

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, 24-1.6, and 24-2 as follows:

6 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

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

20 (2) Carries or possesses with intent to use the same
21 unlawfully against another, a dagger, dirk, billy,
22 dangerous knife, razor, stiletto, broken bottle or other
23 piece of glass, stun gun or taser or any other dangerous or

1 deadly weapon or instrument of like character; or

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

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

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

17 (ii) are not immediately accessible; or

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

22 (5) Sets a spring gun; or

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

26 (7) Sells, manufactures, purchases, possesses or

1 carries:

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

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

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

26 (8) Carries or possesses any firearm, stun gun or taser

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

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

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

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

1 (i) are broken down in a non-functioning state; or
2 (ii) are not immediately accessible; or
3 (iii) are unloaded and enclosed in a case, firearm
4 carrying box, shipping box, or other container by a
5 person who has been issued a currently valid Firearm
6 Owner's Identification Card.

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

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

1 contained in such tube between the projectile and the cap;

2 or

3 (12) (Blank); or

4 (13) Carries or possesses on or about his or her person

5 while in a building occupied by a unit of government, a

6 billy club, other weapon of like character, or other

7 instrument of like character intended for use as a weapon.

8 For the purposes of this Section, "billy club" means a

9 short stick or club commonly carried by police officers

10 which is either telescopic or constructed of a solid piece

11 of wood or other man-made material.

12 (b) Sentence. A person convicted of a violation of

13 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),

14 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a

15 Class A misdemeanor. A person convicted of a violation of

16 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony; a

17 person convicted of a violation of subsection 24-1(a)(6) or

18 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person

19 convicted of a violation of subsection 24-1(a)(7)(i) commits a

20 Class 2 felony and shall be sentenced to a term of imprisonment

21 of not less than 3 years and not more than 7 years, unless the

22 weapon is possessed in the passenger compartment of a motor

23 vehicle as defined in Section 1-146 of the Illinois Vehicle

24 Code, or on the person, while the weapon is loaded, in which

25 case it shall be a Class X felony. A person convicted of a

26 second or subsequent violation of subsection 24-1(a)(4),

1 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3
2 felony. The possession of each weapon in violation of this
3 Section constitutes a single and separate violation.

4 (c) Violations in specific places.

5 (1) A person who violates subsection 24-1(a)(6) or
6 24-1(a)(7) in any school, regardless of the time of day or
7 the time of year, in residential property owned, operated
8 or managed by a public housing agency or leased by a public
9 housing agency as part of a scattered site or mixed-income
10 development, in a public park, in a courthouse, on the real
11 property comprising any school, regardless of the time of
12 day or the time of year, on residential property owned,
13 operated or managed by a public housing agency or leased by
14 a public housing agency as part of a scattered site or
15 mixed-income development, on the real property comprising
16 any public park, on the real property comprising any
17 courthouse, in any conveyance owned, leased or contracted
18 by a school to transport students to or from school or a
19 school related activity, or on any public way within 1,000
20 feet of the real property comprising any school, public
21 park, courthouse, or residential property owned, operated,
22 or managed by a public housing agency or leased by a public
23 housing agency as part of a scattered site or mixed-income
24 development commits a Class 2 felony and shall be sentenced
25 to a term of imprisonment of not less than 3 years and not
26 more than 7 years.

1 (1.5) A person who violates subsection 24-1(a)(4),
2 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the
3 time of day or the time of year, in residential property
4 owned, operated, or managed by a public housing agency or
5 leased by a public housing agency as part of a scattered
6 site or mixed-income development, in a public park, in a
7 courthouse, on the real property comprising any school,
8 regardless of the time of day or the time of year, on
9 residential property owned, operated, or managed by a
10 public housing agency or leased by a public housing agency
11 as part of a scattered site or mixed-income development, on
12 the real property comprising any public park, on the real
13 property comprising any courthouse, in any conveyance
14 owned, leased, or contracted by a school to transport
15 students to or from school or a school related activity, or
16 on any public way within 1,000 feet of the real property
17 comprising any school, public park, courthouse, or
18 residential property owned, operated, or managed by a
19 public housing agency or leased by a public housing agency
20 as part of a scattered site or mixed-income development
21 commits a Class 3 felony.

22 (2) A person who violates subsection 24-1(a)(1),
23 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the
24 time of day or the time of year, in residential property
25 owned, operated or managed by a public housing agency or
26 leased by a public housing agency as part of a scattered

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

19 (3) Paragraphs (1), (1.5), and (2) of this subsection
20 (c) shall not apply to law enforcement officers or security
21 officers of such school, college, or university or to
22 students carrying or possessing firearms for use in
23 training courses, parades, hunting, target shooting on
24 school ranges, or otherwise with the consent of school
25 authorities and which firearms are transported unloaded
26 enclosed in a suitable case, box, or transportation

1 package.

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

5 (d) The presence in an automobile other than a public
6 omnibus of any weapon, instrument or substance referred to in
7 subsection (a)(7) is prima facie evidence that it is in the
8 possession of, and is being carried by, all persons occupying
9 such automobile at the time such weapon, instrument or
10 substance is found, except under the following circumstances:

11 (i) if such weapon, instrument or instrumentality is found upon
12 the person of one of the occupants therein; or (ii) if such
13 weapon, instrument or substance is found in an automobile
14 operated for hire by a duly licensed driver in the due, lawful
15 and proper pursuit of his trade, then such presumption shall
16 not apply to the driver.

17 (e) Exemptions. Crossbows, Common or Compound bows and
18 Underwater Spearguns are exempted from the definition of
19 ballistic knife as defined in paragraph (1) of subsection (a)
20 of this Section.

21 (Source: P.A. 94-72, eff. 1-1-06; 94-284, eff. 7-21-05; 95-331,
22 eff. 8-21-07; 95-809, eff. 1-1-09; 95-885, eff. 1-1-09; revised
23 9-5-08.)

24 (720 ILCS 5/24-1.6)

25 Sec. 24-1.6. Aggravated unlawful use of a weapon.

1 (a) A person commits the offense of aggravated unlawful use
2 of a weapon when he or she knowingly:

3 (1) Carries on or about his or her person or in any
4 vehicle or concealed on or about his or her person except
5 when on his or her land or in his or her abode or fixed
6 place of business, or a legal dwelling or place where he or
7 she is an invitee therein, any pistol, revolver, stun gun
8 or taser or other firearm; or

9 (2) Carries or possesses on or about his or her person,
10 upon any public street, alley, or other public lands within
11 the corporate limits of a city, village or incorporated
12 town, except when an invitee thereon or therein, for the
13 purpose of the display of such weapon or the lawful
14 commerce in weapons, or except when on his or her own land
15 or in his or her own abode or fixed place of business, or a
16 legal dwelling or place where he or she is an invitee
17 therein, any pistol, revolver, stun gun or taser or other
18 firearm; and

19 (3) One of the following factors is present:

20 (A) the firearm possessed was uncased, loaded and
21 immediately accessible at the time of the offense; or

22 (B) the firearm possessed was uncased, unloaded
23 and the ammunition for the weapon was immediately
24 accessible at the time of the offense; or

25 (C) the person possessing the firearm has not been
26 issued a currently valid Firearm Owner's

1 Identification Card; or

2 (D) the person possessing the weapon was
3 previously adjudicated a delinquent minor under the
4 Juvenile Court Act of 1987 for an act that if committed
5 by an adult would be a felony; or

6 (E) the person possessing the weapon was engaged in
7 a misdemeanor violation of the Cannabis Control Act, in
8 a misdemeanor violation of the Illinois Controlled
9 Substances Act, or in a misdemeanor violation of the
10 Methamphetamine Control and Community Protection Act;
11 or

12 (F) the person possessing the weapon is a member of
13 a street gang or is engaged in street gang related
14 activity, as defined in Section 10 of the Illinois
15 Streetgang Terrorism Omnibus Prevention Act; or

16 (G) the person possessing the weapon had a order of
17 protection issued against him or her within the
18 previous 2 years; or

19 (H) the person possessing the weapon was engaged in
20 the commission or attempted commission of a
21 misdemeanor involving the use or threat of violence
22 against the person or property of another; or

23 (I) the person possessing the weapon was under 21
24 years of age and in possession of a handgun as defined
25 in Section 24-3, unless the person under 21 is engaged
26 in lawful activities under the Wildlife Code or

1 described in subsection 24-2(b)(1), (b)(3), or
2 24-2(f).

3 (b) "Stun gun or taser" as used in this Section has the
4 same definition given to it in Section 24-1 of this Code.

5 (c) This Section does not apply to or affect the
6 transportation or possession of weapons that:

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

8 (ii) are not immediately accessible; or

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

13 (d) Sentence. Aggravated unlawful use of a weapon is a
14 Class 4 felony; a second or subsequent offense is a Class 2
15 felony for which the person shall be sentenced to a term of
16 imprisonment of not less than 3 years and not more than 7
17 years. Aggravated unlawful use of a weapon by a person who has
18 been previously convicted of a felony in this State or another
19 jurisdiction is a Class 2 felony for which the person shall be
20 sentenced to a term of imprisonment of not less than 3 years
21 and not more than 7 years. Aggravated unlawful use of a weapon
22 while wearing or in possession of body armor as defined in
23 Section 33F-1 by a person who has not been issued a valid
24 Firearms Owner's Identification Card in accordance with
25 Section 5 of the Firearm Owners Identification Card Act is a
26 Class X felony. The possession of each firearm in violation of

1 this Section constitutes a single and separate violation.

2 (Source: P.A. 94-72, eff. 1-1-06; 94-284, eff. 7-21-05; 94-556,
3 eff. 9-11-05; 95-331, eff. 8-21-07.)

4 (720 ILCS 5/24-2) (from Ch. 38, par. 24-2)

5 Sec. 24-2. Exemptions.

6 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
7 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
8 the following:

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

12 (2) Wardens, superintendents and keepers of prisons,
13 penitentiaries, jails and other institutions for the
14 detention of persons accused or convicted of an offense,
15 while in the performance of their official duty, or while
16 commuting between their homes and places of employment.

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

21 (4) Special agents employed by a railroad or a public
22 utility to perform police functions, and guards of armored
23 car companies, while actually engaged in the performance of
24 the duties of their employment or commuting between their
25 homes and places of employment; and watchmen while actually

1 engaged in the performance of the duties of their
2 employment.

3 (5) Persons licensed as private security contractors,
4 private detectives, or private alarm contractors, or
5 employed by an agency certified by the Department of
6 Professional Regulation, if their duties include the
7 carrying of a weapon under the provisions of the Private
8 Detective, Private Alarm, Private Security, Fingerprint
9 Vendor, and Locksmith Act of 2004, while actually engaged
10 in the performance of the duties of their employment or
11 commuting between their homes and places of employment,
12 provided that such commuting is accomplished within one
13 hour from departure from home or place of employment, as
14 the case may be. Persons exempted under this subdivision
15 (a)(5) shall be required to have completed a course of
16 study in firearms handling and training approved and
17 supervised by the Department of Professional Regulation as
18 prescribed by Section 28 of the Private Detective, Private
19 Alarm, Private Security, Fingerprint Vendor, and Locksmith
20 Act of 2004, prior to becoming eligible for this exemption.
21 The Department of Professional Regulation shall provide
22 suitable documentation demonstrating the successful
23 completion of the prescribed firearms training. Such
24 documentation shall be carried at all times when such
25 persons are in possession of a concealable weapon.

26 (6) Any person regularly employed in a commercial or

1 industrial operation as a security guard for the protection
2 of persons employed and private property related to such
3 commercial or industrial operation, while actually engaged
4 in the performance of his or her duty or traveling between
5 sites or properties belonging to the employer, and who, as
6 a security guard, is a member of a security force of at
7 least 5 persons registered with the Department of
8 Professional Regulation; provided that such security guard
9 has successfully completed a course of study, approved by
10 and supervised by the Department of Professional
11 Regulation, consisting of not less than 40 hours of
12 training that includes the theory of law enforcement,
13 liability for acts, and the handling of weapons. A person
14 shall be considered eligible for this exemption if he or
15 she has completed the required 20 hours of training for a
16 security officer and 20 hours of required firearm training,
17 and has been issued a firearm control card by the
18 Department of Professional Regulation. Conditions for the
19 renewal of firearm control cards issued under the
20 provisions of this Section shall be the same as for those
21 cards issued under the provisions of the Private Detective,
22 Private Alarm, Private Security, Fingerprint Vendor, and
23 Locksmith Act of 2004. Such firearm control card shall be
24 carried by the security guard at all times when he or she
25 is in possession of a concealable weapon.

26 (7) Agents and investigators of the Illinois

1 Legislative Investigating Commission authorized by the
2 Commission to carry the weapons specified in subsections
3 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
4 any investigation for the Commission.

5 (8) Persons employed by a financial institution for the
6 protection of other employees and property related to such
7 financial institution, while actually engaged in the
8 performance of their duties, commuting between their homes
9 and places of employment, or traveling between sites or
10 properties owned or operated by such financial
11 institution, provided that any person so employed has
12 successfully completed a course of study, approved by and
13 supervised by the Department of Professional Regulation,
14 consisting of not less than 40 hours of training which
15 includes theory of law enforcement, liability for acts, and
16 the handling of weapons. A person shall be considered to be
17 eligible for this exemption if he or she has completed the
18 required 20 hours of training for a security officer and 20
19 hours of required firearm training, and has been issued a
20 firearm control card by the Department of Professional
21 Regulation. Conditions for renewal of firearm control
22 cards issued under the provisions of this Section shall be
23 the same as for those issued under the provisions of the
24 Private Detective, Private Alarm, Private Security,
25 Fingerprint Vendor, and Locksmith Act of 2004. Such firearm
26 control card shall be carried by the person so trained at

1 all times when such person is in possession of a
2 concealable weapon. For purposes of this subsection,
3 "financial institution" means a bank, savings and loan
4 association, credit union or company providing armored car
5 services.

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

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

11 (11) Investigators of the Office of the State's
12 Attorneys Appellate Prosecutor authorized by the board of
13 governors of the Office of the State's Attorneys Appellate
14 Prosecutor to carry weapons pursuant to Section 7.06 of the
15 State's Attorneys Appellate Prosecutor's Act.

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

18 (12.5) Probation officers while in the performance of
19 their duties, or while commuting between their homes,
20 places of employment or specific locations that are part of
21 their assigned duties, with the consent of the chief judge
22 of the circuit for which they are employed.

23 (13) Court Security Officers while in the performance
24 of their official duties, or while commuting between their
25 homes and places of employment, with the consent of the
26 Sheriff.

1 (13.5) A person employed as an armed security guard at
2 a nuclear energy, storage, weapons or development site or
3 facility regulated by the Nuclear Regulatory Commission
4 who has completed the background screening and training
5 mandated by the rules and regulations of the Nuclear
6 Regulatory Commission.

7 (14) Manufacture, transportation, or sale of weapons
8 to persons authorized under subdivisions (1) through
9 (13.5) of this subsection to possess those weapons.

10 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
11 24-1.6 do not apply to or affect any of the following:

12 (1) Members of any club or organization organized for
13 the purpose of practicing shooting at targets upon
14 established target ranges, whether public or private, and
15 patrons of such ranges, while such members or patrons are
16 using their firearms on those target ranges.

17 (2) Duly authorized military or civil organizations
18 while parading, with the special permission of the
19 Governor.

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

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

24 (5) Carrying or possessing any pistol, revolver, stun
25 gun or taser or other firearm in a legal dwelling or place
26 where he or she is an invitee therein.

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

3 (1) Peace officers while in performance of their
4 official duties.

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

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

11 (4) Manufacture, transportation, or sale of machine
12 guns to persons authorized under subdivisions (1) through
13 (3) of this subsection to possess machine guns, if the
14 machine guns are broken down in a non-functioning state or
15 are not immediately accessible.

16 (5) Persons licensed under federal law to manufacture
17 any weapon from which 8 or more shots or bullets can be
18 discharged by a single function of the firing device, or
19 ammunition for such weapons, and actually engaged in the
20 business of manufacturing such weapons or ammunition, but
21 only with respect to activities which are within the lawful
22 scope of such business, such as the manufacture,
23 transportation, or testing of such weapons or ammunition.
24 This exemption does not authorize the general private
25 possession of any weapon from which 8 or more shots or
26 bullets can be discharged by a single function of the

1 firing device, but only such possession and activities as
2 are within the lawful scope of a licensed manufacturing
3 business described in this paragraph.

4 During transportation, such weapons shall be broken
5 down in a non-functioning state or not immediately
6 accessible.

7 (6) The manufacture, transport, testing, delivery,
8 transfer or sale, and all lawful commercial or experimental
9 activities necessary thereto, of rifles, shotguns, and
10 weapons made from rifles or shotguns, or ammunition for
11 such rifles, shotguns or weapons, where engaged in by a
12 person operating as a contractor or subcontractor pursuant
13 to a contract or subcontract for the development and supply
14 of such rifles, shotguns, weapons or ammunition to the
15 United States government or any branch of the Armed Forces
16 of the United States, when such activities are necessary
17 and incident to fulfilling the terms of such contract.

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

24 During transportation, any such weapon shall be broken
25 down in a non-functioning state, or not immediately
26 accessible.

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

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

7 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and
8 Section 24-1.6 do not apply to members of any club or
9 organization organized for the purpose of practicing shooting
10 at targets upon established target ranges, whether public or
11 private, while using their firearms on those target ranges.

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

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

17 (2) Bonafide collectors of antique or surplus military
18 ordinance.

19 (3) Laboratories having a department of forensic
20 ballistics, or specializing in the development of
21 ammunition or explosive ordinance.

22 (4) Commerce, preparation, assembly or possession of
23 explosive bullets by manufacturers of ammunition licensed
24 by the federal government, in connection with the supply of
25 those organizations and persons exempted by subdivision
26 (g)(1) of this Section, or like organizations and persons

1 outside this State, or the transportation of explosive
2 bullets to any organization or person exempted in this
3 Section by a common carrier or by a vehicle owned or leased
4 by an exempted manufacturer.

5 (g-5) Subsection 24-1(a)(6) does not apply to or affect
6 persons licensed under federal law to manufacture any device or
7 attachment of any kind designed, used, or intended for use in
8 silencing the report of any firearm, firearms, or ammunition
9 for those firearms equipped with those devices, and actually
10 engaged in the business of manufacturing those devices,
11 firearms, or ammunition, but only with respect to activities
12 that are within the lawful scope of that business, such as the
13 manufacture, transportation, or testing of those devices,
14 firearms, or ammunition. This exemption does not authorize the
15 general private possession of any device or attachment of any
16 kind designed, used, or intended for use in silencing the
17 report of any firearm, but only such possession and activities
18 as are within the lawful scope of a licensed manufacturing
19 business described in this subsection (g-5). During
20 transportation, those devices shall be detached from any weapon
21 or not immediately accessible.

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

26 (i) Nothing in this Article shall prohibit, apply to, or

1 affect the transportation, carrying, or possession, of any
2 pistol or revolver, stun gun, taser, or other firearm consigned
3 to a common carrier operating under license of the State of
4 Illinois or the federal government, where such transportation,
5 carrying, or possession is incident to the lawful
6 transportation in which such common carrier is engaged; and
7 nothing in this Article shall prohibit, apply to, or affect the
8 transportation, carrying, or possession of any pistol,
9 revolver, stun gun, taser, or other firearm, not the subject of
10 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of
11 this Article, which is unloaded and enclosed in a case, firearm
12 carrying box, shipping box, or other container, by the
13 possessor of a valid Firearm Owners Identification Card.

14 (Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07;
15 95-885, eff. 1-1-09.)

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