

# SB1875



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB1875

Introduced 2/20/2009, by Sen. Dan Kotowski

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-3.1

from Ch. 38, par. 24-3.1

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning the unlawful possession of firearms and firearm ammunition.

LRB096 11306 RLC 21737 b

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 Section 24-3.1 as follows:

6 (720 ILCS 5/24-3.1) (from Ch. 38, par. 24-3.1)

7 Sec. 24-3.1. Unlawful possession of firearms and firearm  
8 ammunition.

9 (a) A person commits the ~~the~~ offense of unlawful possession  
10 of firearms or firearm ammunition when:

11 (1) He is under 18 years of age and has in his  
12 possession any firearm of a size which may be concealed  
13 upon the person; or

14 (2) He is under 21 years of age, has been convicted of  
15 a misdemeanor other than a traffic offense or adjudged  
16 delinquent and has any firearms or firearm ammunition in  
17 his possession; or

18 (3) He is a narcotic addict and has any firearms or  
19 firearm ammunition in his possession; or

20 (4) He has been a patient in a mental hospital within  
21 the past 5 years and has any firearms or firearm ammunition  
22 in his possession; or

23 (5) He is mentally retarded and has any firearms or

1 firearm ammunition in his possession; or

2 (6) He has in his possession any explosive bullet.

3 For purposes of this paragraph "explosive bullet" means the  
4 projectile portion of an ammunition cartridge which contains or  
5 carries an explosive charge which will explode upon contact  
6 with the flesh of a human or an animal. "Cartridge" means a  
7 tubular metal case having a projectile affixed at the front  
8 thereof and a cap or primer at the rear end thereof, with the  
9 propellant contained in such tube between the projectile and  
10 the cap.

11 (b) Sentence.

12 Unlawful possession of firearms, other than handguns, and  
13 firearm ammunition is a Class A misdemeanor. Unlawful  
14 possession of handguns is a Class 4 felony. The possession of  
15 each firearm or firearm ammunition in violation of this Section  
16 constitutes a single and separate violation.

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

24 (Source: P.A. 94-284, eff. 7-21-05; 95-331, eff. 8-21-07.)