

1 AN ACT in relation to 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 1961 is amended by  
5 adding Section 24-3.7 as follows:

6 (720 ILCS 5/24-3.7 new)

7 Sec. 24-3.7. Certain sniper weapons.

8 (a) In this Section, "50 caliber sniper weapon" means a  
9 rifle capable of firing a center-fire cartridge in 50  
10 caliber, .50 BMG caliber, any other variant of 50 caliber, or  
11 any metric equivalent of that caliber.

12 (b) It is unlawful for a person, within this State, to  
13 distribute, transport, or import into this State or possess  
14 with intent to sell or to offer for sale or to give a 50  
15 caliber sniper weapon.

16 (c) It is unlawful for a person to transfer, sell, or  
17 give any 50 caliber sniper weapon to a person under 18 years  
18 of age.

19 (d) It is unlawful to possess a 50 caliber sniper  
20 weapon.

21 (e) This Section does not apply to or affect any of the  
22 following:

23 (1) Peace officers while in performance of their  
24 official duties.

25 (2) Wardens, superintendents, and keepers of  
26 prisons, penitentiaries, jails, and other institutions  
27 for the detention of persons accused or convicted of an  
28 offense.

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

1           (4) The transfer or passing of a 50 caliber sniper  
2 weapon upon the death of the owner to his or her heir or  
3 legatee until 60 days after the transfer or passing.

4           (5) The possession of a 50 caliber sniper weapon by  
5 an executor or administrator of an estate during the  
6 administration of an estate until transferred in  
7 accordance with the Probate Act of 1975 to a person  
8 authorized under this Section to possess that weapon.

9           (6) Manufacture, transportation, or sale of 50  
10 caliber sniper weapons to persons authorized under  
11 paragraphs (1) through (3) of this subsection (e) to  
12 possess 50 caliber sniper weapons, if the 50 caliber  
13 sniper weapons are broken down in a non-functioning state  
14 or are not immediately accessible.

15 (f) Sentence.

16           (1) A person convicted of a violation of this  
17 Section commits a Class 2 felony.

18           (2) A person who violates this Section by  
19 possessing a 50 caliber sniper weapon in the passenger  
20 compartment of a motor vehicle as defined in Section  
21 1-146 of the Illinois Vehicle Code, or on his or her  
22 person while the weapon is loaded, is guilty of a Class X  
23 felony.

24           (3) A person who violates this Section in any  
25 school, regardless of the time of day or the time of  
26 year, in residential property owned, operated or managed  
27 by a public housing agency or leased by a public housing  
28 agency as part of a scattered site or mixed-income  
29 development, in a public park, in a courthouse, on the  
30 real property comprising any school, regardless of the  
31 time of day or the time of year, on residential property  
32 owned, operated or managed by a public housing agency or  
33 leased by a public housing agency as part of a scattered  
34 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,  
3 leased or contracted by a school to transport students to  
4 or from school or a school related activity, or on any  
5 public way within 1,000 feet of the real property  
6 comprising any school, public park, courthouse, or  
7 residential property owned, operated, or managed by a  
8 public housing agency or leased by a public housing  
9 agency as part of a scattered site or mixed-income  
10 development commits a Class 2 felony.

11 (4) A person who violates subsection (c) is guilty  
12 of a Class 1 felony.

13 (5) A person who violates this Section by  
14 possessing a 50 caliber sniper weapon that he or she  
15 acquired before the effective date of this amendatory Act  
16 of the 93rd General Assembly and does not use that weapon  
17 in the commission of an offense nor possess that weapon  
18 in a place described in paragraph (2) or (3) is guilty  
19 of a Class A misdemeanor.

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.