

# HB4063



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

**HB4063**

by Rep. Roger L. Eddy

#### SYNOPSIS AS INTRODUCED:

430 ILCS 65/1.1

from Ch. 38, par. 83-1.1

Amends the Firearm Owners Identification Card Act. Excludes from the definition of "firearm", any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter or (rather than and) which has a maximum muzzle velocity of less than 700 feet per second. Effective immediately.

LRB097 14944 RLC 59976 b

A BILL FOR

1 AN ACT concerning firearms.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Firearm Owners Identification Card Act is  
5 amended by changing Section 1.1 as follows:

6 (430 ILCS 65/1.1) (from Ch. 38, par. 83-1.1)

7 Sec. 1.1. For purposes of this Act:

8 "Has been adjudicated as a mental defective" means the  
9 person is the subject of a determination by a court, board,  
10 commission or other lawful authority that a person, as a result  
11 of marked subnormal intelligence, or mental illness, mental  
12 impairment, incompetency, condition, or disease:

13 (1) is a danger to himself, herself, or to others;

14 (2) lacks the mental capacity to manage his or her own  
15 affairs;

16 (3) is not guilty in a criminal case by reason of  
17 insanity, mental disease or defect;

18 (4) is incompetent to stand trial in a criminal case;

19 (5) is not guilty by reason of lack of mental  
20 responsibility pursuant to Articles 50a and 72b of the  
21 Uniform Code of Military Justice, 10 U.S.C. 850a, 876b.

22 "Counterfeit" means to copy or imitate, without legal  
23 authority, with intent to deceive.

1 "Federally licensed firearm dealer" means a person who is  
2 licensed as a federal firearms dealer under Section 923 of the  
3 federal Gun Control Act of 1968 (18 U.S.C. 923).

4 "Firearm" means any device, by whatever name known, which  
5 is designed to expel a projectile or projectiles by the action  
6 of an explosion, expansion of gas or escape of gas; excluding,  
7 however:

8 (1) any pneumatic gun, spring gun, paint ball gun, or  
9 B-B gun which ~~either~~ expels a single globular projectile  
10 not exceeding .18 inch in diameter or ~~and~~ which has a  
11 maximum muzzle velocity of less than 700 feet per second ~~or~~  
12 ~~breakable paint balls containing washable marking colors;~~

13 (1.1) any pneumatic gun, spring gun, paint ball gun, or  
14 B-B gun which expels breakable paint balls containing  
15 washable marking colors;

16 (2) any device used exclusively for signalling or  
17 safety and required or recommended by the United States  
18 Coast Guard or the Interstate Commerce Commission;

19 (3) any device used exclusively for the firing of stud  
20 cartridges, explosive rivets or similar industrial  
21 ammunition; and

22 (4) an antique firearm (other than a machine-gun)  
23 which, although designed as a weapon, the Department of  
24 State Police finds by reason of the date of its  
25 manufacture, value, design, and other characteristics is  
26 primarily a collector's item and is not likely to be used

1 as a weapon.

2 "Firearm ammunition" means any self-contained cartridge or  
3 shotgun shell, by whatever name known, which is designed to be  
4 used or adaptable to use in a firearm; excluding, however:

5 (1) any ammunition exclusively designed for use with a  
6 device used exclusively for signalling or safety and  
7 required or recommended by the United States Coast Guard or  
8 the Interstate Commerce Commission; and

9 (2) any ammunition designed exclusively for use with a  
10 stud or rivet driver or other similar industrial  
11 ammunition.

12 "Gun show" means an event or function:

13 (1) at which the sale and transfer of firearms is the  
14 regular and normal course of business and where 50 or more  
15 firearms are displayed, offered, or exhibited for sale,  
16 transfer, or exchange; or

17 (2) at which not less than 10 gun show vendors display,  
18 offer, or exhibit for sale, sell, transfer, or exchange  
19 firearms.

20 "Gun show" includes the entire premises provided for an  
21 event or function, including parking areas for the event or  
22 function, that is sponsored to facilitate the purchase, sale,  
23 transfer, or exchange of firearms as described in this Section.

24 "Gun show" does not include training or safety classes,  
25 competitive shooting events, such as rifle, shotgun, or handgun  
26 matches, trap, skeet, or sporting clays shoots, dinners,

1     banquets, raffles, or any other event where the sale or  
2     transfer of firearms is not the primary course of business.

3             "Gun show promoter" means a person who organizes or  
4     operates a gun show.

5             "Gun show vendor" means a person who exhibits, sells,  
6     offers for sale, transfers, or exchanges any firearms at a gun  
7     show, regardless of whether the person arranges with a gun show  
8     promoter for a fixed location from which to exhibit, sell,  
9     offer for sale, transfer, or exchange any firearm.

10            "Sanctioned competitive shooting event" means a shooting  
11     contest officially recognized by a national or state shooting  
12     sport association, and includes any sight-in or practice  
13     conducted in conjunction with the event.

14            "Stun gun or taser" has the meaning ascribed to it in  
15     Section 24-1 of the Criminal Code of 1961.

16     (Source: P.A. 94-6, eff. 1-1-06; 94-353, eff. 7-29-05; 95-331,  
17     eff. 8-21-07; 95-581, eff. 6-1-08.)

18            Section 99. Effective date. This Act takes effect upon  
19     becoming law.