



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4112

by Rep. Scott Drury

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-1  
720 ILCS 5/24-2

from Ch. 38, par. 24-1

Amends the Criminal Code of 2012. Provides that it is a violation of the unlawful use of weapons statute to knowingly import, sell, manufacture, transfer, or possess, in this State, a trigger crank, a bump-fire device, or any part, combination of parts, component, device, attachment, or accessory that is designed or functions to accelerate the rate of fire of a semi-automatic rifle but does not convert the semi-automatic rifle into a machine gun. Provides that a person who violates this provision commits a Class 2 felony and shall be sentenced to a term of imprisonment of not less than 3 years and not more than 7 years, unless the trigger crank, bump-fire device, part, combination of parts, component, device, attachment, or accessory is attached to a semi-automatic rifle and possessed in the passenger compartment of a motor vehicle, or on the person, while the rifle is loaded, in which case it shall be a Class X felony. Provides exemptions. Effective immediately.

LRB100 15043 RLC 29873 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 2012 is amended by changing  
5 Sections 24-1 and 24-2 as follows:

6 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

7 Sec. 24-1. Unlawful use of weapons.

8 (a) A person commits the offense of unlawful use of weapons  
9 when he knowingly:

10 (1) Sells, manufactures, purchases, possesses or  
11 carries any bludgeon, black-jack, slung-shot, sand-club,  
12 sand-bag, metal knuckles or other knuckle weapon  
13 regardless of its composition, throwing star, or any knife,  
14 commonly referred to as a switchblade knife, which has a  
15 blade that opens automatically by hand pressure applied to  
16 a button, spring or other device in the handle of the  
17 knife, or a ballistic knife, which is a device that propels  
18 a knifelike blade as a projectile by means of a coil  
19 spring, elastic material or compressed gas; or

20 (2) Carries or possesses with intent to use the same  
21 unlawfully against another, a dagger, dirk, billy,  
22 dangerous knife, razor, stiletto, broken bottle or other  
23 piece of glass, stun gun or taser or any other dangerous or

1 deadly weapon or instrument of like character; or

2 (3) Carries on or about his person or in any vehicle, a  
3 tear gas gun projector or bomb or any object containing  
4 noxious liquid gas or substance, other than an object  
5 containing a non-lethal noxious liquid gas or substance  
6 designed solely for personal defense carried by a person 18  
7 years of age or older; or

8 (4) Carries or possesses in any vehicle or concealed on  
9 or about his person except when on his land or in his own  
10 abode, legal dwelling, or fixed place of business, or on  
11 the land or in the legal dwelling of another person as an  
12 invitee with that person's permission, any pistol,  
13 revolver, stun gun or taser or other firearm, except that  
14 this subsection (a) (4) does not apply to or affect  
15 transportation of weapons that meet one of the following  
16 conditions:

17 (i) are broken down in a non-functioning state; or

18 (ii) are not immediately accessible; or

19 (iii) are unloaded and enclosed in a case, firearm  
20 carrying box, shipping box, or other container by a  
21 person who has been issued a currently valid Firearm  
22 Owner's Identification Card; or

23 (iv) are carried or possessed in accordance with  
24 the Firearm Concealed Carry Act by a person who has  
25 been issued a currently valid license under the Firearm  
26 Concealed Carry Act; or

1 (5) Sets a spring gun; or

2 (6) Possesses any device or attachment of any kind  
3 designed, used or intended for use in silencing the report  
4 of any firearm; or

5 (7) Sells, manufactures, purchases, possesses or  
6 carries:

7 (i) a machine gun, which shall be defined for the  
8 purposes of this subsection as any weapon, which  
9 shoots, is designed to shoot, or can be readily  
10 restored to shoot, automatically more than one shot  
11 without manually reloading by a single function of the  
12 trigger, including the frame or receiver of any such  
13 weapon, or sells, manufactures, purchases, possesses,  
14 or carries any combination of parts designed or  
15 intended for use in converting any weapon into a  
16 machine gun, or any combination or parts from which a  
17 machine gun can be assembled if such parts are in the  
18 possession or under the control of a person;

19 (ii) any rifle having one or more barrels less than  
20 16 inches in length or a shotgun having one or more  
21 barrels less than 18 inches in length or any weapon  
22 made from a rifle or shotgun, whether by alteration,  
23 modification, or otherwise, if such a weapon as  
24 modified has an overall length of less than 26 inches;  
25 or

26 (iii) any bomb, bomb-shell, grenade, bottle or

1 other container containing an explosive substance of  
2 over one-quarter ounce for like purposes, such as, but  
3 not limited to, black powder bombs and Molotov  
4 cocktails or artillery projectiles; or

5 (8) Carries or possesses any firearm, stun gun or taser  
6 or other deadly weapon in any place which is licensed to  
7 sell intoxicating beverages, or at any public gathering  
8 held pursuant to a license issued by any governmental body  
9 or any public gathering at which an admission is charged,  
10 excluding a place where a showing, demonstration or lecture  
11 involving the exhibition of unloaded firearms is  
12 conducted.

13 This subsection (a) (8) does not apply to any auction or  
14 raffle of a firearm held pursuant to a license or permit  
15 issued by a governmental body, nor does it apply to persons  
16 engaged in firearm safety training courses; or

17 (9) Carries or possesses in a vehicle or on or about  
18 his person any pistol, revolver, stun gun or taser or  
19 firearm or ballistic knife, when he is hooded, robed or  
20 masked in such manner as to conceal his identity; or

21 (10) Carries or possesses on or about his person, upon  
22 any public street, alley, or other public lands within the  
23 corporate limits of a city, village or incorporated town,  
24 except when an invitee thereon or therein, for the purpose  
25 of the display of such weapon or the lawful commerce in  
26 weapons, or except when on his land or in his own abode,

1 legal dwelling, or fixed place of business, or on the land  
2 or in the legal dwelling of another person as an invitee  
3 with that person's permission, any pistol, revolver, stun  
4 gun or taser or other firearm, except that this subsection  
5 (a) (10) does not apply to or affect transportation of  
6 weapons that meet one of the following conditions:

7 (i) are broken down in a non-functioning state; or

8 (ii) are not immediately accessible; or

9 (iii) are unloaded and enclosed in a case, firearm  
10 carrying box, shipping box, or other container by a  
11 person who has been issued a currently valid Firearm  
12 Owner's Identification Card; or

13 (iv) are carried or possessed in accordance with  
14 the Firearm Concealed Carry Act by a person who has  
15 been issued a currently valid license under the Firearm  
16 Concealed Carry Act.

17 A "stun gun or taser", as used in this paragraph (a)  
18 means (i) any device which is powered by electrical  
19 charging units, such as, batteries, and which fires one or  
20 several barbs attached to a length of wire and which, upon  
21 hitting a human, can send out a current capable of  
22 disrupting the person's nervous system in such a manner as  
23 to render him incapable of normal functioning or (ii) any  
24 device which is powered by electrical charging units, such  
25 as batteries, and which, upon contact with a human or  
26 clothing worn by a human, can send out current capable of

1            disrupting the person's nervous system in such a manner as  
2            to render him incapable of normal functioning; or

3            (11) Sells, manufactures or purchases any explosive  
4            bullet. For purposes of this paragraph (a) "explosive  
5            bullet" means the projectile portion of an ammunition  
6            cartridge which contains or carries an explosive charge  
7            which will explode upon contact with the flesh of a human  
8            or an animal. "Cartridge" means a tubular metal case having  
9            a projectile affixed at the front thereof and a cap or  
10           primer at the rear end thereof, with the propellant  
11           contained in such tube between the projectile and the cap;  
12           or

13           (12) (Blank); or

14           (13) Carries or possesses on or about his or her person  
15           while in a building occupied by a unit of government, a  
16           billy club, other weapon of like character, or other  
17           instrument of like character intended for use as a weapon.  
18           For the purposes of this Section, "billy club" means a  
19           short stick or club commonly carried by police officers  
20           which is either telescopic or constructed of a solid piece  
21           of wood or other man-made material; or -

22           (14) Imports, sells, manufactures, transfers, or  
23           possesses, in this State, a trigger crank, a bump-fire  
24           device, or any part, combination of parts, component,  
25           device, attachment, or accessory that is designed or  
26           functions to accelerate the rate of fire of a

1       semi-automatic rifle but does not convert the  
2       semi-automatic rifle into a machine gun.

3       (b) Sentence. A person convicted of a violation of  
4 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),  
5 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a  
6 Class A misdemeanor. A person convicted of a violation of  
7 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony; a  
8 person convicted of a violation of subsection 24-1(a)(6) or  
9 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person  
10 convicted of a violation of subsection 24-1(a)(7)(i) commits a  
11 Class 2 felony and shall be sentenced to a term of imprisonment  
12 of not less than 3 years and not more than 7 years, unless the  
13 weapon is possessed in the passenger compartment of a motor  
14 vehicle as defined in Section 1-146 of the Illinois Vehicle  
15 Code, or on the person, while the weapon is loaded, in which  
16 case it shall be a Class X felony. A person convicted of a  
17 violation of subsection 24-1(a)(14) commits a Class 2 felony  
18 and shall be sentenced to a term of imprisonment of not less  
19 than 3 years and not more than 7 years, unless the trigger  
20 crank, bump-fire device, part, combination of parts,  
21 component, device, attachment, or accessory is attached to a  
22 semi-automatic rifle and possessed in the passenger  
23 compartment of a motor vehicle as defined in Section 1-146 of  
24 the Illinois Vehicle Code, or on the person, while the rifle is  
25 loaded, in which case it shall be a Class X felony. A person  
26 convicted of a second or subsequent violation of subsection



1 24-1(a)(4), 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a  
2 Class 3 felony. The possession of each weapon in violation of  
3 this Section constitutes a single and separate violation.

4 (c) Violations in specific places.

5 (1) A person who violates subsection 24-1(a)(6) or  
6 24-1(a)(7) in any school, regardless of the time of day or  
7 the time of year, in residential property owned, operated  
8 or managed by a public housing agency or leased by a public  
9 housing agency as part of a scattered site or mixed-income  
10 development, in a public park, in a courthouse, on the real  
11 property comprising any school, regardless of the time of  
12 day or the time of year, on residential property owned,  
13 operated or managed by a public housing agency or leased by  
14 a public housing agency as part of a scattered site or  
15 mixed-income development, on the real property comprising  
16 any public park, on the real property comprising any  
17 courthouse, in any conveyance owned, leased or contracted  
18 by a school to transport students to or from school or a  
19 school related activity, in any conveyance owned, leased,  
20 or contracted by a public transportation agency, or on any  
21 public way within 1,000 feet of the real property  
22 comprising any school, public park, courthouse, public  
23 transportation facility, or residential property owned,  
24 operated, or managed by a public housing agency or leased  
25 by a public housing agency as part of a scattered site or  
26 mixed-income development commits a Class 2 felony and shall

1 be sentenced to a term of imprisonment of not less than 3  
2 years and not more than 7 years.

3 (1.5) A person who violates subsection 24-1(a)(4),  
4 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the  
5 time of day or the time of year, in residential property  
6 owned, operated, or managed by a public housing agency or  
7 leased by a public housing agency as part of a scattered  
8 site or mixed-income development, in a public park, in a  
9 courthouse, on the real property comprising any school,  
10 regardless of the time of day or the time of year, on  
11 residential property owned, operated, or managed by a  
12 public housing agency or leased by a public housing agency  
13 as part of a scattered site or mixed-income development, on  
14 the real property comprising any public park, on the real  
15 property comprising any courthouse, in any conveyance  
16 owned, leased, or contracted by a school to transport  
17 students to or from school or a school related activity, in  
18 any conveyance owned, leased, or contracted by a public  
19 transportation agency, or on any public way within 1,000  
20 feet of the real property comprising any school, public  
21 park, courthouse, public transportation facility, or  
22 residential property owned, operated, or managed by a  
23 public housing agency or leased by a public housing agency  
24 as part of a scattered site or mixed-income development  
25 commits a Class 3 felony.

26 (2) A person who violates subsection 24-1(a)(1),

1 24-1(a) (2), or 24-1(a) (3) in any school, regardless of the  
2 time of day or the time of year, in residential property  
3 owned, operated or managed by a public housing agency or  
4 leased by a public housing agency as part of a scattered  
5 site or mixed-income development, in a public park, in a  
6 courthouse, on the real property comprising any school,  
7 regardless of the time of day or the time of year, on  
8 residential property owned, operated or managed by a public  
9 housing agency or leased by a public housing agency as part  
10 of a scattered site or mixed-income development, on the  
11 real property comprising any public park, on the real  
12 property comprising any courthouse, in any conveyance  
13 owned, leased or contracted by a school to transport  
14 students to or from school or a school related activity, in  
15 any conveyance owned, leased, or contracted by a public  
16 transportation agency, or on any public way within 1,000  
17 feet of the real property comprising any school, public  
18 park, courthouse, public transportation facility, or  
19 residential property owned, operated, or managed by a  
20 public housing agency or leased by a public housing agency  
21 as part of a scattered site or mixed-income development  
22 commits a Class 4 felony. "Courthouse" means any building  
23 that is used by the Circuit, Appellate, or Supreme Court of  
24 this State for the conduct of official business.

25 (3) Paragraphs (1), (1.5), and (2) of this subsection  
26 (c) shall not apply to law enforcement officers or security

1 officers of such school, college, or university or to  
2 students carrying or possessing firearms for use in  
3 training courses, parades, hunting, target shooting on  
4 school ranges, or otherwise with the consent of school  
5 authorities and which firearms are transported unloaded  
6 enclosed in a suitable case, box, or transportation  
7 package.

8 (4) For the purposes of this subsection (c), "school"  
9 means any public or private elementary or secondary school,  
10 community college, college, or university.

11 (5) For the purposes of this subsection (c), "public  
12 transportation agency" means a public or private agency  
13 that provides for the transportation or conveyance of  
14 persons by means available to the general public, except  
15 for transportation by automobiles not used for conveyance  
16 of the general public as passengers; and "public  
17 transportation facility" means a terminal or other place  
18 where one may obtain public transportation.

19 (d) The presence in an automobile other than a public  
20 omnibus of any weapon, instrument or substance referred to in  
21 subsection (a) (7) is prima facie evidence that it is in the  
22 possession of, and is being carried by, all persons occupying  
23 such automobile at the time such weapon, instrument or  
24 substance is found, except under the following circumstances:  
25 (i) if such weapon, instrument or instrumentality is found upon  
26 the person of one of the occupants therein; or (ii) if such

1 weapon, instrument or substance is found in an automobile  
2 operated for hire by a duly licensed driver in the due, lawful  
3 and proper pursuit of his trade, then such presumption shall  
4 not apply to the driver.

5 (e) Exemptions.

6 (1) Crossbows, Common or Compound bows and Underwater  
7 Spearguns are exempted from the definition of ballistic  
8 knife as defined in paragraph (1) of subsection (a) of this  
9 Section.

10 (2) The provision of paragraph (1) of subsection (a) of  
11 this Section prohibiting the sale, manufacture, purchase,  
12 possession, or carrying of any knife, commonly referred to  
13 as a switchblade knife, which has a blade that opens  
14 automatically by hand pressure applied to a button, spring  
15 or other device in the handle of the knife, does not apply  
16 to a person who possesses a currently valid Firearm Owner's  
17 Identification Card previously issued in his or her name by  
18 the Department of State Police or to a person or an entity  
19 engaged in the business of selling or manufacturing  
20 switchblade knives.

21 (Source: P.A. 99-29, eff. 7-10-15; 100-82, eff. 8-11-17.)

22 (720 ILCS 5/24-2)

23 Sec. 24-2. Exemptions.

24 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and  
25 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of

1 the following:

2 (1) Peace officers, and any person summoned by a peace  
3 officer to assist in making arrests or preserving the  
4 peace, while actually engaged in assisting such officer.

5 (2) Wardens, superintendents and keepers of prisons,  
6 penitentiaries, jails and other institutions for the  
7 detention of persons accused or convicted of an offense,  
8 while in the performance of their official duty, or while  
9 commuting between their homes and places of employment.

10 (3) Members of the Armed Services or Reserve Forces of  
11 the United States or the Illinois National Guard or the  
12 Reserve Officers Training Corps, while in the performance  
13 of their official duty.

14 (4) Special agents employed by a railroad or a public  
15 utility to perform police functions, and guards of armored  
16 car companies, while actually engaged in the performance of  
17 the duties of their employment or commuting between their  
18 homes and places of employment; and watchmen while actually  
19 engaged in the performance of the duties of their  
20 employment.

21 (5) Persons licensed as private security contractors,  
22 private detectives, or private alarm contractors, or  
23 employed by a private security contractor, private  
24 detective, or private alarm contractor agency licensed by  
25 the Department of Financial and Professional Regulation,  
26 if their duties include the carrying of a weapon under the

1 provisions of the Private Detective, Private Alarm,  
2 Private Security, Fingerprint Vendor, and Locksmith Act of  
3 2004, while actually engaged in the performance of the  
4 duties of their employment or commuting between their homes  
5 and places of employment. A person shall be considered  
6 eligible for this exemption if he or she has completed the  
7 required 20 hours of training for a private security  
8 contractor, private detective, or private alarm  
9 contractor, or employee of a licensed private security  
10 contractor, private detective, or private alarm contractor  
11 agency and 20 hours of required firearm training, and has  
12 been issued a firearm control card by the Department of  
13 Financial and Professional Regulation. Conditions for the  
14 renewal of firearm control cards issued under the  
15 provisions of this Section shall be the same as for those  
16 cards issued under the provisions of the Private Detective,  
17 Private Alarm, Private Security, Fingerprint Vendor, and  
18 Locksmith Act of 2004. The firearm control card shall be  
19 carried by the private security contractor, private  
20 detective, or private alarm contractor, or employee of the  
21 licensed private security contractor, private detective,  
22 or private alarm contractor agency at all times when he or  
23 she is in possession of a concealable weapon permitted by  
24 his or her firearm control card.

25 (6) Any person regularly employed in a commercial or  
26 industrial operation as a security guard for the protection

1 of persons employed and private property related to such  
2 commercial or industrial operation, while actually engaged  
3 in the performance of his or her duty or traveling between  
4 sites or properties belonging to the employer, and who, as  
5 a security guard, is a member of a security force  
6 registered with the Department of Financial and  
7 Professional Regulation; provided that such security guard  
8 has successfully completed a course of study, approved by  
9 and supervised by the Department of Financial and  
10 Professional Regulation, consisting of not less than 40  
11 hours of training that includes the theory of law  
12 enforcement, liability for acts, and the handling of  
13 weapons. A person shall be considered eligible for this  
14 exemption if he or she has completed the required 20 hours  
15 of training for a security officer and 20 hours of required  
16 firearm training, and has been issued a firearm control  
17 card by the Department of Financial and Professional  
18 Regulation. Conditions for the renewal of firearm control  
19 cards issued under the provisions of this Section shall be  
20 the same as for those cards issued under the provisions of  
21 the Private Detective, Private Alarm, Private Security,  
22 Fingerprint Vendor, and Locksmith Act of 2004. The firearm  
23 control card shall be carried by the security guard at all  
24 times when he or she is in possession of a concealable  
25 weapon permitted by his or her firearm control card.

26 (7) Agents and investigators of the Illinois



1 Legislative Investigating Commission authorized by the  
2 Commission to carry the weapons specified in subsections  
3 24-1(a) (3) and 24-1(a) (4), while on duty in the course of  
4 any investigation for the Commission.

5 (8) Persons employed by a financial institution as a  
6 security guard for the protection of other employees and  
7 property related to such financial institution, while  
8 actually engaged in the performance of their duties,  
9 commuting between their homes and places of employment, or  
10 traveling between sites or properties owned or operated by  
11 such financial institution, and who, as a security guard,  
12 is a member of a security force registered with the  
13 Department; provided that any person so employed has  
14 successfully completed a course of study, approved by and  
15 supervised by the Department of Financial and Professional  
16 Regulation, consisting of not less than 40 hours of  
17 training which includes theory of law enforcement,  
18 liability for acts, and the handling of weapons. A person  
19 shall be considered to be eligible for this exemption if he  
20 or she has completed the required 20 hours of training for  
21 a security officer and 20 hours of required firearm  
22 training, and has been issued a firearm control card by the  
23 Department of Financial and Professional Regulation.  
24 Conditions for renewal of firearm control cards issued  
25 under the provisions of this Section shall be the same as  
26 for those issued under the provisions of the Private

1 Detective, Private Alarm, Private Security, Fingerprint  
2 Vendor, and Locksmith Act of 2004. The firearm control card  
3 shall be carried by the security guard at all times when he  
4 or she is in possession of a concealable weapon permitted  
5 by his or her firearm control card. For purposes of this  
6 subsection, "financial institution" means a bank, savings  
7 and loan association, credit union or company providing  
8 armored car services.

9 (9) Any person employed by an armored car company to  
10 drive an armored car, while actually engaged in the  
11 performance of his duties.

12 (10) Persons who have been classified as peace officers  
13 pursuant to the Peace Officer Fire Investigation Act.

14 (11) Investigators of the Office of the State's  
15 Attorneys Appellate Prosecutor authorized by the board of  
16 governors of the Office of the State's Attorneys Appellate  
17 Prosecutor to carry weapons pursuant to Section 7.06 of the  
18 State's Attorneys Appellate Prosecutor's Act.

19 (12) Special investigators appointed by a State's  
20 Attorney under Section 3-9005 of the Counties Code.

21 (12.5) Probation officers while in the performance of  
22 their duties, or while commuting between their homes,  
23 places of employment or specific locations that are part of  
24 their assigned duties, with the consent of the chief judge  
25 of the circuit for which they are employed, if they have  
26 received weapons training according to requirements of the

1 Peace Officer and Probation Officer Firearm Training Act.

2 (13) Court Security Officers while in the performance  
3 of their official duties, or while commuting between their  
4 homes and places of employment, with the consent of the  
5 Sheriff.

6 (13.5) A person employed as an armed security guard at  
7 a nuclear energy, storage, weapons or development site or  
8 facility regulated by the Nuclear Regulatory Commission  
9 who has completed the background screening and training  
10 mandated by the rules and regulations of the Nuclear  
11 Regulatory Commission.

12 (14) Manufacture, transportation, or sale of weapons  
13 to persons authorized under subdivisions (1) through  
14 (13.5) of this subsection to possess those weapons.

15 (a-5) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply  
16 to or affect any person carrying a concealed pistol, revolver,  
17 or handgun and the person has been issued a currently valid  
18 license under the Firearm Concealed Carry Act at the time of  
19 the commission of the offense.

20 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
21 24-1.6 do not apply to or affect any of the following:

22 (1) Members of any club or organization organized for  
23 the purpose of practicing shooting at targets upon  
24 established target ranges, whether public or private, and  
25 patrons of such ranges, while such members or patrons are  
26 using their firearms on those target ranges.

1           (2) Duly authorized military or civil organizations  
2 while parading, with the special permission of the  
3 Governor.

4           (3) Hunters, trappers or fishermen with a license or  
5 permit while engaged in hunting, trapping or fishing.

6           (4) Transportation of weapons that are broken down in a  
7 non-functioning state or are not immediately accessible.

8           (5) Carrying or possessing any pistol, revolver, stun  
9 gun or taser or other firearm on the land or in the legal  
10 dwelling of another person as an invitee with that person's  
11 permission.

12           (c) Subsection 24-1(a)(7) does not apply to or affect any  
13 of the following:

14           (1) Peace officers while in performance of their  
15 official duties.

16           (2) Wardens, superintendents and keepers of prisons,  
17 penitentiaries, jails and other institutions for the  
18 detention of persons accused or convicted of an offense.

19           (3) Members of the Armed Services or Reserve Forces of  
20 the United States or the Illinois National Guard, while in  
21 the performance of their official duty.

22           (4) Manufacture, transportation, or sale of machine  
23 guns to persons authorized under subdivisions (1) through  
24 (3) of this subsection to possess machine guns, if the  
25 machine guns are broken down in a non-functioning state or  
26 are not immediately accessible.

1           (5) Persons licensed under federal law to manufacture  
2           any weapon from which 8 or more shots or bullets can be  
3           discharged by a single function of the firing device, or  
4           ammunition for such weapons, and actually engaged in the  
5           business of manufacturing such weapons or ammunition, but  
6           only with respect to activities which are within the lawful  
7           scope of such business, such as the manufacture,  
8           transportation, or testing of such weapons or ammunition.  
9           This exemption does not authorize the general private  
10          possession of any weapon from which 8 or more shots or  
11          bullets can be discharged by a single function of the  
12          firing device, but only such possession and activities as  
13          are within the lawful scope of a licensed manufacturing  
14          business described in this paragraph.

15          During transportation, such weapons shall be broken  
16          down in a non-functioning state or not immediately  
17          accessible.

18          (6) The manufacture, transport, testing, delivery,  
19          transfer or sale, and all lawful commercial or experimental  
20          activities necessary thereto, of rifles, shotguns, and  
21          weapons made from rifles or shotguns, or ammunition for  
22          such rifles, shotguns or weapons, where engaged in by a  
23          person operating as a contractor or subcontractor pursuant  
24          to a contract or subcontract for the development and supply  
25          of such rifles, shotguns, weapons or ammunition to the  
26          United States government or any branch of the Armed Forces

1 of the United States, when such activities are necessary  
2 and incident to fulfilling the terms of such contract.

3 The exemption granted under this subdivision (c)(6)  
4 shall also apply to any authorized agent of any such  
5 contractor or subcontractor who is operating within the  
6 scope of his employment, where such activities involving  
7 such weapon, weapons or ammunition are necessary and  
8 incident to fulfilling the terms of such contract.

9 (7) A person possessing a rifle with a barrel or  
10 barrels less than 16 inches in length if: (A) the person  
11 has been issued a Curios and Relics license from the U.S.  
12 Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B)  
13 the person is an active member of a bona fide, nationally  
14 recognized military re-enacting group and the modification  
15 is required and necessary to accurately portray the weapon  
16 for historical re-enactment purposes; the re-enactor is in  
17 possession of a valid and current re-enacting group  
18 membership credential; and the overall length of the weapon  
19 as modified is not less than 26 inches.

20 (d) Subsection 24-1(a)(1) does not apply to the purchase,  
21 possession or carrying of a black-jack or slung-shot by a peace  
22 officer.

23 (e) Subsection 24-1(a)(8) does not apply to any owner,  
24 manager or authorized employee of any place specified in that  
25 subsection nor to any law enforcement officer.

26 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and

1 Section 24-1.6 do not apply to members of any club or  
2 organization organized for the purpose of practicing shooting  
3 at targets upon established target ranges, whether public or  
4 private, while using their firearms on those target ranges.

5 (g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply  
6 to:

7 (1) Members of the Armed Services or Reserve Forces of  
8 the United States or the Illinois National Guard, while in  
9 the performance of their official duty.

10 (2) Bonafide collectors of antique or surplus military  
11 ordnance.

12 (3) Laboratories having a department of forensic  
13 ballistics, or specializing in the development of  
14 ammunition or explosive ordnance.

15 (4) Commerce, preparation, assembly or possession of  
16 explosive bullets by manufacturers of ammunition licensed  
17 by the federal government, in connection with the supply of  
18 those organizations and persons exempted by subdivision  
19 (g)(1) of this Section, or like organizations and persons  
20 outside this State, or the transportation of explosive  
21 bullets to any organization or person exempted in this  
22 Section by a common carrier or by a vehicle owned or leased  
23 by an exempted manufacturer.

24 (g-5) Subsection 24-1(a)(6) does not apply to or affect  
25 persons licensed under federal law to manufacture any device or  
26 attachment of any kind designed, used, or intended for use in

1 silencing the report of any firearm, firearms, or ammunition  
2 for those firearms equipped with those devices, and actually  
3 engaged in the business of manufacturing those devices,  
4 firearms, or ammunition, but only with respect to activities  
5 that are within the lawful scope of that business, such as the  
6 manufacture, transportation, or testing of those devices,  
7 firearms, or ammunition. This exemption does not authorize the  
8 general private possession of any device or attachment of any  
9 kind designed, used, or intended for use in silencing the  
10 report of any firearm, but only such possession and activities  
11 as are within the lawful scope of a licensed manufacturing  
12 business described in this subsection (g-5). During  
13 transportation, these devices shall be detached from any weapon  
14 or not immediately accessible.

15 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
16 24-1.6 do not apply to or affect any parole agent or parole  
17 supervisor who meets the qualifications and conditions  
18 prescribed in Section 3-14-1.5 of the Unified Code of  
19 Corrections.

20 (g-7) Subsection 24-1(a)(6) does not apply to a peace  
21 officer while serving as a member of a tactical response team  
22 or special operations team. A peace officer may not personally  
23 own or apply for ownership of a device or attachment of any  
24 kind designed, used, or intended for use in silencing the  
25 report of any firearm. These devices shall be owned and  
26 maintained by lawfully recognized units of government whose



1 duties include the investigation of criminal acts.

2 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and  
3 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an  
4 athlete's possession, transport on official Olympic and  
5 Paralympic transit systems established for athletes, or use of  
6 competition firearms sanctioned by the International Olympic  
7 Committee, the International Paralympic Committee, the  
8 International Shooting Sport Federation, or USA Shooting in  
9 connection with such athlete's training for and participation  
10 in shooting competitions at the 2016 Olympic and Paralympic  
11 Games and sanctioned test events leading up to the 2016 Olympic  
12 and Paralympic Games.

13 (g-15) Subsection 24-1(a)(14) does not apply with respect  
14 to the importation for, manufacture for, sale to, transfer to,  
15 or possession by or under the authority of, the United States  
16 or any department or agency of the United States or of this  
17 State, or a department, agency, or political subdivision of  
18 this State.

19 (h) An information or indictment based upon a violation of  
20 any subsection of this Article need not negative any exemptions  
21 contained in this Article. The defendant shall have the burden  
22 of proving such an exemption.

23 (i) Nothing in this Article shall prohibit, apply to, or  
24 affect the transportation, carrying, or possession, of any  
25 pistol or revolver, stun gun, taser, or other firearm consigned  
26 to a common carrier operating under license of the State of

1 Illinois or the federal government, where such transportation,  
2 carrying, or possession is incident to the lawful  
3 transportation in which such common carrier is engaged; and  
4 nothing in this Article shall prohibit, apply to, or affect the  
5 transportation, carrying, or possession of any pistol,  
6 revolver, stun gun, taser, or other firearm, not the subject of  
7 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of  
8 this Article, which is unloaded and enclosed in a case, firearm  
9 carrying box, shipping box, or other container, by the  
10 possessor of a valid Firearm Owners Identification Card.

11 (Source: P.A. 99-174, eff. 7-29-15; 100-201, eff. 8-18-17.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.