



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB2257

Introduced 2/15/2011, 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

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.

LRB097 10285 RLC 50489 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 or other knuckle weapon
19 regardless of its composition, throwing star, or any knife,
20 commonly referred to as a switchblade knife, which has a
21 blade that opens automatically by hand pressure applied to
22 a button, spring or other device in the handle of the
23 knife, or a ballistic knife, which is a device that propels
24 a knifelike blade as a projectile by means of a coil
25 spring, elastic material or compressed gas; or

1 (2) Carries or possesses with intent to use the same
2 unlawfully against another, a dagger, dirk, billy,
3 dangerous knife, razor, stiletto, broken bottle or other
4 piece of glass, stun gun or taser or any other dangerous or
5 deadly weapon or instrument of like character; or

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

12 (4) Carries or possesses in any vehicle or concealed on
13 or about his person except when on his land or in his own
14 abode, legal dwelling, or fixed place of business, or on
15 the land or in the legal dwelling of another person as an
16 invitee with that person's permission, any pistol,
17 revolver, stun gun or taser or other firearm, except that
18 this subsection (a) (4) does not apply to or affect
19 transportation of weapons that meet one of the following
20 conditions:

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

22 (ii) are not immediately accessible; or

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

1 (5) Sets a spring gun; or

2 (6) Possesses any device or attachment of any kind
3 designed, used or intended for use in silencing the report
4 of any firearm; or

5 (7) Sells, manufactures, purchases, possesses or
6 carries:

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

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

26 (iii) any bomb, bomb-shell, grenade, bottle or

1 other container containing an explosive substance of
2 over one-quarter ounce for like purposes, such as, but
3 not limited to, black powder bombs and Molotov
4 cocktails or artillery projectiles; or

5 (iv) any 50 caliber rifle; or

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

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

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

22 (10) Carries or possesses on or about his person, upon
23 any public street, alley, or other public lands within the
24 corporate limits of a city, village or incorporated town,
25 except when an invitee thereon or therein, for the purpose
26 of the display of such weapon or the lawful commerce in

1 weapons, or except when on his land or in his own abode,
2 legal dwelling, or fixed place of business, or on the land
3 or in the legal dwelling of another person as an invitee
4 with that person's permission, any pistol, revolver, stun
5 gun or taser or other firearm, except that this subsection
6 (a) (10) does not apply to or affect transportation of
7 weapons that meet one of the following conditions:

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

9 (ii) are not immediately accessible; or

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

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

26 (11) Sells, manufactures or purchases any explosive

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

10 (12) (Blank); or

11 (13) Carries or possesses on or about his or her person
12 while in a building occupied by a unit of government, a
13 billy club, other weapon of like character, or other
14 instrument of like character intended for use as a weapon.
15 For the purposes of this Section, "billy club" means a
16 short stick or club commonly carried by police officers
17 which is either telescopic or constructed of a solid piece
18 of wood or other man-made material.

19 (b) Sentence. A person convicted of a violation of
20 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),
21 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a
22 Class A misdemeanor. A person convicted of a violation of
23 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony; a
24 person convicted of a violation of subsection 24-1(a)(6) or
25 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person
26 convicted of a violation of subsection 24-1(a)(7)(i) or

1 subsection 24-1(a)(7)(iv) commits a Class 2 felony and shall be
2 sentenced to a term of imprisonment of not less than 3 years
3 and not more than 7 years, unless the weapon is possessed in
4 the passenger compartment of a motor vehicle as defined in
5 Section 1-146 of the Illinois Vehicle Code, or on the person,
6 while the weapon is loaded, in which case it shall be a Class X
7 felony. A person convicted of a second or subsequent violation
8 of subsection 24-1(a)(4), 24-1(a)(8), 24-1(a)(9), or
9 24-1(a)(10) commits a Class 3 felony. The possession of each
10 weapon in violation of this Section constitutes a single and
11 separate violation.

12 (c) Violations in specific places.

13 (1) A person who violates subsection 24-1(a)(6) or
14 24-1(a)(7) in any school, regardless of the time of day or
15 the time of year, in residential property owned, operated
16 or managed by a public housing agency or leased by a public
17 housing agency as part of a scattered site or mixed-income
18 development, in a public park, in a courthouse, on the real
19 property comprising any school, regardless of the time of
20 day or the time of year, on residential property owned,
21 operated or managed by a public housing agency or leased by
22 a public housing agency as part of a scattered site or
23 mixed-income development, on the real property comprising
24 any public park, on the real property comprising any
25 courthouse, in any conveyance owned, leased or contracted
26 by a school to transport students to or from school or a

1 school related activity, in any conveyance owned, leased,
2 or contracted by a public transportation agency, or on any
3 public way within 1,000 feet of the real property
4 comprising any school, public park, courthouse, public
5 transportation facility, or residential property owned,
6 operated, or managed by a public housing agency or leased
7 by a public housing agency as part of a scattered site or
8 mixed-income development commits a Class 2 felony and shall
9 be sentenced to a term of imprisonment of not less than 3
10 years and not more than 7 years.

11 (1.5) A person who violates subsection 24-1(a)(4),
12 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the
13 time of day or the time of year, in residential property
14 owned, operated, or managed by a public housing agency or
15 leased by a public housing agency as part of a scattered
16 site or mixed-income development, in a public park, in a
17 courthouse, on the real property comprising any school,
18 regardless of the time of day or the time of year, on
19 residential property owned, operated, or managed by a
20 public housing agency or leased by a public housing agency
21 as part of a scattered site or mixed-income development, on
22 the real property comprising any public park, on the real
23 property comprising any courthouse, in any conveyance
24 owned, leased, or contracted by a school to transport
25 students to or from school or a school related activity, in
26 any conveyance owned, leased, or contracted by a public

1 transportation agency, or on any public way within 1,000
2 feet of the real property comprising any school, public
3 park, courthouse, public transportation facility, or
4 residential property owned, operated, or managed by a
5 public housing agency or leased by a public housing agency
6 as part of a scattered site or mixed-income development
7 commits a Class 3 felony.

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

1 residential property owned, operated, or managed by a
2 public housing agency or leased by a public housing agency
3 as part of a scattered site or mixed-income development
4 commits a Class 4 felony. "Courthouse" means any building
5 that is used by the Circuit, Appellate, or Supreme Court of
6 this State for the conduct of official business.

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

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

19 (5) For the purposes of this subsection (c), "public
20 transportation agency" means a public or private agency
21 that provides for the transportation or conveyance of
22 persons by means available to the general public, except
23 for transportation by automobiles not used for conveyance
24 of the general public as passengers; and "public
25 transportation facility" means a terminal or other place
26 where one may obtain public transportation.

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

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

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

17 (Source: P.A. 95-331, eff. 8-21-07; 95-809, eff. 1-1-09;
18 95-885, eff. 1-1-09; 96-41, eff. 1-1-10; 96-328, eff. 8-11-09;
19 96-742, eff. 8-25-09; 96-1000, eff. 7-2-10.)

20 (720 ILCS 5/24-2)

21 Sec. 24-2. Exemptions.

22 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
23 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
24 the following:

25 (1) Peace officers, and any person summoned by a peace

1 officer to assist in making arrests or preserving the
2 peace, while actually engaged in assisting such officer.

3 (2) Wardens, superintendents and keepers of prisons,
4 penitentiaries, jails and other institutions for the
5 detention of persons accused or convicted of an offense,
6 while in the performance of their official duty, or while
7 commuting between their homes and places of employment.

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

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

19 (5) Persons licensed as private security contractors,
20 private detectives, or private alarm contractors, or
21 employed by an agency certified by the Department of
22 Professional Regulation, if their duties include the
23 carrying of a weapon under the provisions of the Private
24 Detective, Private Alarm, Private Security, Fingerprint
25 Vendor, and Locksmith Act of 2004, while actually engaged
26 in the performance of the duties of their employment or

1 commuting between their homes and places of employment,
2 provided that such commuting is accomplished within one
3 hour from departure from home or place of employment, as
4 the case may be. Persons exempted under this subdivision
5 (a)(5) shall be required to have completed a course of
6 study in firearms handling and training approved and
7 supervised by the Department of Professional Regulation as
8 prescribed by Section 28 of the Private Detective, Private
9 Alarm, Private Security, Fingerprint Vendor, and Locksmith
10 Act of 2004, prior to becoming eligible for this exemption.
11 The Department of Professional Regulation shall provide
12 suitable documentation demonstrating the successful
13 completion of the prescribed firearms training. Such
14 documentation shall be carried at all times when such
15 persons are in possession of a concealable weapon.

16 (6) Any person regularly employed in a commercial or
17 industrial operation as a security guard for the protection
18 of persons employed and private property related to such
19 commercial or industrial operation, while actually engaged
20 in the performance of his or her duty or traveling between
21 sites or properties belonging to the employer, and who, as
22 a security guard, is a member of a security force of at
23 least 5 persons registered with the Department of
24 Professional Regulation; provided that such security guard
25 has successfully completed a course of study, approved by
26 and supervised by the Department of Professional

1 Regulation, consisting of not less than 40 hours of
2 training that includes the theory of law enforcement,
3 liability for acts, and the handling of weapons. A person
4 shall be considered eligible for this exemption if he or
5 she has completed the required 20 hours of training for a
6 security officer and 20 hours of required firearm training,
7 and has been issued a firearm control card by the
8 Department of Professional Regulation. Conditions for the
9 renewal of firearm control cards issued under the
10 provisions of this Section shall be the same as for those
11 cards issued under the provisions of the Private Detective,
12 Private Alarm, Private Security, Fingerprint Vendor, and
13 Locksmith Act of 2004. Such firearm control card shall be
14 carried by the security guard at all times when he or she
15 is in possession of a concealable weapon.

16 (7) Agents and investigators of the Illinois
17 Legislative Investigating Commission authorized by the
18 Commission to carry the weapons specified in subsections
19 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
20 any investigation for the Commission.

21 (8) Persons employed by a financial institution for the
22 protection of other employees and property related to such
23 financial institution, while actually engaged in the
24 performance of their duties, commuting between their homes
25 and places of employment, or traveling between sites or
26 properties owned or operated by such financial

1 institution, provided that any person so employed has
2 successfully completed a course of study, approved by and
3 supervised by the Department of Professional Regulation,
4 consisting of not less than 40 hours of training which
5 includes theory of law enforcement, liability for acts, and
6 the handling of weapons. A person shall be considered to be
7 eligible for this exemption if he or she has completed the
8 required 20 hours of training for a security officer and 20
9 hours of required firearm training, and has been issued a
10 firearm control card by the Department of Professional
11 Regulation. Conditions for renewal of firearm control
12 cards issued under the provisions of this Section shall be
13 the same as for those issued under the provisions of the
14 Private Detective, Private Alarm, Private Security,
15 Fingerprint Vendor, and Locksmith Act of 2004. Such firearm
16 control card shall be carried by the person so trained at
17 all times when such person is in possession of a
18 concealable weapon. For purposes of this subsection,
19 "financial institution" means a bank, savings and loan
20 association, credit union or company providing armored car
21 services.

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

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

1 (11) Investigators of the Office of the State's
2 Attorneys Appellate Prosecutor authorized by the board of
3 governors of the Office of the State's Attorneys Appellate
4 Prosecutor to carry weapons pursuant to Section 7.06 of the
5 State's Attorneys Appellate Prosecutor's Act.

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

8 (12.5) Probation officers while in the performance of
9 their duties, or while commuting between their homes,
10 places of employment or specific locations that are part of
11 their assigned duties, with the consent of the chief judge
12 of the circuit for which they are employed.

13 (13) Court Security Officers while in the performance
14 of their official duties, or while commuting between their
15 homes and places of employment, with the consent of the
16 Sheriff.

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

23 (14) Manufacture, transportation, or sale of weapons
24 to persons authorized under subdivisions (1) through
25 (13.5) of this subsection to possess those weapons.

26 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section

1 24-1.6 do not apply to or affect any of the following:

2 (1) Members of any club or organization organized for
3 the purpose of practicing shooting at targets upon
4 established target ranges, whether public or private, and
5 patrons of such ranges, while such members or patrons are
6 using their firearms on those target ranges.

7 (2) Duly authorized military or civil organizations
8 while parading, with the special permission of the
9 Governor.

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

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

14 (5) Carrying or possessing any pistol, revolver, stun
15 gun or taser or other firearm on the land or in the legal
16 dwelling of another person as an invitee with that person's
17 permission.

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

20 (1) Peace officers while in performance of their
21 official duties.

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

25 (3) Members of the Armed Services or Reserve Forces of
26 the United States or the Illinois National Guard, while in

1 the performance of their official duty.

2 (4) Manufacture, transportation, or sale of machine
3 guns or 50 caliber rifles to persons authorized under
4 subdivisions (1) through (3) of this subsection to possess
5 machine guns or 50 caliber rifles, if the machine guns or
6 50 caliber rifles are broken down in a non-functioning
7 state or are not immediately accessible.

8 (5) Persons licensed under federal law to manufacture
9 any weapon from which 8 or more shots or bullets can be
10 discharged by a single function of the firing device, 50
11 caliber rifles, or ammunition for such weapons, and
12 actually engaged in the business of manufacturing such
13 weapons or ammunition, but only with respect to activities
14 which are within the lawful scope of such business, such as
15 the manufacture, transportation, or testing of such
16 weapons or ammunition. This exemption does not authorize
17 the general private possession of any weapon from which 8
18 or more shots or bullets can be discharged by a single
19 function of the firing device or 50 caliber rifles, but
20 only such possession and activities as are within the
21 lawful scope of a licensed manufacturing business
22 described in this paragraph.

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

26 (6) The manufacture, transport, testing, delivery,

1 transfer or sale, and all lawful commercial or experimental
2 activities necessary thereto, of rifles, shotguns, and
3 weapons made from rifles or shotguns, or ammunition for
4 such rifles, shotguns or weapons, where engaged in by a
5 person operating as a contractor or subcontractor pursuant
6 to a contract or subcontract for the development and supply
7 of such rifles, shotguns, weapons or ammunition to the
8 United States government or any branch of the Armed Forces
9 of the United States, when such activities are necessary
10 and incident to fulfilling the terms of such contract.

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

17 During transportation, any such weapon shall be broken
18 down in a non-functioning state, or not immediately
19 accessible.

20 Subsection 24-1(a)(7) dealing with 50 caliber rifles does
21 not apply to a person that possesses a 50 caliber rifle before
22 the effective date of this amendatory Act of the 97th General
23 Assembly. However, on or after the effective date of this
24 amendatory Act of the 97th General Assembly, such person shall
25 only be allowed to transfer a 50 caliber rifle to a dealer
26 licensed as a federal firearms dealer under Section 923 of the

1 federal Gun Control Act of 1968 (18 U.S.C. 923).

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

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

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

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

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

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

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

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

1 (g)(1) of this Section, or like organizations and persons
2 outside this State, or the transportation of explosive
3 bullets to any organization or person exempted in this
4 Section by a common carrier or by a vehicle owned or leased
5 by an exempted manufacturer.

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

23 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
24 24-1.6 do not apply to or affect any parole agent or parole
25 supervisor who meets the qualifications and conditions
26 prescribed in Section 3-14-1.5 of the Unified Code of

1 Corrections.

2 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and
3 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an
4 athlete's possession, transport on official Olympic and
5 Paralympic transit systems established for athletes, or use of
6 competition firearms sanctioned by the International Olympic
7 Committee, the International Paralympic Committee, the
8 International Shooting Sport Federation, or USA Shooting in
9 connection with such athlete's training for and participation
10 in shooting competitions at the 2016 Olympic and Paralympic
11 Games and sanctioned test events leading up to the 2016 Olympic
12 and Paralympic Games.

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

17 (i) Nothing in this Article shall prohibit, apply to, or
18 affect the transportation, carrying, or possession, of any
19 pistol or revolver, stun gun, taser, or other firearm consigned
20 to a common carrier operating under license of the State of
21 Illinois or the federal government, where such transportation,
22 carrying, or possession is incident to the lawful
23 transportation in which such common carrier is engaged; and
24 nothing in this Article shall prohibit, apply to, or affect the
25 transportation, carrying, or possession of any pistol,
26 revolver, stun gun, taser, or other firearm, not the subject of

1 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of
2 this Article, which is unloaded and enclosed in a case, firearm
3 carrying box, shipping box, or other container, by the
4 possessor of a valid Firearm Owners Identification Card.

5 (Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07;
6 95-885, eff. 1-1-09; 96-7, eff. 4-3-09; 96-230, eff. 1-1-10;
7 96-742, eff. 8-25-09; 96-1000, eff. 7-2-10.)