line 708, after “rounds” add “of the maximum identified chambered size round”.
32. At line 1064, change “hunger” to “hunter”.
33. At line 1088, change “(a)(3)” to “(b)(12)”.