



Rep. André M. Thapedi

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1 AMENDMENT TO HOUSE BILL 1966

2 AMENDMENT NO. _____. Amend House Bill 1966 by replacing
3 the title with the following:

4 "AN ACT concerning criminal law, which may be referred to
5 as the Automatic Weapons Safe Zone Act of 2009."; and

6 by replacing everything after the enacting clause with the
7 following:

8 "Section 5. The Criminal Code of 1961 is amended by adding
9 Section 24-1.95 as follows:

10 (720 ILCS 5/24-1.95 new)

11 Sec. 24-1.95. Manufacture, possession, delivery, and sale
12 of assault weapons and .50 caliber rifles.

13 (a) Definitions. In this Section:

14 (1) "Assault weapon" means:

15 (A) any of the firearms or types, replicas, or

1 duplicates in any caliber of the firearms, known as:

2 (i) Norinco, Mitchell, and Poly Technologies
3 Avtomat Kalashnikovs (all models);

4 (ii) Action Arms Israeli Military Industries
5 UZI and Galil;

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

7 (iv) Colt AR-15;

8 (v) Fabrique Nationale FN/FAL, FN/LAR, and
9 FNC;

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

11 (vii) Steyr AUG;

12
13 (viii) INTRATEC TEC-9, TEC-DC9, and TEC-22;

14 and

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

18 (B) a semi-automatic rifle that has an ability to
19 accept a detachable magazine and has any of the
20 following:

21 (i) a folding or telescoping stock;

22 (ii) a pistol grip or thumbhole stock;

23 (iii) a shroud that is attached to, or
24 partially or completely encircles the barrel, and
25 that permits the shooter to hold the firearm with
26 the non-trigger hand without being burned; or

1 (iv) a fixed magazine that has the capacity to
2 accept more than 10 rounds of ammunition;

3 (C) a semi-automatic pistol that has an ability to
4 accept a detachable magazine and has any of the
5 following:

6 (i) a folding, telescoping, or thumbhole
7 stock;

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

12 (iii) an ammunition magazine that attaches to
13 the pistol outside of the pistol grip;

14 (iv) a fixed magazine that has the capacity to
15 accept more than 10 rounds of ammunition;

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

18 (vi) a semi-automatic version of an automatic
19 firearm;

20 (D) a semi-automatic shotgun that has any of the
21 following:

22 (i) a folding or telescoping stock;

23 (ii) a pistol grip or thumbhole stock;

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

26 (iv) an ability to accept a detachable

1 magazine.

2 "Assault weapon" does not include:

3 (A) any firearm that:

4 (i) is manually operated by bolt, pump, lever,
5 or slide action;

6 (ii) is an "unserviceable firearm" or has been
7 made permanently inoperable; or

8 (iii) is an antique firearm;

9 (B) any air rifle as defined in Section 1 of the
10 Air Rifle Act.

11 (2) ".50 caliber rifle" means a centerfire rifle
12 capable of firing a .50 caliber cartridge. The term does
13 not include any antique firearm as defined in 18 U.S.C.
14 Section 921 (a) (16), any shotgun including a shotgun that
15 has a rifle barrel, or a muzzle-loader used for "black
16 powder" hunting or battle re-enactments.

17 (3) "Antique firearm" has the meaning ascribed to it in
18 18 U.S.C. Section 921 (a) (16).

19 (4) "Weapon attachment" means any device capable of
20 being attached to a firearm that is specifically designed
21 for making or converting a firearm into any of the firearms
22 listed in paragraph (1) of subsection (a) of this Section.

23 (b) Except as provided in subsections (c) and (d), 90 days
24 after the effective date of this amendatory Act of the 96th
25 General Assembly, it is unlawful for any person within the
26 following zip codes: 60637, 60636, 60629, 60621, 60620, and

1 60619 to knowingly manufacture, deliver, sell, purchase, or
2 possess or cause to be manufactured, delivered, sold,
3 purchased, or possessed, any assault weapon or .50 caliber
4 rifle.

5 (c) Subsection (b) does not apply to a person who possessed
6 a weapon prohibited by subsection (b) before the effective date
7 of this amendatory Act of the 96th General Assembly, provided
8 that the person has provided proof of ownership to the
9 Department of State Police within 90 days after the effective
10 date of this amendatory Act of the 96th General Assembly as
11 required by law. On or after the effective date of this
12 amendatory Act of the 96th General Assembly, such person may
13 transfer such weapon only to an heir, an individual residing in
14 another state maintaining that weapon in another state, or a
15 dealer licensed as a federal firearms dealer under Section 923
16 of the Federal Gun Control Act of 1968.

17 (d) Subsection (b) does not apply to or affect any of the
18 following:

19 (1) Peace officers as defined in Section 2-13 of this
20 Code; and

21 (2) Retired peace officers not otherwise prohibited
22 from receiving a firearm so long as the assault weapon or
23 .50 caliber rifle were transferred to the retired peace
24 officer by his or her law enforcement agency upon
25 retirement.

26 (3) Wardens, superintendents, and keepers of prisons,

1 penitentiaries, jails, and other institutions for the
2 detention of persons accused or convicted of an offense.

3 (4) Members of the Armed Services and Reserve Forces of
4 the United States or the Illinois National Guard Society
5 solely in the performance of their official duties or while
6 traveling to or from their place of duty.

7 (5) Manufacture, transportation, or sale of an assault
8 weapon or .50 caliber rifle to persons authorized under
9 subdivisions (1) through (4) of this subsection to possess
10 those items.

11 (6) Possession of any firearm if that firearm is
12 sanctioned by the International Olympic Committee and by
13 USA Shooting, the national governing body for
14 international shooting competition in the United States,
15 but only when the firearm is in the actual possession of an
16 Olympic target shooting competitor or target shooting
17 coach for the purpose of storage, transporting to and from
18 Olympic target shooting practice or events so long as the
19 firearm is broken down in a non-functioning state, is not
20 immediately accessible, or is unloaded and enclosed in a
21 case, firearm carrying box, shipping box, or other
22 container, and when the Olympic target shooting competitor
23 or target shooting coach is engaging in those practices or
24 events.

25 (7) Possession of an assault weapon or a .50 caliber
26 rifle only for a hunting use expressly permitted under the

1 Wildlife Code, or while traveling to or from a location
2 authorized for such hunting use under the Wildlife Code if
3 the items are broken down in a non-functioning state, or
4 are not immediately accessible, or are unloaded and
5 enclosed in a case, firearm carrying box, shipping box, or
6 other container.

7 (8) Manufacture, transportation, possession, sale, or
8 rental of blank-firing assault weapons or .50 caliber
9 rifles or the respective weapon attachment to persons
10 authorized or permitted, or both authorized and permitted
11 to acquire and possess such weapons for the purposes of
12 rental for use solely as props for a motion picture,
13 television, or video production or entertainment event.

14 (e) Sentence. A person who knowingly manufactures,
15 delivers, sells, purchases, or possesses or causes to be
16 manufactured, delivered, sold, purchased, or possessed any
17 assault weapon in violation of this Section commits a Class 2
18 felony for a first violation; and, a Class 1 felony for a
19 second or subsequent violation, or for the possession or
20 delivery, in close proximity, of 2 or more of these weapons at
21 the same time.

22 Section 97. Severability. The provisions of this Act are
23 severable under Section 1.31 of the Statute on Statutes."