

1 AN ACT in relation to immunity.

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

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

6 (740 ILCS 130/5)

7 Sec. 5. Firearm ranges; liability.

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

16 (b) An owner or operator of a firearm range in existence  
17 on January 1, 1994, is immune from any criminal liability  
18 arising out of or as a consequence of noise or sound  
19 emissions resulting from the normal use of the firearm range.  
20 An owner or operator of a firearm range is not subject to any  
21 action for public or private nuisance or trespass and no  
22 court in this State shall enjoin the use or operation of a  
23 firearm range on the basis of noise or sound emissions  
24 resulting from the normal use of the firearm range.

25 (c) An owner or operator of a firearm range placed in  
26 operation after January 1, 1994, is immune from any criminal  
27 liability and is not subject to any action for public or  
28 private nuisance or trespass arising out of or as a  
29 consequence of noise or sound emissions resulting from the  
30 normal use of the firearm range, if the firearm range  
31 conforms to any one of the following requirements:

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

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

8           (3) If the firearm range is situated on land  
9 otherwise subject to land use zoning, the firearm range  
10 is in compliance with the requirements of the zoning  
11 authority.

12           (4) The firearm range is operated by a governmental  
13 entity or is licensed by the Department of Natural  
14 Resources.

15           (5) The firearm range met the requirements of  
16 clause (1) of this subsection (c) at the time the range  
17 began its operation and subsequently an occupied  
18 permanent dwelling on adjacent property was built within  
19 1,000 yards from an area of the range from which a  
20 firearm may be properly discharged.

21 (Source: P.A. 88-598, eff. 8-31-94; 89-445, eff. 2-7-96.)

22           Section 99. Effective date. This Act takes effect upon  
23 becoming law.