



Rep. Edward J. Acevedo

**Filed: 3/4/2013**

09800HB1156ham002

LRB098 08476 RLC 42258 a

1 AMENDMENT TO HOUSE BILL 1156

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1156, AS AMENDED, by  
3 inserting the following in its proper numeric sequence:

4 "Section 5. Possession, delivery, sale, receipt, transfer,  
5 and purchase of semi-automatic assault weapons and assault  
6 weapon attachments.

7 (a) As used in this Section:

8 "Semi-automatic assault weapon" means any of the firearms  
9 or types, replicas, models, duplicates, or similar models, in  
10 any caliber, of the firearms, known as:

11 (1) AR-15 Series;

12 (2) Norinco, Mitchell, and Poly Technologies Avtomat  
13 Kalashnikovs;

14 (3) Beretta AR-70 (SC-70);

15 (4) Action Arms Israeli Military Industries (IMI) UZI  
16 and Galil; or

17 (5) any semi-automatic rifle that has the ability to

1 accept a detachable magazine and has any of the following:

2 (A) a folding or telescoping stock;

3 (B) a pistol grip or thumbhole stock; or

4 (C) a shroud that is attached to, or partially or  
5 completely encircles the barrel, and that permits the  
6 shooter to hold the firearm with the non-trigger hand  
7 without being burned.

8 "Semi-automatic assault weapon attachment" means any  
9 device capable of being attached to a firearm that is  
10 specifically designed for making or converting a firearm into  
11 any of the firearms listed in this subsection (a).

12 "Semi-automatic assault weapon" does not include:

13 (1) any firearm that:

14 (A) is manually operated by bolt, pump, lever, or  
15 slide action;

16 (B) is an unserviceable firearm or has been made  
17 permanently inoperable;

18 (C) is an antique firearm;

19 (D) any air rifle as defined in Section 24.8-0.1 of  
20 the Criminal Code of 2012; or

21 (E) has been excluded as a semi-automatic assault  
22 weapon in a Department of Natural Resources rule. The  
23 Department of Natural Resources shall have the  
24 authority to adopt rules to further define exclusions  
25 of semi-automatic assault weapon types, replicas,  
26 models, duplicates, or similar models under this

1           Section, provided the make, model, and caliber of the  
2           firearm excluded has a viable application to hunting  
3           game and conforms to accepted hunting principles of  
4           fair chase.

5           (b) It is unlawful for any person within this State to  
6           knowingly deliver, sell, receive, transfer, or purchase or  
7           cause to be delivered, sold, received, transferred, or  
8           purchased a semi-automatic assault weapon or semi-automatic  
9           assault weapon attachment.

10          (c) Beginning 300 days after the effective date of this  
11          Act, it is unlawful for any person within this State to  
12          knowingly possess a semi-automatic assault weapon or  
13          semi-automatic assault weapon attachment.

14          (d) Sentence. A person who knowingly delivers, transfers,  
15          sells, receives, or purchases in violation of this Section a  
16          weapon, attachment, or device commits a Class 2 felony for a  
17          first violation and a Class 1 felony for a second or subsequent  
18          violation. A person who knowingly possesses in violation of  
19          this Section a weapon, attachment, or device commits a Class 3  
20          felony for a first violation and a Class 2 felony for a second  
21          or subsequent violation.

22          Section 7. Exemptions.

23          (a) Section 5 does not apply to or affect any of the  
24          following:

25                 (1) Peace officers as defined in Section 2-13 of the

1 Criminal Code of 2012.

2 (2) Acquisition and possession by a local law  
3 enforcement agency for the purpose of equipping the  
4 agency's peace officers as defined in paragraph (1) of this  
5 subsection.

6 (3) Wardens, superintendents, and keepers of prisons,  
7 penitentiaries, jails, and other institutions for the  
8 detention of persons accused or convicted of an offense.

9 (4) Members of the Armed Services or Reserve Forces of  
10 the United States or the Illinois National Guard, while in  
11 the performance of their official duties or while traveling  
12 to or from their place of duty.

13 (5) Any company that employs armed security officers in  
14 this State at a nuclear energy, storage, weapons, or  
15 development site or facility regulated by the federal  
16 Nuclear Regulatory Commission and persons employed as an  
17 armed security force member at a nuclear energy, storage,  
18 weapons, or development site or facility regulated by the  
19 federal Nuclear Regulatory Commission who have completed  
20 the background screening and training mandated by the rules  
21 and regulations of the federal Nuclear Regulatory  
22 Commission and while in the performance of their official  
23 duties.

24 (6) Manufacture, transportation, or sale of weapons,  
25 attachments, or ammunition to persons authorized under  
26 subdivisions (1) through (5) of this subsection (a) to

1 possess those items.

2 (7) Manufacture, transportation, or sale of weapons,  
3 attachments, or ammunition for sale or transfer in another  
4 state.

5 (8) Possession of any firearm if that firearm is  
6 sanctioned by the International Olympic Committee and by  
7 USA Shooting, the national governing body for  
8 international shooting competition in the United States,  
9 but only when the firearm is in the actual possession of an  
10 Olympic target shooting competitor or target shooting  
11 coach for the purpose of storage, transporting to and from  
12 Olympic target shooting practice or events if the firearm  
13 is broken down in a non-functioning state, is not  
14 immediately accessible, or is unloaded and enclosed in a  
15 firearm case, carrying box, shipping box, or other similar  
16 portable container designed for the safe transportation of  
17 firearms, and when the Olympic target shooting competitor  
18 or target shooting coach is engaging in those practices or  
19 events. For the purposes of this paragraph (8), "firearm"  
20 is as defined in Section 1.1 of the Firearm Owners  
21 Identification Card Act.

22 (9) Any non-resident who transports, within 24 hours, a  
23 weapon for any lawful purpose from any place where he or  
24 she may lawfully possess and carry that weapon to any other  
25 place where he or she may lawfully possess and carry that  
26 weapon if, during the transportation the weapon is

1 unloaded, and neither the weapon nor any ammunition being  
2 transported is readily accessible or is directly  
3 accessible from the passenger compartment of the  
4 transporting vehicle. Provided that, in the case of a  
5 vehicle without a compartment separate from the driver's  
6 compartment the weapon or ammunition shall be contained in  
7 a locked container other than the glove compartment or  
8 console.

9 (10) Possession of a weapon at events taking place at  
10 the World Shooting and Recreational Complex at Sparta, only  
11 while engaged in the legal use of this weapon, or while  
12 traveling to or from this location if the weapon is broken  
13 down in a non-functioning state, or is not immediately  
14 accessible, or is unloaded and enclosed in a firearm case,  
15 carrying box, shipping box, or other similar portable  
16 container designed for the safe transportation of  
17 firearms.

18 (11) Possession of a weapon only for hunting use  
19 expressly permitted under the Wildlife Code, or while  
20 traveling to or from a location authorized for this hunting  
21 use under the Wildlife Code if the weapon is broken down in  
22 a non-functioning state, or is not immediately accessible,  
23 or is unloaded and enclosed in a firearm case, carrying  
24 box, shipping box, or other similar portable container  
25 designed for the safe transportation of firearms.

26 (12) The manufacture, transportation, possession,

1 sale, or rental of blank-firing assault weapons or the  
2 weapon's respective attachments, to persons authorized or  
3 permitted, or both authorized and permitted to acquire and  
4 possess these weapons or attachments for the purpose of  
5 rental for use solely as props for a motion picture,  
6 television, or video production or entertainment event.

7 (b) Section 5 does not apply to a peace officer who has  
8 retired in good standing from a law enforcement agency of this  
9 State and who possesses a prohibited weapon or attachment, if  
10 the weapon or attachment was lawfully possessed and acquired by  
11 the peace officer prior to retirement and the retired peace  
12 officer within 30 days of retirement registers the weapon or  
13 attachment with the Department of State Police as provided for  
14 possession under this Act. The retired peace officer shall  
15 comply with the transfer and notification requirements as  
16 provided for possession under this Act.".