

1 AMENDMENT TO HOUSE BILL 1518

2 AMENDMENT NO. _____. Amend House Bill 1518 by replacing
3 the title with the following:

4 "AN ACT concerning criminal law"; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Criminal Code of 1961 is amended by
8 changing Section 24-3.1 as follows:

9 (720 ILCS 5/24-3.1) (from Ch. 38, par. 24-3.1)

10 Sec. 24-3.1. Unlawful possession of firearms and firearm
11 ammunition.

12 (a) A person commits the offense of unlawful possession
13 of firearms or firearm ammunition when:

14 (1) He is under 18 years of age and has in his
15 possession any firearm of a size which may be concealed
16 upon the person; or

17 (2) He is under 21 years of age, has been convicted
18 of a misdemeanor other than a traffic offense or adjudged
19 delinquent and has any firearms or firearm ammunition in
20 his possession; or

21 (3) He is a narcotic addict and has any firearms or

1 firearm ammunition in his possession; or

2 (4) He has been a patient in a mental hospital
3 within the past 5 years and has any firearms or firearm
4 ammunition in his possession; or

5 (5) He is mentally retarded and has any firearms or
6 firearm ammunition in his possession; or

7 (6) He has in his possession any explosive bullet.

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

16 (b) Sentence.

17 Unlawful possession of firearms, other than handguns, and
18 firearm ammunition is a Class A misdemeanor. Unlawful
19 possession of handguns is a Class 4 felony.

20 (c) Nothing in paragraph (1) of subsection (a) of this
21 Section prohibits a person under 18 years of age from
22 participating in any lawful recreational activity with a
23 firearm such as, but not limited to, practice shooting at
24 targets upon established public or private target ranges or
25 hunting, trapping, or fishing in accordance with the Wildlife
26 Code or the Fish and Aquatic Life Code.

27 (d) The provisions of any ordinance or resolution
28 adopted before, on, or after the effective date of this
29 amendatory Act of the 93rd General Assembly by any unit of
30 local government that imposes restrictions or limitations on
31 the acquisition, possession, transportation, storage,
32 purchase, sale, or other dealing in rifles and shotguns and
33 ammunition, components, accessories, and accoutrements of
34 rifles and shotguns in a manner other than those that are

1 imposed by subsection (a) of this Section are invalid, except
2 as authorized by this Code, and all those existing ordinances
3 and resolutions are void.

4 (e) A unit of local government, including a home rule
5 unit, may not regulate the acquisition, possession,
6 transportation, storage, purchase, sale, or other dealing in
7 rifles and shotguns, and may not regulate ammunition,
8 components, accessories, or accoutrements for rifles and
9 shotguns in a manner other than the manner provided in
10 subsection (a). This Section is limitation under subsection
11 (i) of Section 6 of Article VII of the Illinois Constitution
12 on the concurrent exercise by home rule units of powers and
13 functions exercised by the State.

14 (Source: P.A. 91-696, eff. 4-13-00; 92-839, eff. 8-22-02.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."