



Sen. Kwame Raoul

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1 AMENDMENT TO SENATE BILL 1842

2 AMENDMENT NO. _____. Amend Senate Bill 1842 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by
5 changing Sections 10-2, 12-2, 12-3.05, and 24-1 as follows:

6 (720 ILCS 5/10-2) (from Ch. 38, par. 10-2)

7 Sec. 10-2. Aggravated kidnaping.

8 (a) A person commits the offense of aggravated kidnaping
9 when he or she commits kidnapping and:

10 (1) kidnaps with the intent to obtain ransom from the
11 person kidnaped or from any other person;

12 (2) takes as his or her victim a child under the age of
13 13 years, or a person with a severe or profound
14 intellectual disability;

15 (3) inflicts great bodily harm, other than by the
16 discharge of a firearm, or commits another felony upon his

1 or her victim;

2 (4) affixes or manipulates a mask, cloth, or garment in
3 order to conceal his or her identity ~~wears a hood, robe, or~~
4 ~~mask or conceals his or her identity;~~

5 (5) commits the offense of kidnaping while armed with a
6 dangerous weapon, other than a firearm, as defined in
7 Section 33A-1 of this Code;

8 (6) commits the offense of kidnaping while armed with a
9 firearm;

10 (7) during the commission of the offense of kidnaping,
11 personally discharges a firearm; or

12 (8) during the commission of the offense of kidnaping,
13 personally discharges a firearm that proximately causes
14 great bodily harm, permanent disability, permanent
15 disfigurement, or death to another person.

16 As used in this Section, "ransom" includes money, benefit,
17 or other valuable thing or concession.

18 (b) Sentence. Aggravated kidnaping in violation of
19 paragraph (1), (2), (3), (4), or (5) of subsection (a) is a
20 Class X felony. A violation of subsection (a)(6) is a Class X
21 felony for which 15 years shall be added to the term of
22 imprisonment imposed by the court. A violation of subsection
23 (a)(7) is a Class X felony for which 20 years shall be added to
24 the term of imprisonment imposed by the court. A violation of
25 subsection (a)(8) is a Class X felony for which 25 years or up
26 to a term of natural life shall be added to the term of

1 imprisonment imposed by the court. An offender under the age of
2 18 years at the time of the commission of aggravated kidnaping
3 in violation of paragraphs (1) through (8) of subsection (a)
4 shall be sentenced under Section 5-4.5-105 of the Unified Code
5 of Corrections.

6 A person who has attained the age of 18 years at the time
7 of the commission of the offense and who is convicted of a
8 second or subsequent offense of aggravated kidnaping shall be
9 sentenced to a term of natural life imprisonment; except that a
10 sentence of natural life imprisonment shall not be imposed
11 under this Section unless the second or subsequent offense was
12 committed after conviction on the first offense. An offender
13 under the age of 18 years at the time of the commission of the
14 second or subsequent offense shall be sentenced under Section
15 5-4.5-105 of the Unified Code of Corrections.

16 (Source: P.A. 99-69, eff. 1-1-16; 99-143, eff. 7-27-15; 99-642,
17 eff. 7-28-16.)

18 (720 ILCS 5/12-2) (from Ch. 38, par. 12-2)

19 Sec. 12-2. Aggravated assault.

20 (a) Offense based on location of conduct. A person commits
21 aggravated assault when he or she commits an assault against an
22 individual who is on or about a public way, public property, a
23 public place of accommodation or amusement, or a sports venue.

24 (b) Offense based on status of victim. A person commits
25 aggravated assault when, in committing an assault, he or she

1 knows the individual assaulted to be any of the following:

2 (1) A person with a physical disability or a person 60
3 years of age or older and the assault is without legal
4 justification.

5 (2) A teacher or school employee upon school grounds or
6 grounds adjacent to a school or in any part of a building
7 used for school purposes.

8 (3) A park district employee upon park grounds or
9 grounds adjacent to a park or in any part of a building
10 used for park purposes.

11 (4) A community policing volunteer, private security
12 officer, or utility worker:

13 (i) performing his or her official duties;

14 (ii) assaulted to prevent performance of his or her
15 official duties; or

16 (iii) assaulted in retaliation for performing his
17 or her official duties.

18 (4.1) A peace officer, fireman, emergency management
19 worker, or emergency medical services personnel:

20 (i) performing his or her official duties;

21 (ii) assaulted to prevent performance of his or her
22 official duties; or

23 (iii) assaulted in retaliation for performing his
24 or her official duties.

25 (5) A correctional officer or probation officer:

26 (i) performing his or her official duties;

1 (ii) assaulted to prevent performance of his or her
2 official duties; or

3 (iii) assaulted in retaliation for performing his
4 or her official duties.

5 (6) A correctional institution employee, a county
6 juvenile detention center employee who provides direct and
7 continuous supervision of residents of a juvenile
8 detention center, including a county juvenile detention
9 center employee who supervises recreational activity for
10 residents of a juvenile detention center, or a Department
11 of Human Services employee, Department of Human Services
12 officer, or employee of a subcontractor of the Department
13 of Human Services supervising or controlling sexually
14 dangerous persons or sexually violent persons:

15 (i) performing his or her official duties;

16 (ii) assaulted to prevent performance of his or her
17 official duties; or

18 (iii) assaulted in retaliation for performing his
19 or her official duties.

20 (7) An employee of the State of Illinois, a municipal
21 corporation therein, or a political subdivision thereof,
22 performing his or her official duties.

23 (8) A transit employee performing his or her official
24 duties, or a transit passenger.

25 (9) A sports official or coach actively participating
26 in any level of athletic competition within a sports venue,

1 on an indoor playing field or outdoor playing field, or
2 within the immediate vicinity of such a facility or field.

3 (10) A person authorized to serve process under Section
4 2-202 of the Code of Civil Procedure or a special process
5 server appointed by the circuit court, while that
6 individual is in the performance of his or her duties as a
7 process server.

8 (c) Offense based on use of firearm, device, or motor
9 vehicle. A person commits aggravated assault when, in
10 committing an assault, he or she does any of the following:

11 (1) Uses a deadly weapon, an air rifle as defined in
12 Section 24.8-0.1 of this Act, or any device manufactured
13 and designed to be substantially similar in appearance to a
14 firearm, other than by discharging a firearm.

15 (2) Discharges a firearm, other than from a motor
16 vehicle.

17 (3) Discharges a firearm from a motor vehicle.

18 (4) Affixes or manipulates a mask, cloth, or garment in
19 order to conceal his or her identity ~~Wears a hood, robe, or~~
20 ~~mask to conceal his or her identity.~~

21 (5) Knowingly and without lawful justification shines
22 or flashes a laser gun sight or other laser device attached
23 to a firearm, or used in concert with a firearm, so that
24 the laser beam strikes near or in the immediate vicinity of
25 any person.

26 (6) Uses a firearm, other than by discharging the

1 firearm, against a peace officer, community policing
2 volunteer, fireman, private security officer, emergency
3 management worker, emergency medical services personnel,
4 employee of a police department, employee of a sheriff's
5 department, or traffic control municipal employee:

6 (i) performing his or her official duties;

7 (ii) assaulted to prevent performance of his or her
8 official duties; or

9 (iii) assaulted in retaliation for performing his
10 or her official duties.

11 (7) Without justification operates a motor vehicle in a
12 manner which places a person, other than a person listed in
13 subdivision (b) (4), in reasonable apprehension of being
14 struck by the moving motor vehicle.

15 (8) Without justification operates a motor vehicle in a
16 manner which places a person listed in subdivision (b) (4),
17 in reasonable apprehension of being struck by the moving
18 motor vehicle.

19 (9) Knowingly video or audio records the offense with
20 the intent to disseminate the recording.

21 (d) Sentence. Aggravated assault as defined in subdivision
22 (a), (b) (1), (b) (2), (b) (3), (b) (4), (b) (7), (b) (8), (b) (9),
23 (c) (1), (c) (4), or (c) (9) is a Class A misdemeanor, except that
24 aggravated assault as defined in subdivision (b) (4) and (b) (7)
25 is a Class 4 felony if a Category I, Category II, or Category
26 III weapon is used in the commission of the assault. Aggravated

1 assault as defined in subdivision (b) (4.1), (b) (5), (b) (6),
2 (b) (10), (c) (2), (c) (5), (c) (6), or (c) (7) is a Class 4 felony.
3 Aggravated assault as defined in subdivision (c) (3) or (c) (8)
4 is a Class 3 felony.

5 (e) For the purposes of this Section, "Category I weapon",
6 "Category II weapon, and "Category III weapon" have the
7 meanings ascribed to those terms in Section 33A-1 of this Code.
8 (Source: P.A. 98-385, eff. 1-1-14; 99-78, eff. 7-20-15; 99-143,
9 eff. 7-27-15; 99-256, eff. 1-1-16; 99-642, eff. 7-28-16;
10 99-816, eff. 8-15-16.)

11 (720 ILCS 5/12-3.05) (was 720 ILCS 5/12-4)

12 Sec. 12-3.05. Aggravated battery.

13 (a) Offense based on injury. A person commits aggravated
14 battery when, in committing a battery, other than by the
15 discharge of a firearm, he or she knowingly does any of the
16 following:

17 (1) Causes great bodily harm or permanent disability or
18 disfigurement.

19 (2) Causes severe and permanent disability, great
20 bodily harm, or disfigurement by means of a caustic or
21 flammable substance, a poisonous gas, a deadly biological
22 or chemical contaminant or agent, a radioactive substance,
23 or a bomb or explosive compound.

24 (3) Causes great bodily harm or permanent disability or
25 disfigurement to an individual whom the person knows to be

1 a peace officer, community policing volunteer, fireman,
2 private security officer, correctional institution
3 employee, or Department of Human Services employee
4 supervising or controlling sexually dangerous persons or
5 sexually violent persons:

6 (i) performing his or her official duties;

7 (ii) battered to prevent performance of his or her
8 official duties; or

9 (iii) battered in retaliation for performing his
10 or her official duties.

11 (4) Causes great bodily harm or permanent disability or
12 disfigurement to an individual 60 years of age or older.

13 (5) Strangles another individual.

14 (b) Offense based on injury to a child or person with an
15 intellectual disability. A person who is at least 18 years of
16 age commits aggravated battery when, in committing a battery,
17 he or she knowingly and without legal justification by any
18 means:

19 (1) causes great bodily harm or permanent disability or
20 disfigurement to any child under the age of 13 years, or to
21 any person with a severe or profound intellectual
22 disability; or

23 (2) causes bodily harm or disability or disfigurement
24 to any child under the age of 13 years or to any person
25 with a severe or profound intellectual disability.

26 (c) Offense based on location of conduct. A person commits

1 aggravated battery when, in committing a battery, other than by
2 the discharge of a firearm, he or she is or the person battered
3 is on or about a public way, public property, a public place of
4 accommodation or amusement, a sports venue, or a domestic
5 violence shelter.

6 (d) Offense based on status of victim. A person commits
7 aggravated battery when, in committing a battery, other than by
8 discharge of a firearm, he or she knows the individual battered
9 to be any of the following:

10 (1) A person 60 years of age or older.

11 (2) A person who is pregnant or has a physical
12 disability.

13 (3) A teacher or school employee upon school grounds or
14 grounds adjacent to a school or in any part of a building
15 used for school purposes.

16 (4) A peace officer, community policing volunteer,
17 fireman, private security officer, correctional
18 institution employee, or Department of Human Services
19 employee supervising or controlling sexually dangerous
20 persons or sexually violent persons:

21 (i) performing his or her official duties;

22 (ii) battered to prevent performance of his or her
23 official duties; or

24 (iii) battered in retaliation for performing his
25 or her official duties.

26 (5) A judge, emergency management worker, emergency

1 medical services personnel, or utility worker:

2 (i) performing his or her official duties;

3 (ii) battered to prevent performance of his or her
4 official duties; or

5 (iii) battered in retaliation for performing his
6 or her official duties.

7 (6) An officer or employee of the State of Illinois, a
8 unit of local government, or a school district, while
9 performing his or her official duties.

10 (7) A transit employee performing his or her official
11 duties, or a transit passenger.

12 (8) A taxi driver on duty.

13 (9) A merchant who detains the person for an alleged
14 commission of retail theft under Section 16-26 of this Code
15 and the person without legal justification by any means
16 causes bodily harm to the merchant.

17 (10) A person authorized to serve process under Section
18 2-202 of the Code of Civil Procedure or a special process
19 server appointed by the circuit court while that individual
20 is in the performance of his or her duties as a process
21 server.

22 (11) A nurse while in the performance of his or her
23 duties as a nurse.

24 (e) Offense based on use of a firearm. A person commits
25 aggravated battery when, in committing a battery, he or she
26 knowingly does any of the following:

1 (1) Discharges a firearm, other than a machine gun or a
2 firearm equipped with a silencer, and causes any injury to
3 another person.

4 (2) Discharges a firearm, other than a machine gun or a
5 firearm equipped with a silencer, and causes any injury to
6 a person he or she knows to be a peace officer, community
7 policing volunteer, person summoned by a police officer,
8 fireman, private security officer, correctional
9 institution employee, or emergency management worker:

10 (i) performing his or her official duties;

11 (ii) battered to prevent performance of his or her
12 official duties; or

13 (iii) battered in retaliation for performing his
14 or her official duties.

15 (3) Discharges a firearm, other than a machine gun or a
16 firearm equipped with a silencer, and causes any injury to
17 a person he or she knows to be emergency medical services
18 personnel:

19 (i) performing his or her official duties;

20 (ii) battered to prevent performance of his or her
21 official duties; or

22 (iii) battered in retaliation for performing his
23 or her official duties.

24 (4) Discharges a firearm and causes any injury to a
25 person he or she knows to be a teacher, a student in a
26 school, or a school employee, and the teacher, student, or

1 employee is upon school grounds or grounds adjacent to a
2 school or in any part of a building used for school
3 purposes.

4 (5) Discharges a machine gun or a firearm equipped with
5 a silencer, and causes any injury to another person.

6 (6) Discharges a machine gun or a firearm equipped with
7 a silencer, and causes any injury to a person he or she
8 knows to be a peace officer, community policing volunteer,
9 person summoned by a police officer, fireman, private
10 security officer, correctional institution employee or
11 emergency management worker:

12 (i) performing his or her official duties;

13 (ii) battered to prevent performance of his or her
14 official duties; or

15 (iii) battered in retaliation for performing his
16 or her official duties.

17 (7) Discharges a machine gun or a firearm equipped with
18 a silencer, and causes any injury to a person he or she
19 knows to be emergency medical services personnel:

20 (i) performing his or her official duties;

21 (ii) battered to prevent performance of his or her
22 official duties; or

23 (iii) battered in retaliation for performing his
24 or her official duties.

25 (8) Discharges a machine gun or a firearm equipped with
26 a silencer, and causes any injury to a person he or she

1 knows to be a teacher, or a student in a school, or a
2 school employee, and the teacher, student, or employee is
3 upon school grounds or grounds adjacent to a school or in
4 any part of a building used for school purposes.

5 (f) Offense based on use of a weapon or device. A person
6 commits aggravated battery when, in committing a battery, he or
7 she does any of the following:

8 (1) Uses a deadly weapon other than by discharge of a
9 firearm, or uses an air rifle as defined in Section
10 24.8-0.1 of this Code.

11 (2) Affixes or manipulates a mask, cloth, or garment in
12 order to conceal his or her identity ~~Wears a hood, robe, or~~
13 ~~mask to conceal his or her identity.~~

14 (3) Knowingly and without lawful justification shines
15 or flashes a laser gunsight or other laser device attached
16 to a firearm, or used in concert with a firearm, so that
17 the laser beam strikes upon or against the person of
18 another.

19 (4) Knowingly video or audio records the offense with
20 the intent to disseminate the recording.

21 (g) Offense based on certain conduct. A person commits
22 aggravated battery when, other than by discharge of a firearm,
23 he or she does any of the following:

24 (1) Violates Section 401 of the Illinois Controlled
25 Substances Act by unlawfully delivering a controlled
26 substance to another and any user experiences great bodily

1 harm or permanent disability as a result of the injection,
2 inhalation, or ingestion of any amount of the controlled
3 substance.

4 (2) Knowingly administers to an individual or causes
5 him or her to take, without his or her consent or by threat
6 or deception, and for other than medical purposes, any
7 intoxicating, poisonous, stupefying, narcotic, anesthetic,
8 or controlled substance, or gives to another person any
9 food containing any substance or object intended to cause
10 physical injury if eaten.

11 (3) Knowingly causes or attempts to cause a
12 correctional institution employee or Department of Human
13 Services employee to come into contact with blood, seminal
14 fluid, urine, or feces by throwing, tossing, or expelling
15 the fluid or material, and the person is an inmate of a
16 penal institution or is a sexually dangerous person or
17 sexually violent person in the custody of the Department of
18 Human Services.

19 (h) Sentence. Unless otherwise provided, aggravated
20 battery is a Class 3 felony.

21 Aggravated battery as defined in subdivision (a)(4),
22 (d)(4), or (g)(3) is a Class 2 felony.

23 Aggravated battery as defined in subdivision (a)(3) or
24 (g)(1) is a Class 1 felony.

25 Aggravated battery as defined in subdivision (a)(1) is a
26 Class 1 felony when the aggravated battery was intentional and

1 involved the infliction of torture, as defined in paragraph
2 (14) of subsection (b) of Section 9-1 of this Code, as the
3 infliction of or subjection to extreme physical pain, motivated
4 by an intent to increase or prolong the pain, suffering, or
5 agony of the victim.

6 Aggravated battery under subdivision (a)(5) is a Class 1
7 felony if:

8 (A) the person used or attempted to use a dangerous
9 instrument while committing the offense; or

10 (B) the person caused great bodily harm or permanent
11 disability or disfigurement to the other person while
12 committing the offense; or

13 (C) the person has been previously convicted of a
14 violation of subdivision (a)(5) under the laws of this
15 State or laws similar to subdivision (a)(5) of any other
16 state.

17 Aggravated battery as defined in subdivision (e)(1) is a
18 Class X felony.

19 Aggravated battery as defined in subdivision (a)(2) is a
20 Class X felony for which a person shall be sentenced to a term
21 of imprisonment of a minimum of 6 years and a maximum of 45
22 years.

23 Aggravated battery as defined in subdivision (e)(5) is a
24 Class X felony for which a person shall be sentenced to a term
25 of imprisonment of a minimum of 12 years and a maximum of 45
26 years.

1 Aggravated battery as defined in subdivision (e) (2),
2 (e) (3), or (e) (4) is a Class X felony for which a person shall
3 be sentenced to a term of imprisonment of a minimum of 15 years
4 and a maximum of 60 years.

5 Aggravated battery as defined in subdivision (e) (6),
6 (e) (7), or (e) (8) is a Class X felony for which a person shall
7 be sentenced to a term of imprisonment of a minimum of 20 years
8 and a maximum of 60 years.

9 Aggravated battery as defined in subdivision (b) (1) is a
10 Class X felony, except that:

11 (1) if the person committed the offense while armed
12 with a firearm, 15 years shall be added to the term of
13 imprisonment imposed by the court;

14 (2) if, during the commission of the offense, the
15 person personally discharged a firearm, 20 years shall be
16 added to the term of imprisonment imposed by the court;

17 (3) if, during the commission of the offense, the
18 person personally discharged a firearm that proximately
19 caused great bodily harm, permanent disability, permanent
20 disfigurement, or death to another person, 25 years or up
21 to a term of natural life shall be added to the term of
22 imprisonment imposed by the court.

23 (i) Definitions. For the purposes of this Section:

24 "Building or other structure used to provide shelter" has
25 the meaning ascribed to "shelter" in Section 1 of the Domestic
26 Violence Shelters Act.

1 "Domestic violence" has the meaning ascribed to it in
2 Section 103 of the Illinois Domestic Violence Act of 1986.

3 "Domestic violence shelter" means any building or other
4 structure used to provide shelter or other services to victims
5 or to the dependent children of victims of domestic violence
6 pursuant to the Illinois Domestic Violence Act of 1986 or the
7 Domestic Violence Shelters Act, or any place within 500 feet of
8 such a building or other structure in the case of a person who
9 is going to or from such a building or other structure.

10 "Firearm" has the meaning provided under Section 1.1 of the
11 Firearm Owners Identification Card Act, and does not include an
12 air rifle as defined by Section 24.8-0.1 of this Code.

13 "Machine gun" has the meaning ascribed to it in Section
14 24-1 of this Code.

15 "Merchant" has the meaning ascribed to it in Section 16-0.1
16 of this Code.

17 "Strangle" means intentionally impeding the normal
18 breathing or circulation of the blood of an individual by
19 applying pressure on the throat or neck of that individual or
20 by blocking the nose or mouth of that individual.

21 (Source: P.A. 98-369, eff. 1-1-14; 98-385, eff. 1-1-14; 98-756,
22 eff. 7-16-14; 99-143, eff. 7-27-15; 99-816, eff. 8-15-16.)

23 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

25 (a) A person commits the offense of unlawful use of weapons

1 when he knowingly:

2 (1) Sells, manufactures, purchases, possesses or
3 carries any bludgeon, black-jack, slung-shot, sand-club,
4 sand-bag, metal knuckles or other knuckle weapon
5 regardless of its composition, throwing star, or any knife,
6 commonly referred to as a switchblade knife, which has a
7 blade that opens automatically by hand pressure applied to
8 a button, spring or other device in the handle of the
9 knife, or a ballistic knife, which is a device that propels
10 a knifelike blade as a projectile by means of a coil
11 spring, elastic material or compressed gas; or

12 (2) Carries or possesses with intent to use the same
13 unlawfully against another, a dagger, dirk, billy,
14 dangerous knife, razor, stiletto, broken bottle or other
15 piece of glass, stun gun or taser or any other dangerous or
16 deadly weapon or instrument of like character; or

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

23 (4) Carries or possesses in any vehicle or concealed on
24 or about his person except when on his land or in his own
25 abode, legal dwelling, or fixed place of business, or on
26 the land or in the legal dwelling of another person as an

1 invitee with that person's permission, any pistol,
2 revolver, stun gun or taser or other firearm, except that
3 this subsection (a) (4) does not apply to or affect
4 transportation of weapons that meet one of the following
5 conditions:

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

7 (ii) are not immediately accessible; or

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

12 (iv) are carried or possessed in accordance with
13 the Firearm Concealed Carry Act by a person who has
14 been issued a currently valid license under the Firearm
15 Concealed Carry Act; or

16 (5) Sets a spring gun; or

17 (6) Possesses any device or attachment of any kind
18 designed, used or intended for use in silencing the report
19 of any firearm; or

20 (7) Sells, manufactures, purchases, possesses or
21 carries:

22 (i) a machine gun, which shall be defined for the
23 purposes of this subsection as any weapon, which
24 shoots, is designed to shoot, or can be readily
25 restored to shoot, automatically more than one shot
26 without manually reloading by a single function of the

1 trigger, including the frame or receiver of any such
2 weapon, or sells, manufactures, purchases, possesses,
3 or carries any combination of parts designed or
4 intended for use in converting any weapon into a
5 machine gun, or any combination or parts from which a
6 machine gun can be assembled if such parts are in the
7 possession or under the control of a person;

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 or she affixes or
9 manipulates a mask, cloth, or garment in order to conceal
10 his or her identity is hooded, robed or masked in such
11 manner as to conceal his identity; or

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

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

25 (ii) are not immediately accessible; or

26 (iii) are unloaded and enclosed in a case, firearm

1 carrying box, shipping box, or other container by a
2 person who has been issued a currently valid Firearm
3 Owner's Identification Card; or

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

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

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

1 primer at the rear end thereof, with the propellant
2 contained in such tube between the projectile and the cap;
3 or

4 (12) (Blank); or

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

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

1 second or subsequent violation of subsection 24-1(a)(4),
2 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3
3 felony. The possession of each weapon in violation of this
4 Section constitutes a single and separate violation.

5 (c) Violations in specific places.

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

1 mixed-income development commits a Class 2 felony and shall
2 be sentenced to a term of imprisonment of not less than 3
3 years and not more than 7 years.

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

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

26 (3) Paragraphs (1), (1.5), and (2) of this subsection

1 (c) shall not apply to law enforcement officers or security
2 officers of such school, college, or university or to
3 students carrying or possessing firearms for use in
4 training courses, parades, hunting, target shooting on
5 school ranges, or otherwise with the consent of school
6 authorities and which firearms are transported unloaded
7 enclosed in a suitable case, box, or transportation
8 package.

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

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

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

26 (i) if such weapon, instrument or instrumentality is found upon

1 the person of one of the occupants therein; or (ii) if such
2 weapon, instrument or substance is found in an automobile
3 operated for hire by a duly licensed driver in the due, lawful
4 and proper pursuit of his trade, then such presumption shall
5 not apply to the driver.

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

10 (Source: P.A. 99-29, eff. 7-10-15.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."