



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3212

Introduced 2/19/2021, by Rep. Martin J. Moylan

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-1
720 ILCS 5/24-2

from Ch. 38, par. 24-1

Amends the Criminal Code of 2012. Provides that a person commits the offense of unlawful use of weapons when he or she knowingly possesses, sells or offers to sell, purchases, manufactures, imports, transfers, or uses: (1) any manual, power-driven, or electronic device that is designed to and functions to increase the rate of fire of a semiautomatic firearm when the device is attached to the firearm; (2) any part of a semiautomatic firearm or combination of parts that is designed to and functions to increase the rate of fire of a semiautomatic firearm by eliminating the need for the operator of the firearm to make a separate movement for each individual function of the trigger; or (3) any other device, part, or combination of parts that is designed to and functions to substantially increase the rate of fire of a semiautomatic firearm above the standard rate of fire for semiautomatic firearms that is not equipped with that device, part, or combination of parts. This offense is a Class 2 felony. Provides for exemptions.

LRB102 04420 RLC 14438 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

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
5 changing Sections 24-1 and 24-2 as follows:

6 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

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

20 (2) Carries or possesses with intent to use the same
21 unlawfully against another, a dagger, dirk, billy,
22 dangerous knife, razor, stiletto, broken bottle or other
23 piece of glass, stun gun or taser or any other dangerous or

1 deadly weapon or instrument of like character; or

2 (2.5) Carries or possesses with intent to use the same
3 unlawfully against another, any firearm in a church,
4 synagogue, mosque, or other building, structure, or place
5 used for religious worship; or

6 (3) Carries on or about his person or in any vehicle, a
7 tear gas gun projector or bomb or any object containing
8 noxious liquid gas or substance, other than an object
9 containing a non-lethal noxious liquid gas or substance
10 designed solely for personal defense carried by a person
11 18 years of age or older; or

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

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

22 (ii) are not immediately accessible; or

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

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

5 (5) Sets a spring gun; or

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

9 (7) Sells, manufactures, purchases, possesses or
10 carries:

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

23 (ii) any rifle having one or more barrels less
24 than 16 inches in length or a shotgun having one or
25 more barrels less than 18 inches in length or any
26 weapon made from a rifle or shotgun, whether by

1 alteration, modification, or otherwise, if such a
2 weapon as modified has an overall length of less than
3 26 inches; or

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

9 (8) Carries or possesses any firearm, stun gun or
10 taser or other deadly weapon in any place which is
11 licensed to sell intoxicating beverages, or at any public
12 gathering held pursuant to a license issued by any
13 governmental body or any public gathering at which an
14 admission is charged, excluding a place where a showing,
15 demonstration or lecture involving the exhibition of
16 unloaded firearms is conducted.

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

21 (9) Carries or possesses in a vehicle or on or about
22 his or her person any pistol, revolver, stun gun or taser
23 or firearm or ballistic knife, when he or she is hooded,
24 robed or masked in such manner as to conceal his or her
25 identity; or

26 (10) Carries or possesses on or about his or her

1 person, upon any public street, alley, or other public
2 lands within the corporate limits of a city, village, or
3 incorporated town, except when an invitee thereon or
4 therein, for the purpose of the display of such weapon or
5 the lawful commerce in weapons, or except when on his land
6 or in his or her own abode, legal dwelling, or fixed place
7 of business, or on the land or in the legal dwelling of
8 another person as an invitee with that person's
9 permission, any pistol, revolver, stun gun, or taser or
10 other firearm, except that this subsection (a) (10) does
11 not apply to or affect transportation of weapons that meet
12 one of the following conditions:

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

14 (ii) are not immediately accessible; or

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

19 (iv) are carried or possessed in accordance with
20 the Firearm Concealed Carry Act by a person who has
21 been issued a currently valid license under the
22 Firearm Concealed Carry Act.

23 A "stun gun or taser", as used in this paragraph (a)
24 means (i) any device which is powered by electrical
25 charging units, such as, batteries, and which fires one or
26 several barbs attached to a length of wire and which, upon

1 hitting a human, can send out a current capable of
2 disrupting the person's nervous system in such a manner as
3 to render him incapable of normal functioning or (ii) any
4 device which is powered by electrical charging units, such
5 as batteries, and which, upon contact with a human or
6 clothing worn by a human, can send out current capable of
7 disrupting the person's nervous system in such a manner as
8 to render him incapable of normal functioning; or

9 (11) Sells, manufactures, or purchases any explosive
10 bullet. For purposes of this paragraph (a) "explosive
11 bullet" means the projectile portion of an ammunition
12 cartridge which contains or carries an explosive charge
13 which will explode upon contact with the flesh of a human
14 or an animal. "Cartridge" means a tubular metal case
15 having a projectile affixed at the front thereof and a cap
16 or primer at the rear end thereof, with the propellant
17 contained in such tube between the projectile and the cap;
18 or

19 (12) (Blank); or

20 (13) Carries or possesses on or about his or her
21 person while in a building occupied by a unit of
22 government, a billy club, other weapon of like character,
23 or other instrument of like character intended for use as
24 a weapon. For the purposes of this Section, "billy club"
25 means a short stick or club commonly carried by police
26 officers which is either telescopic or constructed of a

1 solid piece of wood or other man-made material; or -

2 (14) Possesses, sells or offers to sell, purchases,
3 manufactures, imports, transfers, or uses:

4 (i) any manual, power-driven, or electronic device
5 that is designed to and functions to increase the rate
6 of fire of a semiautomatic firearm when the device is
7 attached to the firearm;

8 (ii) any part of a semiautomatic firearm or
9 combination of parts that is designed to and functions
10 to increase the rate of fire of a semiautomatic
11 firearm by eliminating the need for the operator of
12 the firearm to make a separate movement for each
13 individual function of the trigger; or

14 (iii) any other device, part, or combination of
15 parts that is designed to and functions to
16 substantially increase the rate of fire of a
17 semiautomatic firearm above the standard rate of fire
18 for semiautomatic firearms that is not equipped with
19 that device, part, or combination of parts.

20 (b) Sentence. A person convicted of a violation of
21 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),
22 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a
23 Class A misdemeanor. A person convicted of a violation of
24 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony;
25 a person convicted of a violation of subsection 24-1(a)(6) or
26 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person

1 convicted of a violation of subsection 24-1(a)(7)(i) commits a
2 Class 2 felony and shall be sentenced to a term of imprisonment
3 of not less than 3 years and not more than 7 years, unless the
4 weapon is possessed in the passenger compartment of a motor
5 vehicle as defined in Section 1-146 of the Illinois Vehicle
6 Code, or on the person, while the weapon is loaded, in which
7 case it shall be a Class X felony. A person convicted of a
8 second or subsequent violation of subsection 24-1(a)(4),
9 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3
10 felony. A person convicted of a violation of subsection
11 24-1(a)(2.5) commits a Class 2 felony. A person convicted of
12 subsection 24-1(a)(14) commits a Class 2 felony. The
13 possession of each weapon or device in violation of this
14 Section constitutes a single and separate violation.

15 (c) Violations in specific places.

16 (1) A person who violates subsection 24-1(a)(6) or
17 24-1(a)(7) in any school, regardless of the time of day or
18 the time of year, in residential property owned, operated
19 or managed by a public housing agency or leased by a public
20 housing agency as part of a scattered site or mixed-income
21 development, in a public park, in a courthouse, on the
22 real property comprising any school, regardless of the
23 time of day or the time of year, on residential property
24 owned, operated or managed by a public housing agency or
25 leased by a public housing agency as part of a scattered
26 site or mixed-income development, on the real property

1 comprising any public park, on the real property
2 comprising any courthouse, in any conveyance owned, leased
3 or contracted by a school to transport students to or from
4 school or a school related activity, in any conveyance
5 owned, leased, or contracted by a public transportation
6 agency, or on any public way within 1,000 feet of the real
7 property comprising any school, public park, courthouse,
8 public transportation facility, or residential property
9 owned, operated, or managed by a public housing agency or
10 leased by a public housing agency as part of a scattered
11 site or mixed-income development commits a Class 2 felony
12 and shall be sentenced to a term of imprisonment of not
13 less than 3 years and not more than 7 years.

14 (1.5) A person who violates subsection 24-1(a)(4),
15 24-1(a)(9), or 24-1(a)(10) in any school, regardless of
16 the time of day or the time of year, in residential
17 property owned, operated, or managed by a public housing
18 agency or leased by a public housing agency as part of a
19 scattered site or mixed-income development, in a public
20 park, in a courthouse, on the real property comprising any
21 school, regardless of the time of day or the time of year,
22 on residential property owned, operated, or managed by a
23 public housing agency or leased by a public housing agency
24 as part of a scattered site or mixed-income development,
25 on the real property comprising any public park, on the
26 real property comprising any courthouse, in any conveyance

1 owned, leased, or contracted by a school to transport
2 students to or from school or a school related activity,
3 in any conveyance owned, leased, or contracted by a public
4 transportation agency, or on any public way within 1,000
5 feet of the real property comprising any school, public
6 park, courthouse, public transportation facility, or
7 residential property owned, operated, or managed by a
8 public housing agency or leased by a public housing agency
9 as part of a scattered site or mixed-income development
10 commits a Class 3 felony.

11 (2) A person who violates subsection 24-1(a)(1),
12 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the
13 time of day or the time of year, in residential property
14 owned, operated or managed by a public housing agency or
15 leased by a public housing agency as part of a scattered
16 site or mixed-income development, in a public park, in a
17 courthouse, on the real property comprising any school,
18 regardless of the time of day or the time of year, on
19 residential property owned, operated or managed by a
20 public housing agency or leased by a public housing agency
21 as part of a scattered site or mixed-income development,
22 on the real property comprising any public park, on the
23 real property comprising any courthouse, in any conveyance
24 owned, leased or contracted by a school to transport
25 students to or from school or a school related activity,
26 in any conveyance owned, leased, or contracted by a public

1 transportation agency, or on any public way within 1,000
2 feet of the real property comprising any school, public
3 park, courthouse, public transportation facility, or
4 residential property owned, operated, or managed by a
5 public housing agency or leased by a public housing agency
6 as part of a scattered site or mixed-income development
7 commits a Class 4 felony. "Courthouse" means any building
8 that is used by the Circuit, Appellate, or Supreme Court
9 of this State for the conduct of official business.

10 (3) Paragraphs (1), (1.5), and (2) of this subsection
11 (c) shall not apply to law enforcement officers or
12 security officers of such school, college, or university
13 or to students carrying or possessing firearms for use in
14 training courses, parades, hunting, target shooting on
15 school ranges, or otherwise with the consent of school
16 authorities and which firearms are transported unloaded
17 enclosed in a suitable case, box, or transportation
18 package.

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

22 (5) For the purposes of this subsection (c), "public
23 transportation agency" means a public or private agency
24 that provides for the transportation or conveyance of
25 persons by means available to the general public, except
26 for transportation by automobiles not used for conveyance

1 of the general public as passengers; and "public
2 transportation facility" means a terminal or other place
3 where one may obtain public transportation.

4 (d) The presence in an automobile other than a public
5 omnibus of any weapon, instrument or substance referred to in
6 subsection (a) (7) is prima facie evidence that it is in the
7 possession of, and is being carried by, all persons occupying
8 such automobile at the time such weapon, instrument or
9 substance is found, except under the following circumstances:
10 (i) if such weapon, instrument or instrumentality is found
11 upon the person of one of the occupants therein; or (ii) if
12 such weapon, instrument or substance is found in an automobile
13 operated for hire by a duly licensed driver in the due, lawful
14 and proper pursuit of his or her trade, then such presumption
15 shall not apply to the driver.

16 (e) Exemptions.

17 (1) Crossbows, Common or Compound bows and Underwater
18 Spearguns are exempted from the definition of ballistic
19 knife as defined in paragraph (1) of subsection (a) of
20 this Section.

21 (2) The provision of paragraph (1) of subsection (a)
22 of this Section prohibiting the sale, manufacture,
23 purchase, possession, or carrying of any knife, commonly
24 referred to as a switchblade knife, which has a blade that
25 opens automatically by hand pressure applied to a button,
26 spring or other device in the handle of the knife, does not

1 apply to a person who possesses a currently valid Firearm
2 Owner's Identification Card previously issued in his or
3 her name by the Department of State Police or to a person
4 or an entity engaged in the business of selling or
5 manufacturing switchblade knives.

6 (Source: P.A. 100-82, eff. 8-11-17; 101-223, eff. 1-1-20.)

7 (720 ILCS 5/24-2)

8 Sec. 24-2. Exemptions.

9 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), ~~and~~
10 24-1(a)(13), and 24-1(a)(14) and Section 24-1.6 do not apply
11 to or affect any of the following:

12 (1) Peace officers, and any person summoned by a peace
13 officer to assist in making arrests or preserving the
14 peace, while actually engaged in assisting such officer.

15 (2) Wardens, superintendents and keepers of prisons,
16 penitentiaries, jails and other institutions for the
17 detention of persons accused or convicted of an offense,
18 while in the performance of their official duty, or while
19 commuting between their homes and places of employment.

20 (3) Members of the Armed Services or Reserve Forces of
21 the United States or the Illinois National Guard or the
22 Reserve Officers Training Corps, while in the performance
23 of their official duty.

24 (4) Special agents employed by a railroad or a public
25 utility to perform police functions, and guards of armored

1 car companies, while actually engaged in the performance
2 of the duties of their employment or commuting between
3 their homes and places of employment; and watchmen while
4 actually engaged in the performance of the duties of their
5 employment.

6 (5) Persons licensed as private security contractors,
7 private detectives, or private alarm contractors, or
8 employed by a private security contractor, private
9 detective, or private alarm contractor agency licensed by
10 the Department of Financial and Professional Regulation,
11 if their duties include the carrying of a weapon under the
12 provisions of the Private Detective, Private Alarm,
13 Private Security, Fingerprint Vendor, and Locksmith Act of
14 2004, while actually engaged in the performance of the
15 duties of their employment or commuting between their
16 homes and places of employment. A person shall be
17 considered eligible for this exemption if he or she has
18 completed the required 20 hours of training for a private
19 security contractor, private detective, or private alarm
20 contractor, or employee of a licensed private security
21 contractor, private detective, or private alarm contractor
22 agency and 20 hours of required firearm training, and has
23 been issued a firearm control card by the Department of
24 Financial and Professional Regulation. Conditions for the
25 renewal of firearm control cards issued under the
26 provisions of this Section shall be the same as for those

1 cards issued under the provisions of the Private
2 Detective, Private Alarm, Private Security, Fingerprint
3 Vendor, and Locksmith Act of 2004. The firearm control
4 card shall be carried by the private security contractor,
5 private detective, or private alarm contractor, or
6 employee of the licensed private security contractor,
7 private detective, or private alarm contractor agency at
8 all times when he or she is in possession of a concealable
9 weapon permitted by his or her firearm control card.

10 (6) Any person regularly employed in a commercial or
11 industrial operation as a security guard for the
12 protection of persons employed and private property
13 related to such commercial or industrial operation, while
14 actually engaged in the performance of his or her duty or
15 traveling between sites or properties belonging to the
16 employer, and who, as a security guard, is a member of a
17 security force registered with the Department of Financial
18 and Professional Regulation; provided that such security
19 guard has successfully completed a course of study,
20 approved by and supervised by the Department of Financial
21 and Professional Regulation, consisting of not less than
22 40 hours of training that includes the theory of law
23 enforcement, liability for acts, and the handling of
24 weapons. A person shall be considered eligible for this
25 exemption if he or she has completed the required 20 hours
26 of training for a security officer and 20 hours of

1 required firearm training, and has been issued a firearm
2 control card by the Department of Financial and
3 Professional Regulation. Conditions for the renewal of
4 firearm control cards issued under the provisions of this
5 Section shall be the same as for those cards issued under
6 the provisions of the Private Detective, Private Alarm,
7 Private Security, Fingerprint Vendor, and Locksmith Act of
8 2004. The firearm control card shall be carried by the
9 security guard at all times when he or she is in possession
10 of a concealable weapon permitted by his or her firearm
11 control card.

12 (7) Agents and investigators of the Illinois
13 Legislative Investigating Commission authorized by the
14 Commission to carry the weapons specified in subsections
15 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
16 any investigation for the Commission.

17 (8) Persons employed by a financial institution as a
18 security guard for the protection of other employees and
19 property related to such financial institution, while
20 actually engaged in the performance of their duties,
21 commuting between their homes and places of employment, or
22 traveling between sites or properties owned or operated by
23 such financial institution, and who, as a security guard,
24 is a member of a security force registered with the
25 Department; provided that any person so employed has
26 successfully completed a course of study, approved by and

1 supervised by the Department of Financial and Professional
2 Regulation, consisting of not less than 40 hours of
3 training which includes theory of law enforcement,
4 liability for acts, and the handling of weapons. A person
5 shall be considered to be eligible for this exemption if
6 he or she has completed the required 20 hours of training
7 for a security officer and 20 hours of required firearm
8 training, and has been issued a firearm control card by
9 the Department of Financial and Professional Regulation.
10 Conditions for renewal of firearm control cards issued
11 under the provisions of this Section shall be the same as
12 for those issued under the provisions of the Private
13 Detective, Private Alarm, Private Security, Fingerprint
14 Vendor, and Locksmith Act of 2004. The firearm control
15 card shall be carried by the security guard at all times
16 when he or she is in possession of a concealable weapon
17 permitted by his or her firearm control card. For purposes
18 of this subsection, "financial institution" means a bank,
19 savings and loan association, credit union or company
20 providing armored car services.

21 (9) Any person employed by an armored car company to
22 drive an armored car, while actually engaged in the
23 performance of his duties.

24 (10) Persons who have been classified as peace
25 officers pursuant to the Peace Officer Fire Investigation
26 Act.

1 (11) Investigators of the Office of the State's
2 Attorneys Appellate Prosecutor authorized by the board of
3 governors of the Office of the State's Attorneys Appellate
4 Prosecutor to carry weapons pursuant to Section 7.06 of
5 the State's Attorneys Appellate Prosecutor's Act.

6 (12) Special investigators appointed by a State's
7 Attorney under Section 3-9005 of the Counties Code.

8 (12.5) Probation officers while in the performance of
9 their duties, or while commuting between their homes,
10 places of employment or specific locations that are part
11 of their assigned duties, with the consent of the chief
12 judge of the circuit for which they are employed, if they
13 have received weapons training according to requirements
14 of the Peace Officer and Probation Officer Firearm
15 Training Act.

16 (13) Court Security Officers while in the performance
17 of their official duties, or while commuting between their
18 homes and places of employment, with the consent of the
19 Sheriff.

20 (13.5) A person employed as an armed security guard at
21 a nuclear energy, storage, weapons or development site or
22 facility regulated by the Nuclear Regulatory Commission
23 who has completed the background screening and training
24 mandated by the rules and regulations of the Nuclear
25 Regulatory Commission.

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

1 to persons authorized under subdivisions (1) through
2 (13.5) of this subsection to possess those weapons.

3 (a-5) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply
4 to or affect any person carrying a concealed pistol, revolver,
5 or handgun and the person has been issued a currently valid
6 license under the Firearm Concealed Carry Act at the time of
7 the commission of the offense.

8 (a-6) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply
9 to or affect a qualified current or retired law enforcement
10 officer qualified under the laws of this State or under the
11 federal Law Enforcement Officers Safety Act.

12 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
13 24-1.6 do not apply to or affect any of the following:

14 (1) Members of any club or organization organized for
15 the purpose of practicing shooting at targets upon
16 established target ranges, whether public or private, and
17 patrons of such ranges, while such members or patrons are
18 using their firearms on those target ranges.

19 (2) Duly authorized military or civil organizations
20 while parading, with the special permission of the
21 Governor.

22 (3) Hunters, trappers or fishermen with a license or
23 permit while engaged in hunting, trapping or fishing.

24 (4) Transportation of weapons that are broken down in
25 a non-functioning state or are not immediately accessible.

26 (5) Carrying or possessing any pistol, revolver, stun

1 gun or taser or other firearm on the land or in the legal
2 dwelling of another person as an invitee with that
3 person's permission.

4 (c) Subsection 24-1(a)(7) does not apply to or affect any
5 of the following:

6 (1) Peace officers while in performance of their
7 official duties.

8 (2) 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 (3) 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 duty.

14 (4) Manufacture, transportation, or sale of machine
15 guns to persons authorized under subdivisions (1) through
16 (3) of this subsection to possess machine guns, if the
17 machine guns are broken down in a non-functioning state or
18 are not immediately accessible.

19 (5) Persons licensed under federal law to manufacture
20 any weapon from which 8 or more shots or bullets can be
21 discharged by a single function of the firing device, or
22 ammunition for such weapons, and actually engaged in the
23 business of manufacturing such weapons or ammunition, but
24 only with respect to activities which are within the
25 lawful scope of such business, such as the manufacture,
26 transportation, or testing of such weapons or ammunition.

1 This exemption does not authorize the general private
2 possession of any weapon from which 8 or more shots or
3 bullets can be discharged by a single function of the
4 firing device, but only such possession and activities as
5 are within the lawful scope of a licensed manufacturing
6 business described in this paragraph.

7 During transportation, such weapons shall be broken
8 down in a non-functioning state or not immediately
9 accessible.

10 (6) The manufacture, transport, testing, delivery,
11 transfer or sale, and all lawful commercial or
12 experimental activities necessary thereto, of rifles,
13 shotguns, and weapons made from rifles or shotguns, or
14 ammunition for such rifles, shotguns or weapons, where
15 engaged in by a person operating as a contractor or
16 subcontractor pursuant to a contract or subcontract for
17 the development and supply of such rifles, shotguns,
18 weapons or ammunition to the United States government or
19 any branch of the Armed Forces of the United States, when
20 such activities are necessary and incident to fulfilling
21 the terms of such contract.

22 The exemption granted under this subdivision (c)(6)
23 shall also apply to any authorized agent of any such
24 contractor or subcontractor who is operating within the
25 scope of his employment, where such activities involving
26 such weapon, weapons or ammunition are necessary and

1 incident to fulfilling the terms of such contract.

2 (7) A person possessing a rifle with a barrel or
3 barrels less than 16 inches in length if: (A) the person
4 has been issued a Curios and Relics license from the U.S.
5 Bureau of Alcohol, Tobacco, Firearms and Explosives; or
6 (B) the person is an active member of a bona fide,
7 nationally recognized military re-enacting group and the
8 modification is required and necessary to accurately
9 portray the weapon for historical re-enactment purposes;
10 the re-enactor is in possession of a valid and current
11 re-enacting group membership credential; and the overall
12 length of the weapon as modified is not less than 26
13 inches.

14 (d) Subsection 24-1(a)(1) does not apply to the purchase,
15 possession or carrying of a black-jack or slung-shot by a
16 peace officer.

17 (e) Subsection 24-1(a)(8) does not apply to any owner,
18 manager or authorized employee of any place specified in that
19 subsection nor to any law enforcement officer.

20 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and
21 Section 24-1.6 do not apply to members of any club or
22 organization organized for the purpose of practicing shooting
23 at targets upon established target ranges, whether public or
24 private, while using their firearms on those target ranges.

25 (g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply
26 to:

1 (1) Members of the Armed Services or Reserve Forces of
2 the United States or the Illinois National Guard, while in
3 the performance of their official duty.

4 (2) Bonafide collectors of antique or surplus military
5 ordnance.

6 (3) Laboratories having a department of forensic
7 ballistics, or specializing in the development of
8 ammunition or explosive ordnance.

9 (4) Commerce, preparation, assembly or possession of
10 explosive bullets by manufacturers of ammunition licensed
11 by the federal government, in connection with the supply
12 of those organizations and persons exempted by subdivision
13 (g)(1) of this Section, or like organizations and persons
14 outside this State, or the transportation of explosive
15 bullets to any organization or person exempted in this
16 Section by a common carrier or by a vehicle owned or leased
17 by an exempted manufacturer.

18 (g-5) Subsection 24-1(a)(6) does not apply to or affect
19 persons licensed under federal law to manufacture any device
20 or attachment of any kind designed, used, or intended for use
21 in silencing the report of any firearm, firearms, or
22 ammunition for those firearms equipped with those devices, and
23 actually engaged in the business of manufacturing those
24 devices, firearms, or ammunition, but only with respect to
25 activities that are within the lawful scope of that business,
26 such as the manufacture, transportation, or testing of those

1 devices, firearms, or ammunition. This exemption does not
2 authorize the general private possession of any device or
3 attachment of any kind designed, used, or intended for use in
4 silencing the report of any firearm, but only such possession
5 and activities as are within the lawful scope of a licensed
6 manufacturing business described in this subsection (g-5).
7 During transportation, these devices shall be detached from
8 any weapon or not immediately accessible.

9 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
10 24-1.6 do not apply to or affect any parole agent or parole
11 supervisor who meets the qualifications and conditions
12 prescribed in Section 3-14-1.5 of the Unified Code of
13 Corrections.

14 (g-7) Subsection 24-1(a)(6) does not apply to a peace
15 officer while serving as a member of a tactical response team
16 or special operations team. A peace officer may not personally
17 own or apply for ownership of a device or attachment of any
18 kind designed, used, or intended for use in silencing the
19 report of any firearm. These devices shall be owned and
20 maintained by lawfully recognized units of government whose
21 duties include the investigation of criminal acts.

22 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and
23 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an
24 athlete's possession, transport on official Olympic and
25 Paralympic transit systems established for athletes, or use of
26 competition firearms sanctioned by the International Olympic

1 Committee, the International Paralympic Committee, the
2 International Shooting Sport Federation, or USA Shooting in
3 connection with such athlete's training for and participation
4 in shooting competitions at the 2016 Olympic and Paralympic
5 Games and sanctioned test events leading up to the 2016
6 Olympic and Paralympic Games.

7 (h) An information or indictment based upon a violation of
8 any subsection of this Article need not negative any
9 exemptions contained in this Article. The defendant shall have
10 the burden of proving such an exemption.

11 (i) Nothing in this Article shall prohibit, apply to, or
12 affect the transportation, carrying, or possession, of any
13 pistol or revolver, stun gun, taser, or other firearm
14 consigned to a common carrier operating under license of the
15 State of Illinois or the federal government, where such
16 transportation, carrying, or possession is incident to the
17 lawful transportation in which such common carrier is engaged;
18 and nothing in this Article shall prohibit, apply to, or
19 affect the transportation, carrying, or possession of any
20 pistol, revolver, stun gun, taser, or other firearm, not the
21 subject of and regulated by subsection 24-1(a)(7) or
22 subsection 24-2(c) of this Article, which is unloaded and
23 enclosed in a case, firearm carrying box, shipping box, or
24 other container, by the possessor of a valid Firearm Owners
25 Identification Card.

26 (Source: P.A. 100-201, eff. 8-18-17; 101-80, eff. 7-12-19.)