

1 AMENDMENT TO SENATE BILL 1195

2 AMENDMENT NO. _____. Amend Senate Bill 1195 as follows:

3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Criminal Code of 1961 is amended by
6 adding Section 24-1.7 as follows:

7 (720 ILCS 5/24-1.7 new)

8 Sec. 24-1.7. Manufacture, possession, and delivery of
9 semiautomatic assault weapons, large capacity ammunition
10 feeding devices, and assault weapon attachments.

11 (a) The General Assembly finds that the high rate of fire
12 and capacity for firepower of semiautomatic assault weapons,
13 assault weapon attachments, and large capacity ammunition
14 feeding devices pose a significant threat to the health,
15 safety, and welfare of the citizens of this State, that the
16 use of these weapons, devices, or attachments for sport or
17 recreation is substantially outweighed by the danger these
18 weapons or devices present to human life, and that
19 restrictions should therefore be placed on the manufacture,
20 delivery, and possession of these weapons, devices, and
21 attachments.

1 (b) Definitions. In this Section:

2 (1) "Semi-automatic assault weapon" means:

3 (A) any of the firearms or types, replicas, or
4 duplicates in any caliber of the firearms, known as:

5 (i) Norinco, Mitchell, and Poly
6 Technologies Avtomat Kalashnikovs (all models);

7 (ii) Action Arms Israeli Military
8 Industries UZI and Galil;

9 (iii) Beretta AR-70 (SC-70);

10 (iv) Colt AR-15;

11 (v) Fabrique Nationale FN/FAL, FN/LAR,
12 and FNC;

13 (vi) SWD M-10, M-11, M-11/9, and M-12;

14 (vii) Steyr AUG;

15 (viii) INTRATEC TEC-9, TEC-DC9 and
16 TEC-22;

17 (ix) any shotgun which contains its
18 ammunition in a revolving cylinder, such as
19 (but not limited to) the Street Sweeper and
20 Striker 12; and

21 (x) any long range 50 caliber sniper
22 rifle capable of firing a centerfire cartridge
23 in 50 caliber, .50 BMG caliber, any other
24 variant of 50 caliber, or any metric equivalent
25 of such calibers, or any handgun which uses
26 fixed ammunition having a caliber of 50 or
27 greater; or

28 (B) a semiautomatic rifle that has an ability
29 to accept a detachable magazine and has at least 2
30 of the following:

31 (i) a folding or telescoping stock;

32 (ii) a pistol grip that protrudes
33 conspicuously beneath the action of the weapon;

34 (iii) a bayonet mount;

1 (iv) a flash suppressor or barrel having
2 a threaded muzzle; or

3 (v) a grenade launcher; or

4 (C) a semi-automatic pistol that has an
5 ability to accept a detachable magazine and has at
6 least 2 of the following:

7 (i) an ammunition magazine that attaches
8 to the pistol outside of the pistol grip;

9 (ii) a barrel having a threaded muzzle;

10 (iii) a shroud that is attached to, or
11 partially or completely encircles the barrel,
12 and that permits the shooter to hold the
13 firearm with the non-trigger hand without being
14 burned;

15 (iv) a manufactured weight of 50 ounces
16 or more when the pistol is unloaded; or

17 (v) a semiautomatic version of an
18 automatic firearm; or

19 (D) a semiautomatic shotgun that has at least
20 2 of the following:

21 (i) a folding or telescoping stock;

22 (ii) a pistol grip that protrudes
23 conspicuously beneath the action of the weapon;

24 (iii) a fixed magazine capacity in excess
25 of 5 rounds; or

26 (iv) an ability to accept a detachable
27 magazine; or

28 (E) any other model that is only a variation,
29 with minor differences, of a model listed in
30 subparagraph (A) of paragraph (1) of this subsection
31 (b), regardless of the manufacturer.

32 (2) "Semiautomatic assault weapon" does not
33 include:

34 (A) any firearm that:

1 (i) is manually operated by bolt, pump,
2 lever or slide action;

3 (ii) is an "unserviceable firearm" or has
4 been made permanently inoperable;

5 (iii) is an antique firearm;

6 (iv) is any of the following competition
7 handguns:

8 (1) Hammerli SP 20;

9 (2) Hammerli 280;

10 (3) Walther OSP; or

11 (4) Walther GSP; or

12 (v) is a 50 caliber rifle firing fixed
13 ammunition that was specifically designed for
14 big game hunting or sporting use;

15 (B) any semiautomatic rifle that cannot accept
16 a detachable magazine that holds more than 5 rounds
17 of ammunition; or

18 (C) any semiautomatic shotgun that cannot hold
19 more than 5 rounds of ammunition in a fixed or
20 detachable magazine.

21 (3) Large capacity ammunition feeding device"

22 means:

23 (A) a magazine, belt, drum, feed strip,
24 or similar device that has a capacity of, or
25 that can be readily restored or converted to
26 accept, more than 10 rounds of ammunition; or

27 (B) any combination of parts from which a
28 device described in subparagraph (A) can be
29 assembled.

30 (4) "Large capacity ammunition feeding device" does
31 not include an attached tubular device designed to
32 accept, and capable of operating only with, .22 caliber
33 rimfire ammunition or any device that has been made
34 permanently inoperable.

1 (5) "Assault weapon attachment" means any device
2 capable of being attached to a firearm that is
3 specifically designed for making or converting a firearm
4 into any of the firearms listed in paragraph (1) of this
5 subsection (b).

6 (6) "Antique firearm" means:

7 (A) any firearm, including any firearm with a
8 matchlock, flintlock, percussion cap, or similar
9 type of ignition system, manufactured in or before
10 1898;

11 (B) any replica of any firearm described in
12 subparagraph (A) if the replica:

13 (i) is not designed or redesigned for
14 using rimfire or conventional centerfire fixed
15 ammunition; or

16 (ii) uses rimfire or conventional
17 centerfire ammunition that is no longer
18 manufactured in the United States and that is
19 not readily available in the ordinary channels
20 of commercial trade; or

21 (C) any muzzle loading rifle, muzzle loading
22 shotgun or muzzle loading pistol which is designed
23 to use black powder, or a black powder substitute,
24 and which cannot use fixed ammunition.

25 (c)(1) It shall be unlawful for any person within this
26 State, to knowingly manufacture, transfer, or possess or
27 cause to be manufactured, transferred, or possessed, a
28 semiautomatic assault weapon, a large capacity ammunition
29 feeding devise, or an assault weapon attachment.

30 (2) Paragraph (c)(1) does not apply to:

31 (A) The possession or transfer of any
32 semi-automatic assault weapon, large capacity
33 ammunition feeding device or assault weapon
34 attachment otherwise lawfully possessed under

1 Federal or State law on the date of the enactment of
2 this Section.

3 (B) The manufacture for, transfer to, or
4 possession by the United States or a department or
5 agency of the United States or a State or a
6 department, agency, or political subdivision of a
7 State, or a transfer to or possession by a law
8 enforcement officer employed by such an entity for
9 purposes of law enforcement (whether on or off
10 duty); or by member of the Armed Services or Reserve
11 Forces of the United States, or the Illinois
12 National Guard, while in the performance of his or
13 her official duties, or the transfer to or
14 possession by a Federally licensed firearms dealer.

15 (C) Any firearm (other than a machine gun),
16 which, although designed as a weapon, the Department
17 of State Police finds by reason of the date of its
18 manufacture, value, design, and other
19 characteristics is primarily a collector's item and
20 is not likely to be used as a weapon.

21 (d) Sentence.

22 (1) A person who manufactures, possesses, or
23 delivers a semiautomatic assault weapon in violation of
24 this Section commits a Class 3 felony for a first
25 violation and a Class 2 felony for a second or subsequent
26 violation or for the possession or delivery of 2 or more
27 of these weapons at the same time.

28 (2) A person who possesses or delivers in violation
29 of this Section a large capacity ammunition feeding
30 device capable of holding more than 17 rounds of
31 ammunition commits a Class 3 felony for a first violation
32 and a Class 2 felony for a second or subsequent violation
33 or for possession or delivery of 2 or more of these
34 devices at the same time.

1 (3) A person who possesses or delivers in violation
2 of this Section a large capacity ammunition feeding
3 device capable of holding more than 10 rounds but not
4 more than 17 rounds of ammunition commits a Class 4
5 felony for a first violation and a Class 3 felony for a
6 second or subsequent violation or for possession or
7 delivery of more than one of these devices at the same
8 time.

9 (4) A person who possesses or delivers in violation
10 of this Section an assault weapon attachment commits a
11 Class 4 felony for a first violation and a Class 3 felony
12 for a second or subsequent violation."