093 SB1572sam00

LRB093 09462 BDD 12790 a

- 1 AMENDMENT TO SENATE BILL 1572
- 2 AMENDMENT NO. ____. Amend Senate Bill 1572 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
- 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
- of a misdemeanor other than a traffic offense or adjudged
- delinquent and has any firearms or firearm ammunition in
- 20 his possession; or

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- 1 (3) He is a narcotic addict and has any firearms or 2 firearm ammunition in his possession; or
 - (4) He has been a patient in a mental hospital within the past 5 years and has any firearms or firearm ammunition in his possession; or
 - (5) He is mentally retarded and has any firearms or firearm ammunition in his possession; or
- 8 (6) He has in his possession any explosive bullet.

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

15 end thereof, with the propellant contained in such tube

between the projectile and the cap; or

(b) Sentence.

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

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

 adopted before, on, or after the effective date of this

 amendatory Act of the 93rd General Assembly by any unit of

 local government that imposes restrictions or limitations on

 the acquisition, possession, transportation, storage,

 purchase, sale, or other dealing in rifles and shotguns and

 ammunition, components, accessories, and accoutrements of

- 1 rifles and shotguns in a manner other than those that are
- 2 <u>imposed by subsection (a) of this Section are invalid, except</u>
- 3 as authorized by this Code, and all those existing ordinances
- 4 <u>and resolutions are void.</u>
- 5 (e) A unit of local government, including a home rule
- 6 unit, may not regulate the acquisition, possession,
- 7 <u>transportation</u>, <u>storage</u>, <u>purchase</u>, <u>sale</u>, <u>or other dealing in</u>
- 8 rifles and shotguns, and may not regulate ammunition,
- 9 <u>components</u>, <u>accessories</u>, <u>or accoutrements for rifles and</u>
- 10 shotguns in a manner other than the manner provided in
- 11 <u>subsection (a). This Section is limitation under subsection</u>
- 12 (i) of Section 6 of Article VII of the Illinois Constitution
- on the concurrent exercise by home rule units of powers and
- 14 <u>functions exercised by the State.</u>
- 15 (Source: P.A. 91-696, eff. 4-13-00; 92-839, eff. 8-22-02.)
- 16 Section 99. Effective date. This Act takes effect upon
- 17 becoming law.".