



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4107

by Rep. Martin J. Moylan

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-1 from Ch. 38, par. 24-1
720 ILCS 5/24-1.9 new
720 ILCS 5/24-1.10 new

Amends the Criminal Code of 2012. Makes it unlawful to deliver, sell, or purchase or cause to be delivered, sold, or purchased or cause to be possessed by another, an assault weapon, assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge. Makes it unlawful for any person to knowingly possess an assault weapon, .50 caliber rifle, or .50 caliber cartridge 300 days after the effective date of this amendatory Act, except possession of weapons registered with the State Police in the time provided. Provides exemptions and penalties. Prohibits delivery, sale, purchase, or possession of large capacity ammunition feeding devices. Provides exemptions and penalties. Prohibits the knowing sale, manufacture, purchase, possession, or carrying of a trigger modification device. Defines "trigger modification device". Effective immediately.

LRB100 14944 RLC 29875 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

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 Section 24-1 and by adding Sections 24-1.9 and 24-1.10 as
6 follows:

7 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

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

21 (2) Carries or possesses with intent to use the same
22 unlawfully against another, a dagger, dirk, billy,
23 dangerous knife, razor, stiletto, broken bottle or other

1 piece of glass, stun gun or taser or any other dangerous or
2 deadly weapon or instrument of like character; or

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

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

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

19 (ii) are not immediately accessible; or

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

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

1 Concealed Carry Act; or

2 (5) Sets a spring gun; or

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

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

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

20 (i-5) a trigger modification device. For purposes
21 of this clause (i-5), "trigger modification device"
22 means any part, or combination of parts, designed or
23 intended to accelerate the rate of fire of a firearm,
24 but does not convert the firearm into a machine gun,
25 including, but not limited to:

26 (A) any part, or combination of parts,

1 designed or intended for use in modifying a firearm
2 to use the recoil of the firearm to produce a rapid
3 succession of trigger functions; or

4 (B) any part, or combination of parts,
5 designed or intended for use in modifying a firearm
6 to produce multiple trigger functions through the
7 use of an external mechanism;

8 (ii) any rifle having one or more barrels less than
9 16 inches in length or a shotgun having one or more
10 barrels less than 18 inches in length or any weapon
11 made from a rifle or shotgun, whether by alteration,
12 modification, or otherwise, if such a weapon as
13 modified has an overall length of less than 26 inches;
14 or

15 (iii) any bomb, bomb-shell, grenade, bottle or
16 other container containing an explosive substance of
17 over one-quarter ounce for like purposes, such as, but
18 not limited to, black powder bombs and Molotov
19 cocktails or artillery projectiles; or

20 (8) Carries or possesses any firearm, stun gun or taser
21 or other deadly weapon in any place which is licensed to
22 sell intoxicating beverages, or at any public gathering
23 held pursuant to a license issued by any governmental body
24 or any public gathering at which an admission is charged,
25 excluding a place where a showing, demonstration or lecture
26 involving the exhibition of unloaded firearms is

1 conducted.

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

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

10 (10) Carries or possesses on or about his person, upon
11 any public street, alley, or other public lands within the
12 corporate limits of a city, village or incorporated town,
13 except when an invitee thereon or therein, for the purpose
14 of the display of such weapon or the lawful commerce in
15 weapons, or except when on his land or in his own abode,
16 legal dwelling, or fixed place of business, or on the land
17 or in the legal dwelling of another person as an invitee
18 with that person's permission, any pistol, revolver, stun
19 gun or taser or other firearm, except that this subsection
20 (a) (10) does not apply to or affect transportation of
21 weapons that meet one of the following conditions:

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

23 (ii) are not immediately accessible; or

24 (iii) are unloaded and enclosed in a case, firearm
25 carrying box, shipping box, or other container by a
26 person who has been issued a currently valid Firearm

1 Owner's Identification Card; or

2 (iv) are carried or possessed in accordance with
3 the Firearm Concealed Carry Act by a person who has
4 been issued a currently valid license under the Firearm
5 Concealed Carry Act.

6 A "stun gun or taser", as used in this paragraph (a)
7 means (i) any device which is powered by electrical
8 charging units, such as, batteries, and which fires one or
9 several barbs attached to a length of wire and which, upon
10 hitting a human, can send out a current capable of
11 disrupting the person's nervous system in such a manner as
12 to render him incapable of normal functioning or (ii) any
13 device which is powered by electrical charging units, such
14 as batteries, and which, upon contact with a human or
15 clothing worn by a human, can send out current capable of
16 disrupting the person's nervous system in such a manner as
17 to render him incapable of normal functioning; or

18 (11) Sells, manufactures or purchases any explosive
19 bullet. For purposes of this paragraph (a) "explosive
20 bullet" means the projectile portion of an ammunition
21 cartridge which contains or carries an explosive charge
22 which will explode upon contact with the flesh of a human
23 or an animal. "Cartridge" means a tubular metal case having
24 a projectile affixed at the front thereof and a cap or
25 primer at the rear end thereof, with the propellant
26 contained in such tube between the projectile and the cap;

1 or

2 (12) (Blank); or

3 (13) Carries or possesses on or about his or her person
4 while in a building occupied by a unit of government, a
5 billy club, other weapon of like character, or other
6 instrument of like character intended for use as a weapon.
7 For the purposes of this Section, "billy club" means a
8 short stick or club commonly carried by police officers
9 which is either telescopic or constructed of a solid piece
10 of wood or other man-made material.

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

1 Class 3 felony. The possession of each weapon in violation of
2 this Section constitutes a single and separate violation.

3 (c) Violations in specific places.

4 (1) A person who violates subsection 24-1(a)(6) or
5 24-1(a)(7) in any school, regardless of the time of day or
6 the time of year, in residential property owned, operated
7 or managed by a public housing agency or leased by a public
8 housing agency as part of a scattered site or mixed-income
9 development, in a public park, in a courthouse, on the real
10 property comprising any school, regardless of the time of
11 day or the time of year, on residential property owned,
12 operated or managed by a public housing agency or leased by
13 a public housing agency as part of a scattered site or
14 mixed-income development, on the real property comprising
15 any public park, on the real property comprising any
16 courthouse, in any conveyance owned, leased or contracted
17 by a school to transport students to or from school or a
18 school related activity, in any conveyance owned, leased,
19 or contracted by a public transportation agency, or on any
20 public way within 1,000 feet of the real property
21 comprising any school, public park, courthouse, public
22 transportation facility, or residential property owned,
23 operated, or managed by a public housing agency or leased
24 by a public housing agency as part of a scattered site or
25 mixed-income development commits a Class 2 felony and shall
26 be sentenced to a term of imprisonment of not less than 3

1 years and not more than 7 years.

2 (1.5) A person who violates subsection 24-1(a)(4),
3 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the
4 time of day or the time of year, in residential property
5 owned, operated, or managed by a public housing agency or
6 leased by a public housing agency as part of a scattered
7 site or mixed-income development, in a public park, in a
8 courthouse, on the real property comprising any school,
9 regardless of the time of day or the time of year, on
10 residential property owned, operated, or managed by a
11 public housing agency or leased by a public housing agency
12 as part of a scattered site or mixed-income development, on
13 the real property comprising any public park, on the real
14 property comprising any courthouse, in any conveyance
15 owned, leased, or contracted by a school to transport
16 students to or from school or a school related activity, in
17 any conveyance owned, leased, or contracted by a public
18 transportation agency, or on any public way within 1,000
19 feet of the real property comprising any school, public
20 park, courthouse, public transportation facility, or
21 residential property owned, operated, or managed by a
22 public housing agency or leased by a public housing agency
23 as part of a scattered site or mixed-income development
24 commits a Class 3 felony.

25 (2) A person who violates subsection 24-1(a)(1),
26 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the

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

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

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

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

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

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

1 operated for hire by a duly licensed driver in the due, lawful
2 and proper pursuit of his trade, then such presumption shall
3 not apply to the driver.

4 (e) Exemptions.

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

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

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

21 (720 ILCS 5/24-1.9 new)

22 Sec. 24-1.9. Possession, delivery, sale, and purchase of
23 assault weapons, .50 caliber rifles, and .50 caliber
24 cartridges.

25 (a) Definitions. As used in this Section:

1 (1) "Assault weapon" means:

2 (A) any rifle which has a belt fed ammunition
3 system or which has a detachable magazine capable of
4 holding more than 10 rounds of ammunition;

5 (B) a semi-automatic rifle that has the ability to
6 accept a detachable magazine and has any of the
7 following:

8 (i) a folding or telescoping stock; or

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

13 (C) a semi-automatic pistol that has the ability to
14 accept a detachable magazine and has any of the
15 following:

16 (i) a folding or telescoping stock;

17 (ii) a shroud that is attached to, or partially
18 or completely encircles the barrel, and that
19 permits the shooter to hold the firearm with the
20 non-trigger hand without being burned; or

21 (iii) a manufactured weight of 50 ounces or
22 more when the pistol is unloaded.

23 (D) a semi-automatic rifle with a fixed magazine
24 that has the capacity to accept more than 10 rounds of
25 ammunition;

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

1 (i) a folding or telescoping stock; and
2 (ii) contains its ammunition in a revolving
3 cylinder; or

4 (iii) a fixed magazine capacity in excess of 5
5 rounds of ammunition, except as may be authorized
6 under the Wildlife Code and excluding magazine
7 extensions during the snow geese conservation
8 order season; or

9 (iv) an ability to accept a detachable
10 magazine of more than 5 rounds of ammunition.

11 "Assault weapon" does not include:

12 (A) any firearm that:

13 (i) is manually operated by bolt, pump, lever,
14 or slide action;

15 (ii) is an unserviceable firearm or has been
16 made permanently inoperable;

17 (iii) is an antique firearm;

18 (iv) uses rimfire ammunition or cartridges; or

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

1 principles of fair chase.

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

4 For the purposes of this Section, a firearm is considered
5 to have the ability to accept a detachable magazine unless the
6 magazine or ammunition feeding device can only be removed
7 through disassembly of the firearm action.

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

12 (3) "Antique firearm" has the meaning ascribed to it in
13 18 U.S.C. 921 (a) (16).

14 (4) ".50 caliber rifle" means a centerfire rifle
15 capable of firing a .50 caliber cartridge. The term does
16 not include any antique firearm, any shotgun including a
17 shotgun that has a rifle barrel, or any muzzle-loader which
18 uses black powder for hunting or historical re-enactments.

19 (5) ".50 caliber cartridge" means a cartridge in .50
20 BMG caliber, either by designation or actual measurement,
21 that is capable of being fired from a centerfire rifle. The
22 term ".50 caliber cartridge" does not include any
23 memorabilia or display item that is filled with a permanent
24 inert substance or that is otherwise permanently altered in
25 a manner that prevents ready modification for use as live
26 ammunition or shotgun ammunition with a caliber

1 measurement that is equal to or greater than .50 caliber.

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

7 (b) The Department of State Police shall take all steps
8 necessary to carry out the requirements of this Section within
9 180 days after the effective date of this amendatory Act of the
10 100th General Assembly.

11 (c) Except as provided in subsections (d), (e), (f), and
12 (h) of this Section, on or after the effective date of this
13 amendatory Act of the 100th General Assembly, it is unlawful
14 for any person within this State to knowingly deliver, sell, or
15 purchase or cause to be delivered, sold, or purchased or cause
16 to be possessed by another, an assault weapon, assault weapon
17 attachment, .50 caliber rifle, or .50 caliber cartridge.

18 (d) Except as otherwise provided in subsections (e), (f),
19 and (h) of this Section, 300 days after the effective date of
20 this amendatory Act of the 100th General Assembly, it is
21 unlawful for any person within this State to knowingly possess
22 an assault weapon, .50 caliber rifle, or .50 caliber cartridge.

23 (e) This Section does not apply to a person who possessed
24 an assault weapon or .50 caliber rifle prohibited by subsection
25 (d) of this Section before the effective date of this
26 amendatory Act of the 100th General Assembly, provided the

1 person has provided in a registration affidavit, under oath or
2 affirmation and in the form and manner prescribed by the
3 Department of State Police on or after 180 days after the
4 effective date of this amendatory Act of the 100th General
5 Assembly but within 300 days after the effective date of this
6 amendatory Act of the 100th General Assembly:

7 (1) his or her name;

8 (2) date of birth;

9 (3) Firearm Owner's Identification Card number;

10 (4) the make, model, caliber, and serial number of the
11 weapon; and

12 (5) proof of a locking mechanism that properly fits the
13 weapon. The affidavit shall include a statement that the
14 weapon is owned by the person submitting the affidavit and
15 that he or she owns a locking mechanism for the weapon.

16 The affidavit form shall include the following statement
17 printed in bold type: "Warning: Entering false information on
18 this form is punishable as perjury under Section 32-2 of the
19 Criminal Code of 2012."

20 Beginning 300 days after the effective date of this
21 amendatory Act of the 100th General Assembly, the person may
22 transfer the assault weapon or .50 caliber rifle only to an
23 heir, an individual residing in another state maintaining it in
24 another state, or a dealer licensed as a federal firearms
25 dealer under Section 923 of the federal Gun Control Act of
26 1968. Within 10 days after transfer of the weapon except to an

1 heir, the person shall notify the Department of State Police of
2 the name and address of the transferee and comply with the
3 requirements of subsection (b) of Section 3 of the Firearm
4 Owners Identification Card Act. The person to whom the weapon
5 is transferred shall, within 60 days of the transfer, complete
6 an affidavit and pay the required registration fee under this
7 Section. A person to whom the weapon is transferred may
8 transfer it only as provided in this subsection.

9 (f) This Section does not apply to a peace officer who has
10 retired in good standing from a law enforcement agency of this
11 State and who possesses an assault weapon or .50 caliber rifle
12 prohibited by subsection (d) of this Section, if the weapon was
13 lawfully possessed and acquired by the peace officer prior to
14 retirement and the retired peace officer within 30 days of
15 retirement registers the weapon with the Department of State
16 Police and pays the required registration fee under this
17 Section. The retired peace officer shall comply with the
18 transfer and notification requirements in subsection (e) of
19 this Section.

20 (g) For the purpose of registration required under
21 subsections (e) and (f) of this Section, the Department of
22 State Police shall assess a registration fee of \$25 per person
23 to the owner of an assault weapon and \$25 per person to the
24 owner of a .50 caliber rifle. The fees shall be deposited into
25 the State Police Firearm Services Fund.

26 (h) This Section does not apply to or affect any of the

1 following:

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

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

8 (3) 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 (4) 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 duties or while traveling
14 to or from their place of duty.

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

26 (6) Manufacture, transportation, or sale of weapons,

1 attachments, or ammunition to persons authorized under
2 subdivisions (1) through (5) of this subsection (h) to
3 possess those items.

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

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

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

1 place where he or she may lawfully possess and carry that
2 weapon if, during the transportation the weapon is
3 unloaded, and neither the weapon nor any ammunition being
4 transported is readily accessible or is directly
5 accessible from the passenger compartment of the
6 transporting vehicle. Provided that, in the case of a
7 vehicle without a compartment separate from the driver's
8 compartment the weapon or ammunition shall be contained in
9 a locked container other than the glove compartment or
10 console.

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

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

1 designed for the safe transportation of firearms.

2 (12) The manufacture, transportation, possession,
3 sale, or rental of blank-firing assault weapons and .50
4 caliber rifles, or the weapon's respective attachments, to
5 persons authorized or permitted, or both authorized and
6 permitted to acquire and possess these weapons or
7 attachments for the purpose of rental for use solely as
8 props for a motion picture, television, or video production
9 or entertainment event.

10 (i) Sentence.

11 (1) A person who knowingly delivers, sells, purchases,
12 or possesses or causes to be delivered, sold, purchased, or
13 possessed an assault weapon in violation of this Section
14 commits a Class 3 felony for a first violation and a Class
15 2 felony for a second or subsequent violation or for the
16 possession or delivery of 2 or more of these weapons at the
17 same time.

18 (2) A person who knowingly delivers, sells, purchases,
19 or possesses or causes to be delivered, sold, purchased, or
20 possessed in violation of this Section an assault weapon
21 attachment commits a Class 4 felony for a first violation
22 and a Class 3 felony for a second or subsequent violation.

23 (3) A person who knowingly delivers, sells, purchases,
24 or possesses or causes to be delivered, sold, purchased, or
25 possessed in violation of this Section a .50 caliber rifle
26 commits a Class 3 felony for a first violation and a Class

1 2 felony for a second or subsequent violation or for the
2 possession or delivery of 2 or more of these weapons at the
3 same time.

4 (4) A person who knowingly delivers, sells, purchases,
5 or possesses or causes to be delivered, sold, purchased, or
6 possessed in violation of this Section a .50 caliber
7 cartridge commits a Class A misdemeanor.

8 (5) Any other violation of this Section is a Class A
9 misdemeanor.

10 (720 ILCS 5/24-1.10 new)

11 Sec. 24-1.10. Delivery or sale of large capacity ammunition
12 feeding devices.

13 (a) As used in this Section:

14 "Large capacity ammunition feeding device" means:

15 (1) a magazine, belt, drum, feed strip, or similar
16 device that has a capacity of, or that can be readily
17 restored or converted to accept, more than 10 rounds of
18 ammunition; or

19 (2) any combination of parts from which a device
20 described in paragraph (1) can be assembled.

21 "Large capacity ammunition feeding device" does not
22 include an attached tubular device designed to accept, and
23 capable of operating only with, .22 caliber rimfire ammunition.

24 "Large capacity ammunition feeding device" does not include a
25 tubular magazine that is contained in a lever-action firearm or

1 any device that has been made permanently inoperable.

2 (b) Except as provided in subsection (c), it is unlawful
3 for any person within this State to knowingly deliver, sell,
4 purchase, or possess or cause to be delivered, sold, or
5 purchased a large capacity ammunition feeding device.

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

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

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

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

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

19 (5) Any company that employs armed security officers in
20 this State at a nuclear energy, storage, weapons, or
21 development site or facility regulated by the federal
22 Nuclear Regulatory Commission and persons employed as an
23 armed security force member at a nuclear energy, storage,
24 weapons, or development site or facility regulated by the
25 federal Nuclear Regulatory Commission who have completed
26 the background screening and training mandated by the rules

1 and regulations of the federal Nuclear Regulatory
2 Commission for the performance of their official duties.

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

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

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

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

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