



Rep. Edward J. Acevedo

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1 AMENDMENT TO SENATE BILL 2899

2 AMENDMENT NO. _____. Amend Senate Bill 2899 by replacing
3 everything after the enacting clause with the following:

4 "Section 2. The State Police Act is amended by adding
5 Section 24 as follows:

6 (20 ILCS 2610/24 new)

7 Sec. 24. Assault weapons and large ammunition feeding
8 device registration eligibility verification system vendor
9 contract.

10 (a) For the purposes of this Section, "Department" means
11 the Department of State Police.

12 (b) Because of the urgent need to protect the public safety
13 from firearm violence, the Department shall enter into a
14 contract or contracts with one or more third-party entities to
15 provide the services as set forth in subsection (c) of this
16 Section. Any of these procurements by the Department to perform

1 functions related to this Section shall be deemed to be
2 emergency procurements necessary to prevent or minimize
3 serious disruption in critical State services that affect
4 public safety. The procurement of this contract or contracts
5 shall be conducted in accordance with the emergency purchase
6 provisions prescribed in Section 20-30 of the Illinois
7 Procurement Code. However, the term of these emergency
8 contracts shall not be limited to 90 days but may be for an
9 initial term of up to 2 years. In addition, any emergency
10 contracts may be subject to 2 one-year renewals. In procuring
11 any emergency contract or contracts, (i) the State Procurement
12 Officer at the request of the Agency Procurement Officer for
13 the Department shall cause to be posted to the Illinois
14 Procurement Bulletin the Department's intent to procure, a
15 description of the anticipated contract objectives, and the
16 duties and responsibilities of any third-party entity; (ii) the
17 Department may invite an interested third-party entity or
18 entities to one or more meetings to discuss the procurement,
19 the contents thereof, and the scope of the procurement, and to
20 answer questions; (iii) the interested third-party entity or
21 entities shall be invited to submit their solutions in writing;
22 (iv) the Department shall select the third-party entity or
23 entities whose solutions best fit the Department's needs and
24 shall enter into negotiations with one or more to settle on
25 final duties and responsibilities and the price for the final
26 contract or contracts; and (v) the Department may cause any

1 award to be posted to the Illinois Procurement Bulletin. The
2 provisions prescribed in paragraph (1) of subsection (e) of
3 Section 50-10.5 of the Illinois Procurement Code and prescribed
4 in Section 50-39 of the Illinois Procurement Code do not apply
5 to any emergency purchases procured under this Section or under
6 Section 20-30 of the Illinois Procurement Code. Participation
7 by any third-party entity in the procurement activities
8 authorized under this Section shall not constitute
9 pre-solicitation assistance under paragraph (2) of subsection
10 (e) of Section 50-10.5 of the Illinois Procurement Code or
11 under the Illinois Administrative Code. Notwithstanding any
12 other provision of the Illinois Procurement Code to the
13 contrary, any amendments to any contract or contracts that the
14 Department determines are necessary to implement this Section
15 shall be deemed to be within the scope of the emergency
16 purchases allowed under this Section and under Section 20-30 of
17 the Illinois Procurement Code, and shall not be deemed a
18 material amendment for which a new procurement is required.

19 (c) No later than 60 days after the effective date of this
20 amendatory Act of the 97th General Assembly, the Agency
21 Procurement Officer for the Department shall conduct and
22 complete any procurement necessary to procure a vendor to
23 create, implement, and administer a registration eligibility
24 verification system for semi-automatic assault weapons,
25 assault weapon attachments, .50 caliber rifles, .50 caliber
26 cartridges, and large capacity ammunition feeding devices as

1 provided in Sections 24-1.9 and 24-1.10 of the Criminal Code of
2 2012 and as required by the Department. The registration
3 eligibility verification system must ensure the firearms and
4 devices are registered to persons with valid Firearm Owner's
5 Identification cards whom may lawfully possess the weapons or
6 devices. Notwithstanding any other provision of the Illinois
7 Procurement Code to the contrary:

8 (1) The procurement may include procurement of a vendor
9 to assist the Agency Procurement Officer in conducting the
10 procurement.

11 (2) The Chief Procurement Officer for General Services
12 shall cooperate with and provide any assistance necessary
13 and requested by the Department's Agency Procurement
14 Officer to conduct the procurement.

15 (3) The Agency Procurement Officer for the Department
16 shall negotiate final contract terms with a vendor selected
17 by the Department and within 30 days of selection of an
18 registration eligibility verification vendor, the
19 Department shall enter into a contract with the selected
20 vendor.

21 (d) The Department of State Police shall adopt any rules
22 necessary to implement this Section.

23 Section 5. The Criminal Code of 2012 is amended by adding
24 Sections 24-1.9, 24-1.10, and 24-4.1 as follows:

1 (720 ILCS 5/24-1.9 new)

2 Sec. 24-1.9. Possession, delivery, sale, and purchase of
3 semi-automatic assault weapons, assault weapon attachments,
4 .50 caliber rifles, and .50 caliber cartridges.

5 (a) Definitions. In this Section:

6 (1) "Semi-automatic assault weapon" means:

7 (A) any of the firearms or types, replicas, or
8 duplicates in any caliber of the firearms, known as:

9 (i) Norinco, Mitchell, and Poly Technologies
10 Avtomat Kalashnikovs (all models);

11 (ii) Action Arms Israeli Military Industries
12 UZI and Galil;

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

14 (iv) Colt AR-15;

15 (v) Fabrique Nationale FN/FAL, FN/LAR, and
16 FNC;

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

18 (vii) Steyr AUG;

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

20 and

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

24 (B) a semi-automatic rifle or pump-action rifle
25 that has an ability to accept a detachable magazine and
26 has any of the following:

1 (i) a folding or telescoping stock;

2 (ii) a pistol grip or thumbhole stock;

3 (iii) a shroud that is attached to, or
4 partially or completely encircles the barrel, and
5 that permits the shooter to hold the firearm with
6 the non-trigger hand without being burned;

7 (C) a semi-automatic pistol that has an ability to
8 accept a detachable magazine and has any of the
9 following:

10 (i) a folding, telescoping, or thumbhole
11 stock;

12 (ii) a shroud that is attached to, or partially
13 or completely encircles the barrel, and that
14 permits the shooter to hold the firearm with the
15 non-trigger hand without being burned;

16 (iii) an ammunition magazine that attaches to
17 the pistol outside of the pistol grip;

18 (iv) a manufactured weight of 50 ounces or more
19 when the pistol is unloaded; or

20 (v) a semi-automatic version of an automatic
21 firearm;

22 (C-1) a semi-automatic rifle or pistol with a fixed
23 magazine that has the capacity to accept more than 10
24 rounds of ammunition;

25 (C-2) a semi-automatic rifle or a pistol with the
26 capacity to accept a detachable magazine, a muzzle

1 brake, or muzzle compensator;

2 (D) a semi-automatic shotgun that has any of the
3 following:

4 (i) a folding or telescoping stock;

5 (ii) a pistol grip or thumbhole stock;

6 (iii) a fixed magazine capacity in excess of 5
7 rounds; or

8 (iv) an ability to accept a detachable
9 magazine.

10 "Semi-automatic assault weapon" does not
11 include:

12 (A) any firearm that:

13 (i) is manually operated by bolt, pump, lever,
14 or slide action;

15 (ii) is an "unserviceable firearm" or has been
16 made permanently inoperable; or

17 (iii) is an antique firearm;

18 (B) any air rifle as defined in Section 24.8-0.1 of
19 this Code.

20 For the purposes of this Section, a firearm is considered
21 to have the ability to accept a detachable magazine unless the
22 magazine or ammunition feeding device can only be removed
23 through disassembly of the firearm action.

24 (2) "Assault weapon attachment" means any device
25 capable of being attached to a firearm that is specifically
26 designed for making or converting a firearm into any of the

1 firearms listed in paragraph (1) of subsection (a) of this
2 Section.

3 (3) "Antique firearm" has the meaning ascribed to it in
4 18 U.S.C. Section 921 (a) (16).

5 (4) ".50 caliber rifle" means a centerfire rifle
6 capable of firing a .50 caliber cartridge. The term does
7 not include any antique firearm as defined in 18 U.S.C.
8 Section 921 (a) (16), any shotgun including a shotgun that
9 has a rifle barrel, or a muzzle-loader used for "black
10 powder" hunting or battle re-enactments.

11 (5) ".50 caliber cartridge" means a cartridge in .50
12 BMG caliber, either by designation or actual measurement,
13 that is capable of being fired from a centerfire rifle. The
14 term ".50 caliber cartridge" does not include any
15 memorabilia or display item that is filled with a permanent
16 inert substance or that is otherwise permanently altered in
17 a manner that prevents ready modification for use as live
18 ammunition or shotgun ammunition with a caliber
19 measurement that is equal to or greater than .50 caliber.

20 (6) "Pistol grip" includes any feature of a rifle,
21 shotgun, or pistol capable of functioning as a protruding
22 grip that can be held by the non-trigger hand.

23 (a-5) The Department of State Police shall take all steps
24 necessary to carry out the requirements of this Section within
25 150 days after the effective date of this amendatory Act of the
26 97th General Assembly.

1 (b) Except as provided in subsections (c), (c-2), and (d),
2 on or after the effective date of this amendatory Act of the
3 97th General Assembly, it is unlawful for any person within
4 this State to knowingly deliver, sell, or purchase or cause to
5 be delivered, sold, or purchased or cause to be possessed by
6 another, a semi-automatic assault weapon, an assault weapon
7 attachment, any .50 caliber rifle, or .50 caliber cartridge.

8 (b-5) Except as otherwise provided in subsections (c),
9 (c-2), and (d), 240 days after the effective date of this
10 amendatory Act of the 97th General Assembly, it is unlawful for
11 any person within this State to knowingly possess a
12 semi-automatic assault weapon, an assault weapon attachment,
13 any .50 caliber rifle, or .50 caliber cartridge.

14 (c) This Section does not apply to a person who possessed a
15 weapon or attachment prohibited by subsection (b-5) before the
16 effective date of this amendatory Act of the 97th General
17 Assembly, provided that the person has provided in an
18 affidavit, under oath or affirmation and in the form and manner
19 prescribed by the Department of State Police, his or her name,
20 date of birth, Firearm Owners Identification Card Number, and
21 the weapon's or attachment's make, model, caliber, and serial
22 number, on or after 150 days after the effective date of this
23 amendatory Act of the 97th General Assembly but within 240 days
24 after the effective date of this amendatory Act of the 97th
25 General Assembly. The affidavit shall include a statement that
26 the weapon or attachment is owned by the person submitting the

1 affidavit. Each affidavit form shall include the following
2 statement printed in bold type: "Warning: Entering false
3 information on this form is punishable as perjury under Section
4 32-2 of the Criminal Code of 2012.". Beginning 240 days after
5 the effective date of this amendatory Act of the 97th General
6 Assembly, the person may transfer the weapon or attachment only
7 to an heir, an individual residing in another state maintaining
8 that weapon in another state, or a dealer licensed as a federal
9 firearms dealer under Section 923 of the federal Gun Control
10 Act of 1968. Within 10 days after transfer of the weapon or
11 attachment, the person shall notify the Department of State
12 Police of the name and address of the transferee and comply
13 with the requirements of subsection (b) of Section 3 of the
14 Firearm Owners Identification Card Act. The person to whom the
15 weapon or attachment is transferred shall, within 60 days of
16 the transfer, complete an affidavit and pay the required
17 registration fee as set forth in this Section. A person to whom
18 the weapon or attachment is transferred may transfer the weapon
19 or attachment only as provided in this subsection.

20 (c-2) This Section does not apply to a peace officer who
21 has retired in good standing from a law enforcement agency of
22 this State and who possesses a weapon or attachment prohibited
23 by subsection (b-5), if the weapon or attachment was lawfully
24 possessed and acquired by the peace officer prior to retirement
25 and the retired peace officer within 10 days of retirement
26 registers the weapon or attachment with the Department of State

1 Police and pays the required registration fee as provided in
2 this Section. The retired peace officer shall comply with the
3 transfer and notification requirements provided in subsection
4 (c).

5 (c-5) For the purpose of registration required under
6 subsections (c) and (c-2), the Department of State Police shall
7 charge a registration fee of \$10 per person to the owner of a
8 semi-automatic assault weapon and \$15 per person to the owner
9 of a .50 caliber rifle. The fees shall be deposited into the
10 LEADS Maintenance Fund.

11 (d) This Section does not apply to or affect any of the
12 following:

13 (1) Peace officers as defined in Section 2-13 of this
14 Code.

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

18 (3) Members of the Armed Services or Reserve Forces of
19 the United States or the Illinois National Guard, while in
20 the performance of their official duties or while traveling
21 to or from their place of duty.

22 (4) Manufacture, transportation, or sale of weapons,
23 attachments, or ammunition to persons authorized under
24 subdivisions (1) through (3) of this subsection to possess
25 those items.

26 (5) Manufacture, transportation, or sale of weapons,

1 attachments, or ammunition for sale or transfer in another
2 state.

3 (6) Possession of any firearm if that firearm is
4 sanctioned by the International Olympic Committee and by
5 USA Shooting, the national governing body for
6 international shooting competition in the United States,
7 but only when the firearm is in the actual possession of an
8 Olympic target shooting competitor or target shooting
9 coach for the purpose of storage, transporting to and from
10 Olympic target shooting practice or events if the firearm
11 is broken down in a non-functioning state, is not
12 immediately accessible, or is unloaded and enclosed in a
13 case, firearm carrying box, shipping box, or other
14 container, and when the Olympic target shooting competitor
15 or target shooting coach is engaging in those practices or
16 events. For the purposes of this paragraph (6), "firearm"
17 is defined in Section 1.1 of the Firearm Owners
18 Identification Card Act.

19 (7) Any non-resident who transports, within 24 hours, a
20 semi-automatic assault weapon for any lawful purpose from
21 any place where he or she may lawfully possess and carry
22 that weapon to any other place where he or she may lawfully
23 possess and carry that weapon if, during the transportation
24 the weapon is unloaded, and neither the weapon nor any
25 ammunition being transported is readily accessible or is
26 directly accessible from the passenger compartment of the

1 transporting vehicle. Provided that, in the case of a
2 vehicle without a compartment separate from the driver's
3 compartment the weapon or ammunition shall be contained in
4 a locked container other than the glove compartment or
5 console.

6 (e) Sentence.

7 (1) A person who knowingly delivers, sells, purchases,
8 or possesses or causes to be delivered, sold, purchased, or
9 possessed a semi-automatic assault weapon in violation of
10 this Section commits a Class 3 felony for a first violation
11 and a Class 2 felony for a second or subsequent violation
12 or for the possession or delivery of 2 or more of these
13 weapons at the same time.

14 (2) A person who knowingly delivers, sells, purchases,
15 or possesses or causes to be delivered, sold, purchased, or
16 possessed in violation of this Section an assault weapon
17 attachment commits a Class 4 felony for a first violation
18 and a Class 3 felony for a second or subsequent violation.

19 (3) A person who knowingly delivers, sells, purchases,
20 or possesses or causes to be delivered, sold, purchased, or
21 possessed in violation of this Section a .50 caliber rifle
22 commits a Class 3 felony for a first violation and a Class
23 2 felony for a second or subsequent violation or for the
24 possession or delivery of 2 or more of these weapons at the
25 same time.

26 (4) A person who knowingly delivers, sells, purchases,

1 or possesses or causes to be delivered, sold, purchased, or
2 possessed in violation of this Section a .50 caliber
3 cartridge commits a Class A misdemeanor.

4 (5) Any other violation of this Section is a Class A
5 misdemeanor.

6 (720 ILCS 5/24-1.10 new)

7 Sec. 24-1.10. Possession, delivery, sale, and purchase of
8 large capacity ammunition feeding devices.

9 (a) As used in this Section:

10 "Large capacity ammunition feeding device" means:

11 (1) a magazine, belt, drum, feed strip, or similar
12 device that has a capacity of, or that can be readily
13 restored or converted to accept, more than 10 rounds of
14 ammunition; or

15 (2) any combination of parts from which a device
16 described in paragraph (1) can be assembled.

17 "Large capacity ammunition feeding device" does not
18 include an attached tubular device designed to accept, and
19 capable of operating only with, .22 caliber rimfire ammunition.

20 "Large capacity ammunition feeding device" does not include a
21 tubular magazine that is contained in a lever-action firearm or
22 any device that has been made permanently inoperable.

23 (a-5) The Department of State Police shall take all steps
24 necessary to carry out the requirements of this Section within
25 150 days after the effective date of this amendatory Act of the

1 97th General Assembly.

2 (b) Except as provided in subsections (c), (c-2), and (d),
3 on or after the effective date of this amendatory Act of the
4 97th General Assembly, it is unlawful for any person within
5 this State to knowingly deliver, sell, or purchase or cause to
6 be delivered, sold, or purchased or cause to be possessed by
7 another, a large capacity ammunition feeding device.

8 (b-5) Except as otherwise provided in subsections (c),
9 (c-2), and (d), 240 days after the effective date of this
10 amendatory Act of the 97th General Assembly, it is unlawful for
11 any person within this State to knowingly possess a large
12 capacity ammunition feeding device.

13 (c) This Section does not apply to a person who possessed a
14 device prohibited by subsection (b-5) before the effective date
15 of this amendatory Act of the 97th General Assembly, provided
16 that the person has provided in an affidavit, under oath or
17 affirmation and in the form and manner prescribed by the
18 Department of State Police, his or her name, date of birth,
19 Firearm Owners Identification Card Number, and the device's
20 make, model, caliber, and serial number, on or after 150 days
21 after the effective date of this amendatory Act of the 97th
22 General Assembly but within 240 days after the effective date
23 of this amendatory Act of the 97th General Assembly. The
24 affidavit shall include a statement that the device is owned by
25 the person submitting the affidavit. Each affidavit form shall
26 include the following statement printed in bold type: "Warning:

1 Entering false information on this form is punishable as
2 perjury under Section 32-2 of the Criminal Code of 2012.".
3 Beginning 240 days after the effective date of this amendatory
4 Act of the 97th General Assembly, the person may transfer the
5 device only to an heir, an individual residing in another state
6 maintaining that device in another state, or a dealer licensed
7 as a federal firearms dealer under Section 923 of the federal
8 Gun Control Act of 1968. Within 10 days after transfer of the
9 device, the person shall notify the Department of State Police
10 of the name and address of the transferee and comply with the
11 requirements of subsection (b) of Section 3 of the Firearm
12 Owners Identification Card Act. The person to whom the device
13 is transferred shall, within 60 days of the transfer, complete
14 an affidavit and pay the required registration fee as set forth
15 in this Section. A person to whom the device is transferred may
16 transfer the device only as provided in this subsection.

17 (c-2) This Section does not apply to a peace officer who
18 has retired in good standing from a law enforcement agency of
19 this State and who possesses a device prohibited by subsection
20 (b-5), if the device was lawfully possessed and acquired by the
21 peace officer prior to retirement and the retired peace officer
22 within 10 days of retirement registers the device with the
23 Department of State Police and pays the required registration
24 fee as provided in this Section. The retired peace officer
25 shall comply with the transfer and notification requirements
26 provided in subsection (c).

1 (c-5) For the purpose of registration required under
2 subsections (c) and (c-2), the Department of State Police shall
3 charge a registration fee of \$5 for each large capacity
4 ammunition feeding device. The fees shall be deposited into the
5 LEADS Maintenance Fund.

6 (d) This Section does not apply to or affect any of the
7 following:

8 (1) Peace officers as defined in Section 2-13 of this
9 Code.

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

13 (3) Members of the Armed Services or Reserve Forces of
14 the United States or the Illinois National Guard, while in
15 the performance of their official duties or while traveling
16 to or from their place of duty.

17 (4) Manufacture, transportation, or sale of large
18 capacity ammunition feeding devices to persons authorized
19 under subdivisions (1) through (3) of this subsection to
20 possess those items.

21 (5) Manufacture, transportation, or sale of large
22 capacity ammunition feeding devices for sale or transfer in
23 another state.

24 (6) Possession of any large capacity ammunition
25 feeding device if that large capacity ammunition feeding
26 device is sanctioned by the International Olympic

1 Committee and by USA Shooting, the national governing body
2 for international shooting competition in the United
3 States, but only when the large capacity ammunition feeding
4 device is in the actual possession of an Olympic target
5 shooting competitor or target shooting coach for the
6 purpose of storage, transporting to and from Olympic target
7 shooting practice or events if the device is broken down in
8 a non-functioning state, is not immediately accessible, or
9 is unloaded and enclosed in a case, firearm carrying box,
10 shipping box, or other container, and when the Olympic
11 target shooting competitor or target shooting coach is
12 engaging in those practices or events.

13 (7) Any non-resident who transports, within 24 hours, a
14 large capacity ammunition feeding device for any lawful
15 purpose from any place where he or she may lawfully possess
16 and carry that device to any other place where he or she
17 may lawfully possess and carry that device if, during the
18 transportation the device is unattached to a firearm, and
19 the device is not readily accessible nor is directly
20 accessible from the passenger compartment of the
21 transporting vehicle. Provided that, in the case of a
22 vehicle without a compartment separate from the driver's
23 compartment the device shall be contained in a locked
24 container other than the glove compartment or console.

25 (e) Sentence. A person who knowingly delivers, sells,
26 purchases, or possesses or causes to be delivered, sold,

1 purchased, or possessed in violation of this Section a large
2 capacity ammunition feeding device capable of holding more than
3 10 rounds of ammunition commits a Class 3 felony for a first
4 violation and a Class 2 felony for a second or subsequent
5 violation or for possession or delivery of 2 or more of these
6 devices at the same time. Any other violation of this Section
7 is a Class A misdemeanor.

8 (720 ILCS 5/24-4.1 new)

9 Sec. 24-4.1. Report of lost or stolen semi-automatic
10 assault weapons, assault weapon attachments, .50 caliber
11 rifles, .50 caliber cartridges, and large capacity ammunition
12 feeding devices.

13 (a) A person who possesses a valid Firearm Owner's
14 Identification Card and who possesses or acquires a
15 semi-automatic assault weapon, assault weapon attachment, .50
16 caliber rifle, .50 caliber cartridge, or large capacity
17 ammunition feeding device and thereafter loses or misplaces the
18 semi-automatic assault weapon, assault weapon attachment, .50
19 caliber rifle, .50 caliber cartridge, or large capacity
20 ammunition feeding device, or the semi-automatic assault
21 weapon, assault weapon attachment, .50 caliber rifle, .50
22 caliber cartridge, or large capacity ammunition feeding device
23 is stolen from the person, the person must report the loss or
24 theft to the local law enforcement agency within 72 hours after
25 obtaining knowledge of the loss or theft.

1 (b) For the purposes of this Section:

2 "Assault weapon attachment" has the meaning ascribed
3 to it in Section 24-1.9 of this Code.

4 ".50 caliber rifle" has the meaning ascribed to it in
5 Section 24-1.9 of this Code.

6 ".50 caliber cartridge" has the meaning ascribed to it
7 in Section 24-1.9 of this Code.

8 "Large capacity ammunition feeding device" has the
9 meaning ascribed to it in Section 24-1.10 of this Code.

10 "Semi-automatic assault weapon" has the meaning
11 ascribed to it in Section 24-1.9 of this Code.

12 (c) Sentence. A person who violates this Section is guilty
13 of a petty offense for a first violation. A second or
14 subsequent violation of this Section is a Class A misdemeanor.

15 Section 97. Severability. The provisions of this Act are
16 severable under Section 1.31 of the Statute on Statutes.

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