



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0271

by Rep. Sonya M. Harper

SYNOPSIS AS INTRODUCED:

See Index

Amends the Criminal Code of 2012. Provides that beginning January 1, 2019, all handgun ammunition that is manufactured, imported into the State for sale or personal use, kept for sale, offered or exposed for sale, sold, given, lent, or possessed shall be serialized. Provides that beginning January 1, 2019, any person who manufactures, causes to be manufactured, imports into the State for sale or personal use, keeps for sale, offers or exposes for sale, or who gives or lends any handgun ammunition that is not serialized is guilty of a Class A misdemeanor. Provides that beginning January 1, 2019, any person who possesses in any public place any handgun ammunition that is not serialized is guilty of a Class C misdemeanor. Provides exceptions. Provides that beginning January 1, 2019, the Department of State Police shall maintain a centralized registry of all reports of handgun ammunition transactions reported to the Department in a manner prescribed by the Department. Provides that information in the registry, upon proper application for that information, shall be furnished to peace officers and authorized employees of the Department of State Police or to the person listed in the registry as the owner of the particular handgun ammunition. Provides that the Department of State Police shall adopt rules relating to the assessment and collection of end-user fees in an amount not to exceed \$0.005 per round of handgun ammunition or per bullet, in which the accumulated fee amount may not exceed the cost to pay for the infrastructure, implementation, operational, enforcement, and future development costs of these provisions. Effective January 1, 2019, except some provisions effective immediately.

LRB100 00058 RLC 10060 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL 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 24-2, 24-4 and 24-5 and by adding Sections 24-0.05,
6 24-1.9, 24-1.10, 24-1.11, and 24-1.12 as follows:

7 (720 ILCS 5/24-0.05 new)

8 Sec. 24-0.05. Definitions. As used in this Article:

9 "Department" means the Department of State Police.

10 "Handgun ammunition" means ammunition principally for use
11 in pistols, revolvers, and other firearms capable of being
12 concealed upon the person, notwithstanding that the ammunition
13 may also be used in some rifles.

14 "Manufacturer", "ammunition manufacturer", or "registered
15 handgun ammunition manufacturer" means any person that
16 manufactures handgun ammunition within this State or
17 manufactures handgun ammunition with the intent to distribute
18 that ammunition for purposes, within this State, of sale, loan,
19 or transfer.

20 "Pistol", "revolver", and "firearm capable of being
21 concealed upon the person" applies to and include any device
22 designed to be used as a weapon, from which is expelled a
23 projectile by the force of any explosion, or other form of

1 combustion, and that has a barrel less than 16 inches in
2 length. These terms also include any device that has a barrel
3 16 inches or more in length which is designed to be
4 interchanged with a barrel less than 16 inches in length.

5 "Public place" means an area open to the public and
6 includes, but is not limited to, streets, sidewalks, bridges,
7 alleys, plazas, parks, driveways, front yards, parking lots,
8 including motor vehicles in these areas, whether moving or not,
9 and buildings open to the general public, including those that
10 serve food or drink, or provide entertainment, and the doorways
11 and entrances to buildings or dwellings.

12 "Retail mercantile establishment" has the meaning ascribed
13 to it in Section 16-0.1 of this Code.

14 "Serialized" means:

15 (1) the handgun ammunition has been identified in a
16 manner prescribed by the Department of State Police so that
17 all assembled handgun ammunition contained within a
18 package provided for retail sale, or as otherwise specified
19 by the Department, is uniquely identified;

20 (2) bullets used for reloading or handloading
21 contained within a package provided for retail sale, or as
22 otherwise specified by the Department, are uniquely
23 identified;

24 (3) identification of the manufacturer of the items
25 described in subdivisions (1) and (2) of this definition;

26 (4) identification on the exterior of the items

1 described in subdivisions (1) and (2) of this definition in
2 a manner that permits visual inspection for the purpose of
3 determining if the assembled handgun ammunition or bullet
4 is serialized;

5 (5) identification on the exterior of the items
6 described in subdivisions (1) and (2) of this definition in
7 a manner that is maintained subsequent to the discharge of
8 the handgun ammunition and subsequent to the impact of the
9 bullet, based on standards prescribed by the Department;

10 and

11 (6) identification on the exterior of every package or
12 container of serialized handgun ammunition, as prescribed
13 by the Department, with the same unique identifiers used on
14 the assembled handgun ammunition or bullets contained
15 within the packaging or container. No package or container
16 shall be labeled with the same unique identifiers as any
17 other package or container by the same manufacturer.

18 "Serialized handgun ammunition" means any of the
19 following, which are subject to serialization under this
20 Article:

21 (1) handgun ammunition;

22 (2) .22 caliber rimfire ammunition;

23 (3) assembled handgun ammunition packaged for retail
24 sale; or

25 (4) bullets used for reloading or handloading handgun
26 ammunition that are packaged for retail sale.

1 "Serialized handgun ammunition" does not include blank
2 cartridges, shot-shells, or projectiles used in black powder
3 handguns.

4 (720 ILCS 5/24-1.9 new)

5 Sec. 24-1.9. Serialization of handgun ammunition.

6 (a) The Department of State Police shall enforce the
7 requirements of the handgun serialization program and other
8 provisions of Sections 24-1.9 through 24-1.12 of this Code. The
9 Department may prescribe the manner in which handgun ammunition
10 is serialized in order to comply with Section 24-1.10 of this
11 Code, including, but not limited to, determining how handgun
12 ammunition that is loose, packaged, in lots, series, or
13 otherwise aggregated for purposes of manufacture or sale shall
14 be serialized with a unique identifier, under Section 24-1.10
15 of this Code. The Department shall adopt rules implementing
16 this Section no later than January 1, 2019.

17 (b) The Department may:

18 (1) adopt rules relating to the assessment and
19 collection of end-user fees in an amount not to exceed
20 \$0.005 per round of handgun ammunition or per bullet, in
21 which the accumulated fee amount may not exceed the cost to
22 pay for the infrastructure, implementation, operational,
23 enforcement, and future development costs of Sections
24 24-1.9 through 24-1.12 of this Code;

25 (2) adopt rules relating to the implementation and

1 furtherance of a retail handgun ammunition vendor's
2 registry and the assessment and collection of fees
3 associated with the registration program in an amount not
4 to exceed \$50 per year per retail location, adjusted
5 annually for inflation based upon the Consumer Price Index
6 for the North Central Region as published by the United
7 States Department of Labor, Bureau of Labor Statistics for
8 the immediately preceding calendar year, in which the
9 accumulated fee amount may not exceed the cost to pay for
10 the infrastructure, implementation, operational,
11 enforcement, and future development costs of Sections
12 24-1.9 through 24-1.12 of this Code; or

13 (3) adopt or amend rules relating to this Section in an
14 effort to incorporate new technologies as they become
15 available.

16 (720 ILCS 5/24-1.10 new)

17 Sec. 24-1.10. Unlawful manufacture, sale, or transfer of
18 non-serialized handgun ammunition; unlawful possession of
19 non-serialized handgun ammunition; penalties.

20 (a) Beginning January 1, 2019, and except as provided in
21 subsection (g-15) of Section 24-2 of this Code, a person
22 commits unlawful manufacture, sale, or transfer of
23 non-serialized handgun ammunition when he or she knowingly
24 manufactures, causes to be manufactured, imports into this
25 State for sale or personal use, keeps for sale, offers or

1 exposes for sale, or gives or lends any handgun ammunition that
2 is not serialized. A violation of this subsection is a Class A
3 misdemeanor.

4 (b) Beginning January 1, 2019, and except as provided in
5 subsection (g-15) of Section 24-2 of this Code, a person
6 commits unlawful possession of non-serialized handgun
7 ammunition when he or she knowingly possesses in any public
8 place any handgun ammunition that is not serialized. A
9 violation of this subsection is a Class C misdemeanor.

10 (c) Beginning January 1, 2019, and except as provided in
11 subsection (g-15) of Section 24-2 of this Code, a person
12 commits unlawful possession of non-serialized handgun
13 ammunition when he or she knowingly possesses non-serialized
14 ammunition for a rifle having one or more barrels less than 16
15 inches in length or a shotgun having one or more barrels less
16 than 18 inches in length or any weapon made from a rifle or
17 shotgun, whether by alteration, modification, or otherwise, if
18 the weapon as modified has an overall length of less than 26
19 inches. A violation of this subsection is a Class C
20 misdemeanor.

21 (d) For purposes of Sections 24-1.9 through 24-1.12 of this
22 Code, the possession of each round of non-serialized handgun
23 ammunition or bullets constitutes a separate and distinct
24 offense.

1 Sec. 24-1.11. Unlawful retail sale of handgun ammunition.

2 (a) (1) Beginning January 1, 2019, a person commits unlawful
3 retail sale of handgun ammunition if he or she knowingly
4 engages in the retail sale of handgun ammunition and sells,
5 leases, or transfers serialized handgun ammunition without
6 being a registered handgun ammunition vendor as described in
7 paragraph (2) of this subsection (a). A violation of this
8 paragraph (1) is a Class A misdemeanor.

9 (2) As used in this Section, "vendor", "ammunition vendor",
10 or "registered handgun ammunition vendor" means any person who
11 is engaged in the retail sale of handgun ammunition and has all
12 of the following:

13 (A) any regulatory or business license, or licenses,
14 required by a unit of local government;

15 (B) a valid Retailers Occupation Tax Registration
16 Number issued by the Department of Revenue; and

17 (C) is recorded in the centralized handgun ammunition
18 vendor's registry specified in subsection (b) of this
19 Section.

20 (b) The Department of State Police shall maintain a
21 centralized registry of all persons under subparagraphs (A)
22 through (C), inclusive, of paragraph (2) of subsection (a) of
23 this Section. The Department may remove from this registry any
24 person who violates the provisions of this Article. Upon
25 removal of a vendor from this registry, notification shall be
26 provided to local law enforcement and licensing authorities in

1 the jurisdiction where the vendor's business is located.

2 (c) The Department of State Police may inspect handgun
3 ammunition vendors to ensure compliance with this Article.
4 Nothing in this Section prohibits any unit of local government
5 from adopting one or more ordinances relating to the inspection
6 of handgun ammunition vendors.

7 (d) Any vendor, agent, or employee of the vendor who sells
8 or otherwise transfers ownership of any serialized handgun
9 ammunition shall record the following information in a format
10 prescribed by the Department of State Police:

11 (1) the date of the transaction;

12 (2) the name of the transferee;

13 (3) the transferee's driver's license number or other
14 government issued identification card number and the
15 governmental agency that issued the identification;

16 (4) in order to validate a transferee's age and ensure
17 compliance with paragraphs (a) and (b) of subsection (A) of
18 Section 24-3 of this Code, the date of birth of the
19 transferee;

20 (5) the unique identifier, as described in Section
21 24-0.05 of this Article, of all serialized handgun
22 ammunition or bullets transferred; and

23 (6) all other information prescribed by the
24 Department.

25 (e) On the date the vendor delivers the handgun ammunition
26 to the transferee, he or she shall report the information

1 required in subsection (d) of this Section to the Department of
2 State Police in a manner prescribed by the Department. A copy
3 of the records required by this Section shall be maintained on
4 the premises of the vendor for a period of not less than 3
5 years from the date of the recorded transfer. The records shall
6 be subject to inspection at any time during normal business
7 hours by any peace officer, or by any authorized employee of
8 the Department, if the inspection relates to an investigation
9 in which access to those records is or may be relevant to that
10 investigation, is seeking information about persons prohibited
11 from owning a firearm or handgun ammunition, or is engaged in
12 ensuring compliance with this Article, the Firearm Owners
13 Identification Card Act, the Firearm Concealed Carry Act, or
14 any other laws pertaining to firearms.

15 (f) Any vendor or employee or agent of a vendor who
16 knowingly fails to comply with, or falsifies the records
17 required to be kept by subsection (e) of this Section is guilty
18 of a Class A misdemeanor.

19 (g) Proof that a vendor or his or her agent or employee
20 demanding, was shown, and acted in reliance upon, bona fide
21 evidence of identity shall be a defense to any criminal
22 prosecution under this Section if reliance upon the proof of
23 identity was reasonable.

24 (h) Any person who presents false identification to a
25 vendor with the intent to avoid the recording requirements of
26 this Section is guilty of a Class A misdemeanor.

1 (i) Any vendor who refuses to permit a person authorized
2 under subsection (e) of this Section to examine any record
3 prepared in accordance with this Section during any inspection
4 conducted under this Section is guilty of a Class A
5 misdemeanor.

6 (j) Persons engaged in the non-commercial reloading of
7 ammunition may adopt voluntary personal serialization
8 protocols.

9 (720 ILCS 5/24-1.12 new)

10 Sec. 24-1.12. Unlawful commercial manufacture of
11 serialized handgun ammunition.

12 (a) Beginning January 1, 2019, a person commits unlawful
13 commercial manufacture of serialized handgun ammunition when
14 he or she knowingly engages in the commercial manufacture of
15 serialized handgun ammunition and sells, loans, or transfers
16 serialized handgun ammunition within this State, without being
17 a registered handgun ammunition manufacturer. A violation of
18 this subsection (a) is a Class A misdemeanor.

19 (b) Manufacturers shall:

20 (1) register with the Department of State Police in a
21 manner prescribed by the Department;

22 (2) maintain records on the business premises for a
23 period of 7 years concerning all sales, loans, and
24 transfers of handgun ammunition, to, from, or within this
25 State; and

1 (3) comply with all other rules concerning handgun
2 ammunition manufacture and sale adopted by the Department.

3 (c) Any manufacturer who knowingly fails to comply with the
4 provisions of this Section is liable for a civil fine payable
5 to the Department of State Police of not more than \$1,000 for a
6 first violation, not more than \$5,000 for a second violation,
7 and not more than \$10,000 for a third and subsequent violation.
8 A civil action to enforce this Section may be brought by a
9 municipal attorney, State's Attorney, or the Attorney General.
10 This subsection (c) does not preclude any other remedy
11 available under State law.

12 (d) The Department may inspect handgun ammunition
13 manufacturers to ensure compliance with this Section.

14 (720 ILCS 5/24-2)

15 Sec. 24-2. Exemptions.

16 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
17 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
18 the following:

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

22 (2) Wardens, superintendents and keepers of prisons,
23 penitentiaries, jails and other institutions for the
24 detention of persons accused or convicted of an offense,
25 while in the performance of their official duty, or while

1 commuting between their homes and places of employment.

2 (3) Members of the Armed Services or Reserve Forces of
3 the United States or the Illinois National Guard or the
4 Reserve Officers Training Corps, while in the performance
5 of their official duty.

6 (4) Special agents employed by a railroad or a public
7 utility to perform police functions, and guards of armored
8 car companies, while actually engaged in the performance of
9 the duties of their employment or commuting between their
10 homes and places of employment; and watchmen while actually
11 engaged in the performance of the duties of their
12 employment.

13 (5) Persons licensed as private security contractors,
14 private detectives, or private alarm contractors, or
15 employed by a private security contractor, private
16 detective, or private alarm contractor agency licensed by
17 the Department of Financial and Professional Regulation,
18 if their duties include the carrying of a weapon under the
19 provisions of the Private Detective, Private Alarm,
20 Private Security, Fingerprint Vendor, and Locksmith Act of
21 2004, while actually engaged in the performance of the
22 duties of their employment or commuting between their homes
23 and places of employment. A person shall be considered
24 eligible for this exemption if he or she has completed the
25 required 20 hours of training for a private security
26 contractor, private detective, or private alarm

1 contractor, or employee of a licensed private security
2 contractor, private detective, or private alarm contractor
3 agency and 20 hours of required firearm training, and has
4 been issued a firearm control card by the Department of
5 Financial and Professional Regulation. Conditions for the
6 renewal of firearm control cards issued under the
7 provisions of this Section shall be the same as for those
8 cards issued under the provisions of the Private Detective,
9 Private Alarm, Private Security, Fingerprint Vendor, and
10 Locksmith Act of 2004. The firearm control card shall be
11 carried by the private security contractor, private
12 detective, or private alarm contractor, or employee of the
13 licensed private security contractor, private detective,
14 or private alarm contractor agency at all times when he or
15 she is in possession of a concealable weapon permitted by
16 his or her firearm control card.

17 (6) Any person regularly employed in a commercial or
18 industrial operation as a security guard for the protection
19 of persons employed and private property related to such
20 commercial or industrial operation, while actually engaged
21 in the performance of his or her duty or traveling between
22 sites or properties belonging to the employer, and who, as
23 a security guard, is a member of a security force
24 registered with the Department of Financial and
25 Professional Regulation; provided that such security guard
26 has successfully completed a course of study, approved by

1 and supervised by the Department of Financial and
2 Professional Regulation, consisting of not less than 40
3 hours of training that includes the theory of law
4 enforcement, liability for acts, and the handling of
5 weapons. A person shall be considered eligible for this
6 exemption if he or she has completed the required 20 hours
7 of training for a security officer and 20 hours of required
8 firearm training, and has been issued a firearm control
9 card by the Department of Financial and Professional
10 Regulation. Conditions for the renewal of firearm control
11 cards issued under the provisions of this Section shall be
12 the same as for those cards issued under the provisions of
13 the Private Detective, Private Alarm, Private Security,
14 Fingerprint Vendor, and Locksmith Act of 2004. The firearm
15 control card shall be carried by the security guard at all
16 times when he or she is in possession of a concealable
17 weapon permitted by his or her firearm control card.

18 (7) Agents and investigators of the Illinois
19 Legislative Investigating Commission authorized by the
20 Commission to carry the weapons specified in subsections
21 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
22 any investigation for the Commission.

23 (8) Persons employed by a financial institution as a
24 security guard for the protection of other employees and
25 property related to such financial institution, while
26 actually engaged in the performance of their duties,

1 commuting between their homes and places of employment, or
2 traveling between sites or properties owned or operated by
3 such financial institution, and who, as a security guard,
4 is a member of a security force registered with the
5 Department; provided that any person so employed has
6 successfully completed a course of study, approved by and
7 supervised by the Department of Financial and Professional
8 Regulation, consisting of not less than 40 hours of
9 training which includes theory of law enforcement,
10 liability for acts, and the handling of weapons. A person
11 shall be considered to be eligible for this exemption if he
12 or she has completed the required 20 hours of training for
13 a security officer and 20 hours of required firearm
14 training, and has been issued a firearm control card by the
15 Department of Financial and Professional Regulation.
16 Conditions for renewal of firearm control cards issued
17 under the provisions of this Section shall be the same as
18 for those issued under the provisions of the Private
19 Detective, Private Alarm, Private Security, Fingerprint
20 Vendor, and Locksmith Act of 2004. The firearm control card
21 shall be carried by the security guard at all times when he
22 or she is in possession of a concealable weapon permitted
23 by his or her firearm control card. For purposes of this
24 subsection, "financial institution" means a bank, savings
25 and loan association, credit union or company providing
26 armored car services.

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

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

6 (11) Investigators of the Office of the State's
7 Attorneys Appellate Prosecutor authorized by the board of
8 governors of the Office of the State's Attorneys Appellate
9 Prosecutor to carry weapons pursuant to Section 7.06 of the
10 State's Attorneys Appellate Prosecutor's Act.

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

13 (12.5) Probation officers while in the performance of
14 their duties, or while commuting between their homes,
15 places of employment or specific locations that are part of
16 their assigned duties, with the consent of the chief judge
17 of the circuit for which they are employed, if they have
18 received weapons training according to requirements of the
19 Peace Officer and Probation Officer Firearm Training Act.

20 (13) Court Security Officers while in the performance
21 of their official duties, or while commuting between their
22 homes and places of employment, with the consent of the
23 Sheriff.

24 (13.5) A person employed as an armed security guard at
25 a nuclear energy, storage, weapons or development site or
26 facility regulated by the Nuclear Regulatory Commission

1 who has completed the background screening and training
2 mandated by the rules and regulations of the Nuclear
3 Regulatory Commission.

4 (14) Manufacture, transportation, or sale of weapons
5 to persons authorized under subdivisions (1) through
6 (13.5) of this subsection to possess those weapons.

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

12 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
13 24-1.6 do not apply to or affect any of the following:

14 (1) Members of any club or organization organized for
15 the purpose of practicing shooting at targets upon
16 established target ranges, whether public or private, and
17 patrons of such ranges, while such members or patrons are
18 using their firearms on those target ranges.

19 (2) Duly authorized military or civil organizations
20 while parading, with the special permission of the
21 Governor.

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

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

26 (5) Carrying or possessing any pistol, revolver, stun

1 gun or taser or other firearm on the land or in the legal
2 dwelling of another person as an invitee with that person's
3 permission.

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

6 (1) Peace officers while in performance of their
7 official duties.

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

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

14 (4) Manufacture, transportation, or sale of machine
15 guns to persons authorized under subdivisions (1) through
16 (3) of this subsection to possess machine guns, if the
17 machine guns are broken down in a non-functioning state or
18 are not immediately accessible.

19 (5) Persons licensed under federal law to manufacture
20 any weapon from which 8 or more shots or bullets can be
21 discharged by a single function of the firing device, or
22 ammunition for such weapons, and actually engaged in the
23 business of manufacturing such weapons or ammunition, but
24 only with respect to activities which are within the lawful
25 scope of such business, such as the manufacture,
26 transportation, or testing of such weapons or ammunition.

1 This exemption does not authorize the general private
2 possession of any weapon from which 8 or more shots or
3 bullets can be discharged by a single function of the
4 firing device, but only such possession and activities as
5 are within the lawful scope of a licensed manufacturing
6 business described in this paragraph.

7 During transportation, such weapons shall be broken
8 down in a non-functioning state or not immediately
9 accessible.

10 (6) The manufacture, transport, testing, delivery,
11 transfer or sale, and all lawful commercial or experimental
12 activities necessary thereto, of rifles, shotguns, and
13 weapons made from rifles or shotguns, or ammunition for
14 such rifles, shotguns or weapons, where engaged in by a
15 person operating as a contractor or subcontractor pursuant
16 to a contract or subcontract for the development and supply
17 of such rifles, shotguns, weapons or ammunition to the
18 United States government or any branch of the Armed Forces
19 of the United States, when such activities are necessary
20 and incident to fulfilling the terms of such contract.

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

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

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

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

18 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and
19 Section 24-1.6 do not apply to members of any club or
20 organization organized for the purpose of practicing shooting
21 at targets upon established target ranges, whether public or
22 private, while using their firearms on those target ranges.

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

25 (1) Members of the Armed Services or Reserve Forces of
26 the United States or the Illinois National Guard, while in

1 the performance of their official duty.

2 (2) Bonafide collectors of antique or surplus military
3 ordinance.

4 (3) Laboratories having a department of forensic
5 ballistics, or specializing in the development of
6 ammunition or explosive ordinance.

7 (4) Commerce, preparation, assembly or possession of
8 explosive bullets by manufacturers of ammunition licensed
9 by the federal government, in connection with the supply of
10 those organizations and persons exempted by subdivision
11 (g)(1) of this Section, or like organizations and persons
12 outside this State, or the transportation of explosive
13 bullets to any organization or person exempted in this
14 Section by a common carrier or by a vehicle owned or leased
15 by an exempted manufacturer.

16 (g-5) Subsection 24-1(a)(6) does not apply to or affect
17 persons licensed under federal law to manufacture any device or
18 attachment of any kind designed, used, or intended for use in
19 silencing the report of any firearm, firearms, or ammunition
20 for those firearms equipped with those devices, and actually
21 engaged in the business of manufacturing those devices,
22 firearms, or ammunition, but only with respect to activities
23 that are within the lawful scope of that business, such as the
24 manufacture, transportation, or testing of those devices,
25 firearms, or ammunition. This exemption does not authorize the
26 general private possession of any device or attachment of any

1 kind designed, used, or intended for use in silencing the
2 report of any firearm, but only such possession and activities
3 as are within the lawful scope of a licensed manufacturing
4 business described in this subsection (g-5). During
5 transportation, these devices shall be detached from any weapon
6 or not immediately accessible.

7 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
8 24-1.6 do not apply to or affect any parole agent or parole
9 supervisor who meets the qualifications and conditions
10 prescribed in Section 3-14-1.5 of the Unified Code of
11 Corrections.

12 (g-7) Subsection 24-1(a)(6) does not apply to a peace
13 officer while serving as a member of a tactical response team
14 or special operations team. A peace officer may not personally
15 own or apply for ownership of a device or attachment of any
16 kind designed, used, or intended for use in silencing the
17 report of any firearm. These devices shall be owned and
18 maintained by lawfully recognized units of government whose
19 duties include the investigation of criminal acts.

20 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and
21 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an
22 athlete's possession, transport on official Olympic and
23 Paralympic transit systems established for athletes, or use of
24 competition firearms sanctioned by the International Olympic
25 Committee, the International Paralympic Committee, the
26 International Shooting Sport Federation, or USA Shooting in

1 connection with such athlete's training for and participation
2 in shooting competitions at the 2016 Olympic and Paralympic
3 Games and sanctioned test events leading up to the 2016 Olympic
4 and Paralympic Games.

5 (g-15) Subsections 24-1.10 (a) and 24-1.10 (b) do not apply
6 to or affect any of the following:

7 (1) Possession, for purposes of investigation or
8 disposition of any non-serialized handgun ammunition, by a
9 forensic laboratory or any authorized agent or employee of
10 that laboratory in the course and scope of his or her
11 authorized activities.

12 (2) Possession, for purposes of investigation,
13 evidence, or disposition, of any non-serialized handgun
14 ammunition by any State or unit of local government agency
15 charged with law enforcement or by the Department of State
16 Police or by any authorized agent or employee of the
17 agency, within the course and scope of his or her official
18 duties.

19 (3) Possession, for purposes of disposal, or the
20 disposal, of non-serialized handgun ammunition by an
21 executor or administrator of an estate if all of the
22 following are met:

23 (A) the non-serialized handgun ammunition was
24 lawfully possessed, included within the estate, and
25 the executor or administrator possesses or disposes of
26 the non-serialized handgun ammunition in a manner

1 consistent with this Article.

2 (B) the disposition is to a person or entity that
3 may possess the non-serialized handgun ammunition in a
4 manner consistent with this Article and possession is
5 otherwise lawful; and

6 (C) the disposition transfers the non-serialized
7 handgun ammunition out of this State or to a law
8 enforcement agency for disposition.

9 (4) Possession of non-serialized handgun ammunition
10 for purposes of transporting it to a law enforcement agency
11 for disposition, if possession is otherwise lawful, and if
12 the law enforcement agency has been notified prior to
13 delivery of the handgun ammunition.

14 (5) Possession of non-serialized handgun ammunition by
15 peace officers from other states during the discharge of
16 their official duties in this State.

17 (6) Possession of non-serialized handgun ammunition by
18 members of the Armed Services or Reserve Forces of the
19 United States or the Illinois National Guard or the Reserve
20 Officers Training Corps, while in the performance of their
21 official duties.

22 (7) Possession or exhibition of non-serialized handgun
23 ammunition by a museum or collector, in a fixed or mobile
24 exhibit or for educational purposes.

25 (8) Transportation of non-serialized handgun
26 ammunition by those permitted to be in possession of that

1 ammunition and firearms for that ammunition from their
2 residence to public and private shooting events and ranges
3 for a period of 10 years after the effective date of this
4 amendatory act of the 99th General Assembly.

5 (9) Transfer of non-serialized handgun ammunition from
6 a retail mercantile establishment in this state to another
7 retail mercantile establishment outside of this State.

8 (10) Possession of non-serialized handgun ammunition
9 inventory by a retail mercantile establishment
10 manufactured before January 1, 2019 and possessed by the
11 retail mercantile establishment until that inventory is
12 sold or exhausted in compliance with this Article.

13 (11) Possession of non-serialized handgun ammunition
14 by a person issued a concealed carry license by the
15 Department of State Police under the Firearm Concealed
16 Carry Act or issued a Firearm Owner's Identification Card
17 by the Department under the Firearm Owners Identification
18 Card Act on his or her person, in a firearm, or in a
19 vehicle for 15 years after the effective date of this
20 amendatory Act of the 99th General Assembly.

21 (12) Possession of non-serialized handgun ammunition
22 by persons engaged in the development of new calibers, new
23 rifles, new handguns, and ammunition that is used in those
24 rifles and handguns or modifications to existing rifles or
25 handguns. Possession of non-serialized handgun ammunition
26 under this paragraph (12) must be in compliance with this

1 Article, the number of rounds must not exceed 15,000, must
2 be used solely for development purposes, and must be
3 transported with the firearms for which they are used.

4 (13) Possession of non-serialized handgun ammunition
5 by persons engaged in the non-commercial reloading of
6 ammunition.

7 (14) Possession and storage of non-serialized handgun
8 ammunition in the owner's dwelling, farm, or farm
9 outbuilding, or while at a public or private firearm range.

10 (15) Possession of non-serialized handgun ammunition
11 by persons involved in the protection of dignitaries from
12 domestic or foreign governments under the direction and
13 authorization of the Department of State Police, which may
14 charge a fee for use of that ammunition which shall not
15 exceed the cost of that ammunition to the Department.

16 (16) Ammunition used in black powder firearms
17 regardless of the date of manufacture of the firearms.

18 (17) Projectiles that are determined by the Department
19 of State Police to be less than lethal that may be fired
20 from devices that are in possession of persons lawfully
21 able to possess those devices.

22 (g-16) The Department of State Police shall annually review
23 the exemptions contained in subsection (g-15) of this Section
24 and make recommendations to the Governor and General Assembly
25 for changes in exemptions permitted by subsection (g-15) of
26 this Section.

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

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

19 (Source: P.A. 98-63, eff. 7-9-13; 98-463, eff. 8-16-13; 98-725,
20 eff. 1-1-15; 99-174, eff. 7-29-15.)

21 (720 ILCS 5/24-4) (from Ch. 38, par. 24-4)

22 Sec. 24-4. Register of sales by dealer.

23 (a) Any seller of firearms of a size which may be concealed
24 upon the person, other than a manufacturer selling to a bona
25 fide wholesaler or retailer or a wholesaler selling to a bona

1 fide retailer, shall keep a register of all firearms sold or
2 given away.

3 (b) Such register shall contain the date of the sale or
4 gift, the name, address, age and occupation of the person to
5 whom the weapon is sold or given, the price of the weapon, the
6 kind, description and number of the weapon, and the purpose for
7 which it is purchased and obtained.

8 (c) Such seller on demand of a peace officer shall produce
9 for inspection the register and allow such peace officer to
10 inspect such register and all stock on hand.

11 (c-5) Beginning January 1, 2019, the Department of State
12 Police shall maintain a centralized registry of all reports of
13 handgun ammunition transactions reported to the Department
14 under Section 24-1.11 of this Code, in a manner prescribed by
15 the Department. Information in the registry, upon proper
16 application for that information, shall be furnished to the
17 officers listed in Section 24-1.11 of this Code, or to the
18 person listed in the registry as the owner of the particular
19 handgun ammunition.

20 (d) Sentence.

21 Violation of this Section is a Class B misdemeanor.

22 (Source: P.A. 77-2638.)

23 (720 ILCS 5/24-5) (from Ch. 38, par. 24-5)

24 Sec. 24-5. Defacing identification marks of firearms.

25 (a) Any person who shall knowingly or intentionally change,

1 alter, remove or obliterate the name of the importer's or
2 manufacturer's serial number of any firearm commits a Class 2
3 felony.

4 (b) A person who possesses any firearm upon which any such
5 importer's or manufacturer's serial number has been changed,
6 altered, removed or obliterated commits a Class 3 felony.

7 (b-5) Beginning January 1, 2019, any person who knowingly
8 destroys, obliterates, or otherwise renders unreadable, the
9 serialization required under Section 24-1.10 of this Code, on
10 any bullet or assembled handgun ammunition is guilty of a Class
11 A misdemeanor.

12 (c) Nothing in this Section shall prevent a person from
13 making repairs, replacement of parts, or other changes to a
14 firearm if those repairs, replacement of parts, or changes
15 cause the removal of the name of the maker, model, or other
16 marks of identification other than the serial number on the
17 firearm's frame or receiver.

18 (d) A prosecution for a violation of this Section may be
19 commenced within 6 years after the commission of the offense.

20 (Source: P.A. 93-906, eff. 8-11-04.)

21 Section 99. Effective date. This Act takes effect on
22 January 1, 2019, except that Sections 24-0.05, 24-1.9, and this
23 Section take effect upon becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 720 ILCS 5/24-0.05 new

4 720 ILCS 5/24-1.9 new

5 720 ILCS 5/24-1.10 new

6 720 ILCS 5/24-1.11 new

7 720 ILCS 5/24-1.12 new

8 720 ILCS 5/24-2

9 720 ILCS 5/24-4 from Ch. 38, par. 24-4

10 720 ILCS 5/24-5 from Ch. 38, par. 24-5