

# HB4338



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

**HB4338**

by Rep. Kathleen Willis

#### SYNOPSIS AS INTRODUCED:

230 ILCS 15/1  
230 ILCS 15/4

from Ch. 85, par. 2301  
from Ch. 85, par. 2304

Amends the Raffles and Poker Runs Act. Provides that no raffle, including, but not limited to, a raffle conducted by a law enforcement agency, statewide association the represents law enforcement officials, or government entity, may have an assault weapon as a prize. Defines terms.

LRB100 14889 MJP 29714 b

A BILL FOR

1 AN ACT concerning gaming.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Raffles and Poker Runs Act is amended by  
5 changing Sections 1 and 4 as follows:

6 (230 ILCS 15/1) (from Ch. 85, par. 2301)

7 Sec. 1. Definitions. For the purposes of this Act the terms  
8 defined in this Section have the meanings given them.

9 "Antique firearm" means:

10 (1) a firearm, including a firearm with a matchlock,  
11 flintlock, percussion cap, or similar type of ignition  
12 system, manufactured in or before 1898; or

13 (2) a replica of a firearm described in paragraph (1)  
14 of this definition if such replica is not designed or  
15 redesigned for using rimfire or conventional centerfire  
16 fixed ammunition, or uses rimfire or conventional  
17 centerfire fixed ammunition which is no longer  
18 manufactured in the United States and which is not readily  
19 available in the ordinary channels of commercial trade.

20 "Assault weapon" means:

21 (1) a semi-automatic rifle that has the capacity to  
22 accept a large-capacity magazine, detachable or otherwise,  
23 and one or more of the following:

1           (A) only a pistol grip without a stock attached;

2           (B) a feature capable of functioning as a  
3 protruding grip that can be held by the non-trigger  
4 hand;

5           (C) a folding, telescoping, or thumbhole stock;

6           (D) a shroud attached to the barrel, or that  
7 partially or completely encircles the barrel, allowing  
8 the bearer to hold the firearm with the non-trigger  
9 hand without being burned, but excluding a slide that  
10 encloses the barrel; or

11           (E) a muzzle brake or muzzle compensator;

12           (2) a semi-automatic pistol or a semi-automatic rifle  
13 that has a fixed magazine, that has the capacity to accept  
14 more than 10 rounds of ammunition;

15           (3) a semi-automatic pistol that has the capacity to  
16 accept a detachable magazine and has one or more of the  
17 following:

18           (A) a feature capable of functioning as a  
19 protruding grip that can be held by the non-trigger  
20 hand;

21           (B) a folding, telescoping, or thumbhole stock;

22           (C) a shroud attached to the barrel, or that  
23 partially or completely encircles the barrel, allowing  
24 the bearer to hold the firearm with the non-trigger  
25 hand without being burned, but excluding a slide that  
26 encloses the barrel;

1           (D) a muzzle brake or muzzle compensator; or  
2           (E) the capacity to accept a detachable magazine at  
3           some location outside of the pistol grip;

4           (4) a semi-automatic shotgun that has one or more of  
5           the following:

6                   (A) only a pistol grip without a stock attached;

7                   (B) a feature capable of functioning as a  
8                   protruding grip that can be held by the non-trigger  
9                   hand;

10                   (C) a folding, telescoping, or thumbhole stock;

11                   (D) a fixed magazine capacity in excess of 5  
12                   rounds;

13                   (E) an ability to accept a detachable magazine; or

14                   (F) a grenade, flare, or rocket launcher;

15           (5) a shotgun with a revolving cylinder;

16           (6) a conversion kit, part, or combination of parts,  
17           from which an assault weapon can be assembled if those  
18           parts are in the possession or under the control of the  
19           same person; or

20           (7) the assault weapon models identified as follows:

21                   (A) the following rifles or copies or duplicates  
22                   thereof:

23                           (i) AK, AKM, AKS, AK-47, AK-74, ARM, MAK90,  
24                           Misr, NHM 90, NHM 91, SA 85, SA 93, VEPR, Rock  
25                           River Arms LAR-47, Vector Arms AK-47, VEPR,  
26                           WASR-10, WUM, MAADI, Norinco 56S, 56S2, 84S, and

- 1                   86S;
- 2                   (ii) AR-10;
- 3                   (iii) AR-15, Bushmaster XM15, Bushmaster
- 4                   Carbon 15, Bushmaster ACR, Bushmaster MOE series,
- 5                   Armalite M15, Armalite M15-T, and Olympic Arms
- 6                   PCR;
- 7                   (iv) AR70;
- 8                   (v) Calico Liberty;
- 9                   (vi) Dragunov SVD Sniper Rifle or Dragunov
- 10                  SVU;
- 11                  (vii) Fabrique National FN/FAL, FN/LAR, or
- 12                  FNC;
- 13                  (viii) Hi-Point Carbine;
- 14                  (ix) HK-91, HK-93, HK-94, HK-USC, and
- 15                  HK-PSG-1;
- 16                  (x) Kel-Tec Sub Rifle, Kel-Tec Sub-2000,
- 17                  SU-16, and RFB;
- 18                  (xi) Saiga;
- 19                  (xii) SAR-8, SAR-4800;
- 20                  (xiii) KS with detachable magazine;
- 21                  (xiv) SLG 95;
- 22                  (xv) SLR 95 or 96;
- 23                  (xvi) Steyr AUG;
- 24                  (xvii) Sturm, Ruger Mini-14, and Sturm, Ruger
- 25                  & Co. SR556;
- 26                  (xviii) Tavor;

1           (xix) all Thompson rifles, including Thompson  
2           1927, Thompson M1, Thompson M1SB, Thompson T1100D,  
3           Thompson T150D, Thompson T1B, Thompson T1B100D,  
4           Thompson T1B50D, Thompson T1BSB, Thompson T1-C,  
5           Thompson T1D, Thompson T1SB, Thompson T5, Thompson  
6           T5100D, Thompson TM1, Thompson TM1C, and Thompson  
7           1927 Commando;

8           (xx) Uzi, Galil and Uzi Sporter, Galil  
9           Sporter, or Galil Sniper Rifle (Galatz);

10           (xxi) Barret REC7, Barrett M82A1, Barrett  
11           M107A1;

12           (xxii) Colt Match Target Rifles;

13           (xxiii) Double Star AR Rifles;

14           (xxiv) DPMS Tactical Rifles;

15           (xxv) Heckler & Koch MR556;

16           (xxvi) Remington R-15 Rifles;

17           (xxvii) Rock River Arms LAR-15;

18           (xxviii) Sig Sauer SIG516 Rifles, SIG AMT, SIG  
19           PE 57, Sig Saucer SG 550, and Sig Saucer SG 551;

20           (xxix) Smith & Wesson M&P15;

21           (xxx) Stag Arms AR;

22           (xxxi) Baretta CX4 Storm;

23           (xxxii) CETME Sporter;

24           (xxxiii) Daewoo K-1, K-2, Max 1, Max 2, AR 100,  
25           and AR 110C;

26           (xxxiv) Fabrique Nationale/FN Herstal FAL,

1 LAR, 22 FNC, 308 Match, L1A1 Sporter, PS90, SCAR,  
2 and FS2000;

3 (xxxv) Feather Industries AT-9;

4 (xxxvi) Galil Model AR and Model ARM;

5 (xxxvii) Springfield Armory SAR-48;

6 (xxxviii) Steyr AUG;

7 (xxxix) UMAREX UZI Rifle;

8 (xl) UZI Mini Carbine, UZI Model A Carbine, and  
9 UZI Model B Carbine;

10 (xli) Valmet M62S, M71S, and M78;

11 (xlii) Vector Arms UZI Type;

12 (xliii) Weaver Arms Nighthawk; and

13 (xliv) Wilkinson Arms Linda Carbine;

14 (B) the following handguns, pistols, or copies or  
15 duplicates thereof:

16 (i) all AK-47 types, including Centurion 39 AK  
17 handgun, Draco AK-47 handgun, HCR AK-47 handgun,  
18 10 Inc. Hellpup, AK-47 handgun, Krinkov handgun,  
19 Mini Draco AK-47 handgun, and Yugo Krebs Krink  
20 handgun;

21 (ii) all AR-15 types, including American  
22 Spirit AR-15 handgun, Bushmaster Carbon 15  
23 handgun, DoubleStar Corporation AR handgun, DPMS  
24 AR-15 handgun, Olympic Arms AR-15 handgun, and  
25 Rock River Arms LAR 15 handgun;

26 (iii) Calico Liberty handguns;

1 (iv) DSA SA58 PKP FAL handgun;

2 (v) Encom MP-9 and MP-45;

3 (vi) Heckler & Koch model SP-89 handgun;

4 (vii) Intratec AB-10, TEC-22 Scorpion, TEC-9,  
5 and TEC-DC9;

6 (viii) Kel-Tec PLR 16 handgun;

7 (ix) MAC-10, MAC-11, Masterpiece Arms MPA A930  
8 Mini Pistol, MPA460 Pistol, MPA Tactical Pistol,  
9 MPA 3, and MPA Mini Tactical Pistol;

10 (x) Military Armament Corp. Ingram M-11 and  
11 Velocity Arms VMAC;

12 (xi) Sig Sauer P556 handgun;

13 (xii) Sites Spectre;

14 (xiii) all Thompson types, including the  
15 Thompson TA510D and Thompson TA5;

16 (xiv) Olympic Arms OA;

17 (xv) TEC-9, TEC-DC9, TEC-22 Scorpion, or  
18 AB-10; and

19 (xvi) all UZI types, including Micro-UZI;

20 (C) the following shotguns or copies or duplicates  
21 thereof:

22 (i) Armscor 30 BG;

23 (ii) SPAS 12 or LAW 12;

24 (iii) Striker 12;

25 (iv) Streetsweeper; and

26 (v) all IZHMAH Saiga 12 types, including the



1 IZHMASH Saiga 12, IZHMASH Saiga 12S, IZHMASH Saiga  
2 12S EXP-01, IZHMASH Saiga 12K, IZHMASH Saiga  
3 12K-030, and IZHMASH Saiga 12K-040 Taktika; and  
4 (D) all belt-fed semi-automatic firearms,  
5 including TNWM2HB.

6 "Assault weapon" does not include a firearm that has been  
7 made permanently inoperable, an antique firearm, or a weapon  
8 designed for Olympic target shooting events.

9 "Belt-fed semi-automatic firearm" means a repeating  
10 firearm that: (i) utilizes a portion of the energy of a firing  
11 cartridge to extract the fired cartridge case and chamber the  
12 next round; (ii) requires a separate pull of the trigger to  
13 fire each cartridge; and (iii) has the capacity to accept a  
14 belt ammunition feeding device.

15 "Detachable magazine" means an ammunition feeding device,  
16 the function of which is to deliver one or more ammunition  
17 cartridges into the firing chamber, which can be removed from  
18 the firearm without the use of any tool, including a bullet or  
19 ammunition cartridge.

20 "Grenade, flare, or rocket launcher" means an attachment  
21 for use on a firearm that is designed to propel a grenade,  
22 flare, rocket, or other similar destructive device.

23 ~~"Net proceeds" means the gross receipts from the conduct of~~  
24 ~~raffles, less reasonable sums expended for prizes, local~~  
25 ~~license fees and other reasonable operating expenses incurred~~  
26 ~~as a result of operating a raffle or poker run.~~

1 "Key location" means the location where the poker run  
2 concludes and the prize or prizes are awarded.

3 "Large-capacity magazine" means an ammunition feeding  
4 device with the capacity to accept more than 10 rounds, but  
5 shall not be construed to include the following:

6 (1) A feeding device that has been permanently altered  
7 so that it cannot accommodate more than 10 rounds.

8 (2) A 22-caliber tube ammunition feeding device.

9 (3) A tubular magazine that is contained in a  
10 lever-action firearm.

11 "Muzzle brake" means a device attached to the muzzle of a  
12 weapon that utilizes escaping gas to reduce recoil.

13 "Muzzle compensator" means a device attached to the muzzle  
14 of a weapon that utilizes escaping gas to control muzzle  
15 movement.

16 "Net proceeds" means the gross receipts from the conduct of  
17 raffles, less reasonable sums expended for prizes, local  
18 license fees and other reasonable operating expenses incurred  
19 as a result of operating a raffle or poker run.

20 "Poker run" means a prize-awarding event organized by an  
21 organization licensed under this Act in which participants  
22 travel to multiple predetermined locations, including a key  
23 location, to play a randomized game based on an element of  
24 chance. "Poker run" includes dice runs, marble runs, or other  
25 events where the objective is to build the best hand or highest  
26 score by obtaining an item or playing a randomized game at each

1 location.

2 "Raffle" means a form of lottery, as defined in Section  
3 28-2(b) of the Criminal Code of 2012, conducted by an  
4 organization licensed under this Act, in which:

5 (1) the player pays or agrees to pay something of value  
6 for a chance, represented and differentiated by a number or  
7 by a combination of numbers or by some other medium, one or  
8 more of which chances is to be designated the winning  
9 chance;

10 (2) the winning chance is to be determined through a  
11 drawing or by some other method based on an element of  
12 chance by an act or set of acts on the part of persons  
13 conducting or connected with the lottery, except that the  
14 winning chance shall not be determined by the outcome of a  
15 publicly exhibited sporting contest.

16 "Raffle" does not include a savings promotion raffle  
17 authorized under Section 5g of the Illinois Banking Act,  
18 Section 7008 of the Savings Bank Act, Section 42.7 of the  
19 Illinois Credit Union Act, Section 5136B of the National Bank  
20 Act (12 U.S.C. 25a), or Section 4 of the Home Owners' Loan Act  
21 (12 U.S.C. 1463).

22 "Rocket" means a simple or complex tube-like device  
23 containing combustibles that on being ignited liberate gases  
24 whose action propels the device through the air and has a  
25 propellant charge of not more than 4 ounces.

26 (Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16;

1 99-405, eff. 8-19-15; 99-642, eff. 7-28-16.)

2 (230 ILCS 15/4) (from Ch. 85, par. 2304)

3 Sec. 4. Conduct of raffles and poker runs.

4 (a) The conducting of raffles and poker runs is subject to  
5 the following restrictions:

6 (1) The entire net proceeds of any raffle or poker run  
7 must be exclusively devoted to the lawful purposes of the  
8 organization permitted to conduct that game.

9 (2) No person except a bona fide member of the  
10 sponsoring organization may participate in the management  
11 or operation of the raffle or poker run.

12 (3) No person may receive any remuneration or profit  
13 for participating in the management or operation of the  
14 raffle or poker run.

15 (4) A licensee may rent a premises on which to  
16 determine the winning chance or chances in a raffle only  
17 from an organization which is also licensed under this Act.  
18 A premises where a poker run is held is not required to  
19 obtain a license if the name and location of the premises  
20 is listed as a predetermined location on the license issued  
21 for the poker run and the premises does not charge for use  
22 of the premises.

23 (5) Raffle chances may be sold or issued only within  
24 the area specified on the license and winning chances may  
25 be determined only at those locations specified on the

1 license for a raffle.

2 (6) A person under the age of 18 years may participate  
3 in the conducting of raffles or chances or poker runs only  
4 with the permission of a parent or guardian. A person under  
5 the age of 18 years may be within the area where winning  
6 chances in a raffle or winning hands or scores in a poker  
7 run are being determined only when accompanied by his  
8 parent or guardian.

9 (7) No raffle, including, but not limited to, a raffle  
10 conducted by a law enforcement agency, statewide  
11 association that represents law enforcement officials, or  
12 government entity, may have an assault weapon as a prize.

13 (b) If a lessor rents premises where a winning chance or  
14 chances on a raffle or a winning hand or score in a poker run is  
15 determined, the lessor shall not be criminally liable if the  
16 person who uses the premises for the determining of winning  
17 chances does not hold a license issued by the governing body of  
18 any county or municipality under the provisions of this Act.

19 (Source: P.A. 98-644, eff. 6-10-14.)