



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1471

Introduced 2/9/2007, by Sen. Dan Kotowski

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-0.5 new

720 ILCS 5/24-1

720 ILCS 5/24-2

from Ch. 38, par. 24-1

from Ch. 38, par. 24-2

Amends the Criminal Code of 1961 relating to the unlawful use of weapons. Prohibits the sale, manufacture, purchase, possession, or carrying of 50 caliber rifles. Provides that a violation is a Class 2 felony, unless the weapon is possessed in the passenger compartment of the a motor vehicle or upon the person, while loaded, in which case a violation is a Class X felony. Exempts: (1) peace officers while in performance of their official duties; (2) wardens, superintendents, and keepers of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of an offense; (3) members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty; and (4) persons licensed under federal law to manufacture those weapons. Provides that the provision prohibiting the sale, manufacture, purchase, possession, or carrying of 50 caliber rifles does not apply to a person that possesses a 50 caliber rifle before the effective date of the amendatory Act. Provides that such person shall only be allowed to transfer a 50 caliber rifle to a dealer licensed as a federal firearms dealer on or after the effective date of the amendatory Act.

LRB095 10472 RLC 30687 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 1961 is amended by changing
5 Sections 24-1 and 24-2 and by adding Section 24-0.5 as follows:

6 (720 ILCS 5/24-0.5 new)

7 Sec. 24-0.5. Definitions. For purposes of this Article:

8 "50 caliber rifle" means a centerfire rifle capable of
9 firing a 50 caliber cartridge. The term "50 caliber rifle" does
10 not include any antique firearm as defined in 18 U.S.C. Section
11 921(a)(16). The term "50 caliber rifle" does not include a
12 shotgun with a caliber measurement that is equal to or greater
13 than .50 caliber, or a muzzle-loader used for "black powder"
14 hunting or battle re-enactments.

15 "50 caliber cartridge" means a cartridge in 50 caliber,
16 either by designation or actual measurement, including, but not
17 limited to, a .50 BMG cartridge. "50 caliber cartridge" does
18 not include any memorabilia or display item that is filled with
19 a permanent inert substance or that is otherwise permanently
20 altered in a manner that prevents ready modification for use as
21 live ammunition.

22 ".50 BMG cartridge" means a cartridge that is designed and
23 intended to be fired from a centerfire rifle and that meets all

1 of the following criteria:

2 (1) It has an overall length of 5.45 inches from the
3 base to the tip of the bullet.

4 (2) The bullet diameter for the cartridge is from .510
5 to, and including, .511 inch.

6 (3) The case base diameter for the cartridge is from
7 .800 inch to, and including, .804 inch.

8 (4) The cartridge case length is 3.91 inches.

9 A ".50 BMG rifle" does not include any "antique firearm"
10 nor any curio or relic as defined in Section 178.11 of Title 27
11 of the Code of Federal Regulations.

12 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

13 Sec. 24-1. Unlawful Use of Weapons.

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

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

25 (2) Carries or possesses with intent to use the same

1 unlawfully against another, a dagger, dirk, billy,
2 dangerous knife, razor, stiletto, broken bottle or other
3 piece of glass, stun gun or taser or any other dangerous or
4 deadly weapon or instrument of like character; or

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

11 (4) Carries or possesses in any vehicle or concealed on
12 or about his person except when on his land or in his own
13 abode or fixed place of business any pistol, revolver, stun
14 gun or taser or other firearm, except that this subsection
15 (a) (4) does not apply to or affect transportation of
16 weapons that meet one of the following conditions:

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

18 (ii) are not immediately accessible; or

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

23 (5) Sets a spring gun; or

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

1 (7) Sells, manufactures, purchases, possesses or
2 carries:

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

15 (ii) any rifle having one or more barrels less than
16 16 inches in length or a shotgun having one or more
17 barrels less than 18 inches in length or any weapon
18 made from a rifle or shotgun, whether by alteration,
19 modification, or otherwise, if such a weapon as
20 modified has an overall length of less than 26 inches;
21 or

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

1 (iv) any 50 caliber rifle; or

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

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

14 (9) Carries or possesses in a vehicle or on or about
15 his person any pistol, revolver, stun gun or taser or
16 firearm or ballistic knife, when he is hooded, robed or
17 masked in such manner as to conceal his identity; or

18 (10) Carries or possesses on or about his person, upon
19 any public street, alley, or other public lands within the
20 corporate limits of a city, village or incorporated town,
21 except when an invitee thereon or therein, for the purpose
22 of the display of such weapon or the lawful commerce in
23 weapons, or except when on his land or in his own abode or
24 fixed place of business, any pistol, revolver, stun gun or
25 taser or other firearm, except that this subsection (a)
26 (10) does not apply to or affect transportation of weapons

1 that meet one of the following conditions:

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

3 (ii) are not immediately accessible; or

4 (iii) are unloaded and enclosed in a case, firearm
5 carrying box, shipping box, or other container by a
6 person who has been issued a currently valid Firearm
7 Owner's Identification Card.

8 A "stun gun or taser", as used in this paragraph (a)
9 means (i) any device which is powered by electrical
10 charging units, such as, batteries, and which fires one or
11 several barbs attached to a length of wire and which, upon
12 hitting a human, can send out a current capable of
13 disrupting the person's nervous system in such a manner as
14 to render him incapable of normal functioning or (ii) any
15 device which is powered by electrical charging units, such
16 as batteries, and which, upon contact with a human or
17 clothing worn by a human, can send out current capable of
18 disrupting the person's nervous system in such a manner as
19 to render him incapable of normal functioning; or

20 (11) Sells, manufactures or purchases any explosive
21 bullet. For purposes of this paragraph (a) "explosive
22 bullet" means the projectile portion of an ammunition
23 cartridge which contains or carries an explosive charge
24 which will explode upon contact with the flesh of a human
25 or an animal. "Cartridge" means a tubular metal case having
26 a projectile affixed at the front thereof and a cap or

1 primer at the rear end thereof, with the propellant
2 contained in such tube between the projectile and the cap;
3 or

4 (12) (Blank).

5 (b) Sentence. A person convicted of a violation of
6 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10), or
7 subsection 24-1(a)(11) commits a Class A misdemeanor. A person
8 convicted of a violation of subsection 24-1(a)(8) or 24-1(a)(9)
9 commits a Class 4 felony; a person convicted of a violation of
10 subsection 24-1(a)(6) or 24-1(a)(7)(ii) or (iii) commits a
11 Class 3 felony. A person convicted of a violation of subsection
12 24-1(a)(7)(i) or subsection 24-1(a)(7)(iv) commits a Class 2
13 felony and shall be sentenced to a term of imprisonment of not
14 less than 3 years and not more than 7 years, unless the weapon
15 is possessed in the passenger compartment of a motor vehicle as
16 defined in Section 1-146 of the Illinois Vehicle Code, or on
17 the person, while the weapon is loaded, in which case it shall
18 be a Class X felony. A person convicted of a second or
19 subsequent violation of subsection 24-1(a)(4), 24-1(a)(8),
20 24-1(a)(9), or 24-1(a)(10) commits a Class 3 felony. The
21 possession of each weapon in violation of this Section
22 constitutes a single and separate violation.

23 (c) Violations in specific places.

24 (1) A person who violates subsection 24-1(a)(6) or
25 24-1(a)(7) in any school, regardless of the time of day or
26 the time of year, in residential property owned, operated

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

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

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

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

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

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

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

24 (d) The presence in an automobile other than a public
25 omnibus of any weapon, instrument or substance referred to in
26 subsection (a)(7) is prima facie evidence that it is in the

1 possession of, and is being carried by, all persons occupying
2 such automobile at the time such weapon, instrument or
3 substance is found, except under the following circumstances:

4 (i) if such weapon, instrument or instrumentality is found upon
5 the person of one of the occupants therein; or (ii) if such
6 weapon, instrument or substance is found in an automobile
7 operated for hire by a duly licensed driver in the due, lawful
8 and proper pursuit of his trade, then such presumption shall
9 not apply to the driver.

10 (e) Exemptions. Crossbows, Common or Compound bows and
11 Underwater Spearguns are exempted from the definition of
12 ballistic knife as defined in paragraph (1) of subsection (a)
13 of this Section.

14 (Source: P.A. 94-72, eff. 1-1-06; 94-284, eff. 7-21-05; revised
15 8-19-05.)

16 (720 ILCS 5/24-2) (from Ch. 38, par. 24-2)

17 Sec. 24-2. Exemptions.

18 (a) Subsections 24-1(a)(3), 24-1(a)(4) and 24-1(a)(10) and
19 Section 24-1.6 do not apply to or affect any of the following:

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

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

1 while in the performance of their official duty, or while
2 commuting between their homes and places of employment.

3 (3) Members of the Armed Services or Reserve Forces of
4 the United States or the Illinois National Guard or the
5 Reserve Officers Training Corps, while in the performance
6 of their official duty.

7 (4) Special agents employed by a railroad or a public
8 utility to perform police functions, and guards of armored
9 car companies, while actually engaged in the performance of
10 the duties of their employment or commuting between their
11 homes and places of employment; and watchmen while actually
12 engaged in the performance of the duties of their
13 employment.

14 (5) Persons licensed as private security contractors,
15 private detectives, or private alarm contractors, or
16 employed by an agency certified by the Department of
17 Professional Regulation, if their duties include the
18 carrying of a weapon under the provisions of the Private
19 Detective, Private Alarm, Private Security, and Locksmith
20 Act of 2004, while actually engaged in the performance of
21 the duties of their employment or commuting between their
22 homes and places of employment, provided that such
23 commuting is accomplished within one hour from departure
24 from home or place of employment, as the case may be.
25 Persons exempted under this subdivision (a)(5) shall be
26 required to have completed a course of study in firearms

1 handling and training approved and supervised by the
2 Department of Professional Regulation as prescribed by
3 Section 28 of the Private Detective, Private Alarm, Private
4 Security, and Locksmith Act of 2004, prior to becoming
5 eligible for this exemption. The Department of
6 Professional Regulation shall provide suitable
7 documentation demonstrating the successful completion of
8 the prescribed firearms training. Such documentation shall
9 be carried at all times when such persons are in possession
10 of a concealable weapon.

11 (6) Any person regularly employed in a commercial or
12 industrial operation as a security guard for the protection
13 of persons employed and private property related to such
14 commercial or industrial operation, while actually engaged
15 in the performance of his or her duty or traveling between
16 sites or properties belonging to the employer, and who, as
17 a security guard, is a member of a security force of at
18 least 5 persons registered with the Department of
19 Professional Regulation; provided that such security guard
20 has successfully completed a course of study, approved by
21 and supervised by the Department of Professional
22 Regulation, consisting of not less than 40 hours of
23 training that includes the theory of law enforcement,
24 liability for acts, and the handling of weapons. A person
25 shall be considered eligible for this exemption if he or
26 she has completed the required 20 hours of training for a

1 security officer and 20 hours of required firearm training,
2 and has been issued a firearm authorization card by the
3 Department of Professional Regulation. Conditions for the
4 renewal of firearm authorization cards issued under the
5 provisions of this Section shall be the same as for those
6 cards issued under the provisions of the Private Detective,
7 Private Alarm, Private Security, and Locksmith Act of 2004.
8 Such firearm authorization card shall be carried by the
9 security guard at all times when he or she is in possession
10 of a concealable weapon.

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

16 (8) Persons employed by a financial institution for the
17 protection of other employees and property related to such
18 financial institution, while actually engaged in the
19 performance of their duties, commuting between their homes
20 and places of employment, or traveling between sites or
21 properties owned or operated by such financial
22 institution, provided that any person so employed has
23 successfully completed a course of study, approved by and
24 supervised by the Department of Professional Regulation,
25 consisting of not less than 40 hours of training which
26 includes theory of law enforcement, liability for acts, and

1 the handling of weapons. A person shall be considered to be
2 eligible for this exemption if he or she has completed the
3 required 20 hours of training for a security officer and 20
4 hours of required firearm training, and has been issued a
5 firearm authorization card by the Department of
6 Professional Regulation. Conditions for renewal of firearm
7 authorization cards issued under the provisions of this
8 Section shall be the same as for those issued under the
9 provisions of the Private Detective, Private Alarm,
10 Private Security, and Locksmith Act of 2004. Such firearm
11 authorization card shall be carried by the person so
12 trained at all times when such person is in possession of a
13 concealable weapon. For purposes of this subsection,
14 "financial institution" means a bank, savings and loan
15 association, credit union or company providing armored car
16 services.

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

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

22 (11) Investigators of the Office of the State's
23 Attorneys Appellate Prosecutor authorized by the board of
24 governors of the Office of the State's Attorneys Appellate
25 Prosecutor to carry weapons pursuant to Section 7.06 of the
26 State's Attorneys Appellate Prosecutor's Act.

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

3 (12.5) Probation officers while in the performance of
4 their duties, or while commuting between their homes,
5 places of employment or specific locations that are part of
6 their assigned duties, with the consent of the chief judge
7 of the circuit for which they are employed.

8 (13) Court Security Officers while in the performance
9 of their official duties, or while commuting between their
10 homes and places of employment, with the consent of the
11 Sheriff.

12 (13.5) A person employed as an armed security guard at
13 a nuclear energy, storage, weapons or development site or
14 facility regulated by the Nuclear Regulatory Commission
15 who has completed the background screening and training
16 mandated by the rules and regulations of the Nuclear
17 Regulatory Commission.

18 (14) Manufacture, transportation, or sale of weapons
19 to persons authorized under subdivisions (1) through
20 (13.5) of this subsection to possess those weapons.

21 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
22 24-1.6 do not apply to or affect any of the following:

23 (1) Members of any club or organization organized for
24 the purpose of practicing shooting at targets upon
25 established target ranges, whether public or private, and
26 patrons of such ranges, while such members or patrons are

1 using their firearms on those target ranges.

2 (2) Duly authorized military or civil organizations
3 while parading, with the special permission of the
4 Governor.

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

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

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

11 (1) Peace officers while in performance of their
12 official duties.

13 (2) Wardens, superintendents and keepers of prisons,
14 penitentiaries, jails and other institutions for the
15 detention of persons accused or convicted of an offense.

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

19 (4) Manufacture, transportation, or sale of machine
20 guns or 50 caliber rifles to persons authorized under
21 subdivisions (1) through (3) of this subsection to possess
22 machine guns or 50 caliber rifles, if the machine guns or
23 50 caliber rifles are broken down in a non-functioning
24 state or are not immediately accessible.

25 (5) Persons licensed under federal law to manufacture
26 any weapon from which 8 or more shots or bullets can be

1 discharged by a single function of the firing device, 50
2 caliber rifles, or ammunition for such weapons, and
3 actually engaged in the business of manufacturing such
4 weapons or ammunition, but only with respect to activities
5 which are within the lawful scope of such business, such as
6 the manufacture, transportation, or testing of such
7 weapons or ammunition. This exemption does not authorize
8 the general private possession of any weapon from which 8
9 or more shots or bullets can be discharged by a single
10 function of the firing device or 50 caliber rifle, but only
11 such possession and activities as are within the lawful
12 scope of a licensed manufacturing business described in
13 this paragraph.

14 During transportation, such weapons shall be broken
15 down in a non-functioning state or not immediately
16 accessible.

17 (6) The manufacture, transport, testing, delivery,
18 transfer or sale, and all lawful commercial or experimental
19 activities necessary thereto, of rifles, shotguns, and
20 weapons made from rifles or shotguns, or ammunition for
21 such rifles, shotguns or weapons, where engaged in by a
22 person operating as a contractor or subcontractor pursuant
23 to a contract or subcontract for the development and supply
24 of such rifles, shotguns, weapons or ammunition to the
25 United States government or any branch of the Armed Forces
26 of the United States, when such activities are necessary

1 and incident to fulfilling the terms of such contract.

2 The exemption granted under this subdivision (c)(6)
3 shall also apply to any authorized agent of any such
4 contractor or subcontractor who is operating within the
5 scope of his employment, where such activities involving
6 such weapon, weapons or ammunition are necessary and
7 incident to fulfilling the terms of such contract.

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

11 Subsection 24-1(a)(7) dealing with 50 caliber rifles does
12 not apply to a person that possesses a 50 caliber rifle before
13 the effective date of this amendatory Act of the 95th General
14 Assembly. However, on or after the effective date of this
15 amendatory Act of the 95th General Assembly, such person shall
16 only be allowed to transfer a 50 caliber rifle to a dealer
17 licensed as a federal firearms dealer under Section 923 of the
18 federal Gun Control Act of 1968 (18 U.S.C. 923).

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

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

25 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and
26 Section 24-1.6 do not apply to members of any club or

1 organization organized for the purpose of practicing shooting
2 at targets upon established target ranges, whether public or
3 private, while using their firearms on those target ranges.

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

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

9 (2) Bonafide collectors of antique or surplus military
10 ordinance.

11 (3) Laboratories having a department of forensic
12 ballistics, or specializing in the development of
13 ammunition or explosive ordinance.

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

23 (g-5) Subsection 24-1(a)(6) does not apply to or affect
24 persons licensed under federal law to manufacture any device or
25 attachment of any kind designed, used, or intended for use in
26 silencing the report of any firearm, firearms, or ammunition

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

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

18 (i) Nothing in this Article shall prohibit, apply to, or
19 affect the transportation, carrying, or possession, of any
20 pistol or revolver, stun gun, taser, or other firearm consigned
21 to a common carrier operating under license of the State of
22 Illinois or the federal government, where such transportation,
23 carrying, or possession is incident to the lawful
24 transportation in which such common carrier is engaged; and
25 nothing in this Article shall prohibit, apply to, or affect the
26 transportation, carrying, or possession of any pistol,

1 revolver, stun gun, taser, or other firearm, not the subject of
2 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of
3 this Article, which is unloaded and enclosed in a case, firearm
4 carrying box, shipping box, or other container, by the
5 possessor of a valid Firearm Owners Identification Card.

6 (Source: P.A. 92-325, eff. 8-9-01; 93-438, eff. 8-5-03; 93-439,
7 eff. 8-5-03; 93-576, eff. 1-1-04; revised 9-15-03.)