

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 adding
5 Sections 24-1.9 and 24-1.10 as follows:

6 (720 ILCS 5/24-1.9 new)

7 Sec. 24-1.9. Delivery or sale of assault weapons, assault
8 weapon attachments, .50 caliber rifles, and .50 caliber
9 cartridges to persons under 21 years of age prohibited;
10 possession of assault weapons, assault weapon attachments, .50
11 caliber rifles, and .50 caliber cartridges by persons under 21
12 years of age prohibited.

13 (a) Definitions. In this Section:

14 (1) "Assault weapon" means:

15 (A) any rifle which has a belt fed ammunition
16 system or which has a detachable magazine capable of
17 holding more than 10 rounds of ammunition;

18 (B) a semi-automatic rifle that has the ability to
19 accept a detachable magazine and has any of the
20 following:

21 (i) a folding or telescoping stock; or

22 (ii) a shroud that is attached to, or partially
23 or completely encircles the barrel, and that

1 permits the shooter to hold the firearm with the
2 non-trigger hand without being burned;

3 (C) a semi-automatic pistol that has the ability to
4 accept a detachable magazine and has any of the
5 following:

6 (i) a folding or telescoping stock;

7 (ii) a shroud that is attached to, or partially
8 or completely encircles the barrel, and that
9 permits the shooter to hold the firearm with the
10 non-trigger hand without being burned; or

11 (iii) a manufactured weight of 50 ounces or
12 more when the pistol is unloaded;

13 (D) a semi-automatic rifle with a fixed magazine
14 that has the capacity to accept more than 10 rounds of
15 ammunition; or

16 (E) a semi-automatic shotgun that has:

17 (i) a folding or telescoping stock; and

18 (ii) contains its ammunition in a revolving
19 cylinder; or

20 (iii) a fixed magazine capacity in excess of 5
21 rounds of ammunition, except as may be authorized
22 under the Wildlife Code and excluding magazine
23 extensions during the snow geese conservation
24 order season; or

25 (iv) an ability to accept a detachable
26 magazine of more than 5 rounds of ammunition;

1 (F) a .50 caliber rifle centerfire rifle capable of
2 firing a .50 caliber cartridge, not including any
3 antique firearm, any shotgun including a shotgun that
4 has a rifle barrel, or any muzzle-loader which uses
5 black powder for hunting or historical re-enactments.

6 "Assault weapon" does not include:

7 (A) any firearm that:

8 (i) is manually operated by bolt, pump, lever,
9 or slide action;

10 (ii) is an unserviceable firearm or has been
11 made permanently inoperable;

12 (iii) is an antique firearm;

13 (iv) uses rimfire ammunition or cartridges; or

14 (iv) has been excluded as an assault weapon in
15 a Department of Natural Resources rule. The
16 Department of Natural Resources shall have the
17 authority to adopt rules to further define
18 exclusions of assault weapon types under this
19 Section, provided the make, model, and caliber of
20 the firearm excluded has a viable application to
21 hunting game and conforms to accepted hunting
22 principles of fair chase.

23 (B) any air rifle as defined in Section 24.8-0.1 of
24 this Code.

25 In this Section, a firearm is considered to have the
26 ability to accept a detachable magazine unless the magazine or

1 ammunition feeding device can only be removed through
2 disassembly of the firearm action.

3 (2) "Assault weapon attachment" means any device
4 capable of being attached to a firearm that is specifically
5 designed for making or converting a firearm into any of the
6 firearms listed in paragraph (1) of this subsection (a).

7 (3) "Antique firearm" has the meaning ascribed to it in
8 18 U.S.C. 921 (a) (16).

9 (4) ".50 caliber cartridge" means a cartridge in .50
10 BMG caliber, either by designation or actual measurement,
11 that is capable of being fired from a centerfire rifle, not
12 including any memorabilia or display item that is filled
13 with a permanent inert substance or that is otherwise
14 permanently altered in a manner that prevents ready
15 modification for use as live ammunition or shotgun
16 ammunition with a caliber measurement that is equal to or
17 greater than .50 caliber.

18 (5) "Locking mechanism" means secured by a device or
19 mechanism, other than the firearm safety, designed to
20 render a firearm temporarily inoperable; or a box or
21 container capable of containing the firearm and that can be
22 securely locked.

23 (b) Except as provided in subsection (d) of this Section,
24 on or after the effective date of this amendatory Act of the
25 100th General Assembly, it is unlawful for any person within
26 this State to knowingly deliver or sell, or cause to be

1 delivered or sold, an assault weapon, assault weapon
2 attachment, .50 caliber rifle, or .50 caliber cartridge to any
3 person under 21 years of age.

4 (c) Except as otherwise provided in subsection (d) of this
5 Section, 90 days after the effective date of this amendatory
6 Act of the 100th General Assembly, it is unlawful for any
7 person under 21 years of age within this State to knowingly
8 possess an assault weapon, assault weapon attachment, .50
9 caliber rifle, or .50 caliber cartridge.

10 (d) This Section does not apply to or affect any of the
11 following:

12 (1) Members of the Armed Services or Reserve Forces of
13 the United States or the Illinois National Guard, while in
14 the performance of their official duties or while traveling
15 to or from their place of duty.

16 (2) Transportation, transfer, or sale of weapons,
17 attachments, or ammunition for sale or transfer in another
18 state.

19 (3) Possession of any firearm if that firearm is
20 sanctioned by the International Olympic Committee or by USA
21 Shooting, the national governing body for international
22 shooting competition in the United States, but only when
23 the firearm is in the actual possession of an Olympic
24 target shooting competitor or target shooting coach for the
25 purpose of storage, transporting to and from Olympic target
26 shooting practice or events if the firearm is broken down

1 in a non-functioning state, is not immediately accessible,
2 or is unloaded and enclosed in a firearm case, carrying
3 box, shipping box, or other similar portable container
4 designed for the safe transportation of firearms, and when
5 the Olympic target shooting competitor or target shooting
6 coach is engaging in those practices or events.

7 (3.5) Possession of a firearm for the limited purpose
8 of training for or participation in a sanctioned
9 competitive shooting event supervised by a certified
10 firearms instructor, if, while traveling to or from the
11 location the firearm is broken down in a non-functioning
12 state, is not immediately accessible, or is unloaded and
13 enclosed in a firearm case, carrying box, shipping box, or
14 other similar portable container designed for the safe
15 transportation of firearms. In this paragraph (3.5),
16 "sanctioned competitive shooting event" has the same
17 meaning ascribed to the term in Section 1.1 of the Firearm
18 Owners Identification Card Act.

19 (4) Any non-resident who transports, within 24 hours, a
20 weapon for any lawful purpose from any place where he or
21 she may lawfully possess and carry that weapon to any other
22 place where he or she may lawfully possess and carry that
23 weapon if, during the transportation the weapon is
24 unloaded, and neither the weapon nor any ammunition being
25 transported is readily accessible or is directly
26 accessible from the passenger compartment of the

1 transporting vehicle. Provided that, in the case of a
2 vehicle without a compartment separate from the driver's
3 compartment the weapon or ammunition shall be contained in
4 a locked container other than the glove compartment or
5 console.

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

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

23 (7) The manufacture, transportation, possession, sale,
24 or rental of blank-firing assault weapons and .50 caliber
25 rifles, or the weapon's respective attachments, to persons
26 authorized or permitted, or both authorized and permitted

1 to acquire and possess these weapons or attachments for the
2 purpose of rental for use solely as props for a motion
3 picture, television, or video production or entertainment
4 event.

5 (e) Sentence.

6 (1) A person who knowingly delivers, sells, or
7 possesses or causes to be delivered or sold, in violation
8 of this Section an assault weapon commits a Class 3 felony
9 for a first violation and a Class 2 felony for a second or
10 subsequent violation or for the possession or delivery of 2
11 or more of these weapons at the same time.

12 (2) A person who knowingly delivers, sells, or
13 possesses or causes to be delivered or sold, in violation
14 of this Section an assault weapon attachment commits a
15 Class 4 felony for a first violation and a Class 3 felony
16 for a second or subsequent violation.

17 (3) A person who knowingly delivers, sells, or
18 possesses or causes to be delivered or sold, in violation
19 of this Section a .50 caliber rifle commits a Class 3
20 felony for a first violation and a Class 2 felony for a
21 second or subsequent violation or for the possession or
22 delivery of 2 or more of these weapons at the same time.

23 (4) A person who knowingly delivers, sells, or
24 possesses or causes to be delivered or sold, in violation
25 of this Section a .50 caliber cartridge commits a Class A
26 misdemeanor.

1 (720 ILCS 5/24-1.10 new)

2 Sec. 24-1.10. Delivery or sale of large capacity ammunition
3 feeding devices to persons under 21 years of age prohibited.

4 (a) In this Section:

5 "Large capacity ammunition feeding device" means:

6 (1) a magazine, belt, drum, feed strip, or similar
7 device that has a capacity of, or that can be readily
8 restored or converted to accept, more than 10 rounds of
9 ammunition; or

10 (2) any combination of parts from which a device
11 described in paragraph (1) of this subsection (a) can be
12 assembled.

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

19 (b) Except as provided in subsection (c) of this Section,
20 it is unlawful for any person within this State to knowingly
21 deliver or sell, or cause to be delivered or sold, a large
22 capacity ammunition feeding device to a person under 21 years
23 of age.

24 (b-5) Except as provided in subsection (c) of this Section,
25 it is unlawful for any person under 21 years of age to possess

1 a large capacity ammunition feeding device within this State.

2 (c) This Section does not apply to or affect any of the
3 following:

4 (1) Members of the Armed Services or Reserve Forces of
5 the United States or the Illinois National Guard, for the
6 performance of their official duties.

7 (2) Sale of large capacity ammunition feeding devices
8 for sale or transfer in another state.

9 (3) Sale or rental of large capacity ammunition feeding
10 devices for blank-firing assault weapons and .50 caliber
11 rifles, to persons authorized or permitted, or both
12 authorized and permitted to acquire these devices for the
13 purpose of rental for use solely as props for a motion
14 picture, television, or video production or entertainment
15 event.

16 (d) Sentence. A person who knowingly delivers, sells,
17 possesses, or causes to be delivered or sold, in violation of
18 this Section a large capacity ammunition feeding device capable
19 of holding more than 15 rounds of ammunition commits a Class 3
20 felony for a first violation and a Class 2 felony for a second
21 or subsequent violation or for delivery or possession of 2 or
22 more of these devices at the same time. Any other violation of
23 this Section is a Class A misdemeanor.

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.