



Rep. Daniel J. Burke

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10000HB1469ham001

LRB100 03293 SLF 36741 a

1 AMENDMENT TO HOUSE BILL 1469

2 AMENDMENT NO. _____. Amend House Bill 1469 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. This Act may be referred to as the Commander
5 Paul Bauer Act.

6 Section 5. The Criminal Code of 2012 is amended by changing
7 Sections 33F-2 and 33F-3 and by adding Section 24-1.9 as
8 follows:

9 (720 ILCS 5/24-1.9 new)

10 Sec. 24-1.9. Delivery or sale of large capacity ammunition
11 feeding devices.

12 (a) In this Section:

13 "Large capacity ammunition feeding device" means:

14 (1) a magazine, belt, drum, feed strip, or similar
15 device that has a capacity of, or that can be readily

1 restored or converted to accept, more than 10 rounds of
2 ammunition; or

3 (2) any combination of parts from which a device
4 described in paragraph (1) of this subsection (a) can be
5 assembled.

6 "Large capacity ammunition feeding device" does not
7 include an attached tubular device designed to accept, and
8 capable of operating only with, .22 caliber rimfire ammunition.
9 "Large capacity ammunition feeding device" does not include a
10 tubular magazine that is contained in a lever-action firearm or
11 any device that has been made permanently inoperable.

12 (b) Except as provided in subsection (c) of this Section,
13 90 days after the effective date of this amendatory Act of the
14 100th General Assembly, it is unlawful for any person within
15 this State to knowingly deliver, sell, purchase, or possess or
16 cause to be delivered, sold, or purchased a large capacity
17 ammunition feeding device.

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

20 (1) Peace officers as defined in Section 2-13 of this
21 Code.

22 (2) A local law enforcement agency for the purpose of
23 equipping the agency's peace officers as defined in
24 paragraph (1) of this subsection (c).

25 (3) Wardens, superintendents, and keepers of prisons,
26 penitentiaries, jails, and other institutions for the

1 detention of persons accused or convicted of an offense.

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

5 (5) Any licensed security officer or guard.

6 (6) Sale of large capacity ammunition feeding devices
7 to persons authorized under subdivisions (1) through (5) of
8 this subsection (c) to possess those devices.

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

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

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

1 (720 ILCS 5/33F-2) (from Ch. 38, par. 33F-2)

2 Sec. 33F-2. Unlawful use of body armor.

3 (a) A person commits unlawful use of body armor when he or
4 she knowingly sells, transfers, purchases, possesses, or wears
5 body armor.

6 (b) A person commits ~~the offense of~~ unlawful use of body
7 armor when he or she knowingly wears body armor and is in
8 possession of a dangerous weapon, other than a firearm, in the
9 commission or attempted commission of any offense.

10 (c) Subsection (a) of this Section does not apply to or
11 affect any of the following:

12 (1) Peace officers as defined in Section 2-13 of this
13 Code.

14 (2) A local law enforcement agency for the purpose of
15 equipping the agency's peace officers as defined in
16 paragraph (1) of this subsection.

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

20 (4) Members of the Armed Services or Reserve Forces of
21 the United States or the Illinois National Guard, for the
22 performance of their official duties.

23 (5) Any licensed security officer or guard.

24 (6) Sale of body armor to persons authorized under
25 subdivisions (1) through (5) of this subsection (c) to
26 possess body armor.

1 (7) Sale of body armor for sale or transfer in another
2 state.

3 (8) Sale or rental of body armor to persons authorized
4 or permitted, or both authorized and permitted to acquire
5 body armor for the purpose of rental for use solely as
6 props for a motion picture, television, or video production
7 or entertainment event.

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

9 (720 ILCS 5/33F-3) (from Ch. 38, par. 33F-3)

10 Sec. 33F-3. Sentence.

11 (1) A person convicted of unlawful use of body armor under
12 subsection (a) of Section 33F-2 for a first offense is guilty
13 of a Class A misdemeanor and for a second or subsequent offense
14 is guilty of a Class 4 felony.

15 (2) A person convicted of unlawful use of body armor under
16 subsection (b) of Section 33F-2 for a first offense is ~~shall be~~
17 guilty of a Class 4 felony ~~A misdemeanor~~ and for a second or
18 subsequent offense ~~is shall be~~ guilty of a Class 3 ~~4~~ felony.

19 (Source: P.A. 87-521.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law, except that the amendatory changes to Sections
22 33F-2 and 33F-3 of the Criminal Code of 2012 take effect 90
23 after the effective date of the Act.".